

ANNEXURE/AANHANGSEL A

Case no/ Saak nr _____
Count No/Aanklag nr (1)

THE STATE versus/DIE STAAT teen

Johannes Francois Scheler

(Hereinafter referred to as the accused/Hierna die beskuldigde
genoem)

CRUELTY TO ANIMALS

THAT the accused is/are guilty of the crime of contravening the provisions of Section 2(1)(a) / 2(1)(b) / 2(1)(c) read with Sections 1, 3 and 4 of the Animals Protection Act 71 of 1962 – Cruelty to Animals

IN THAT on or about 2021 / 9 / 21 and at or near 30 Wellington Rd
in the District/Regional Division of Belville, the accused did unlawfully
and intentionally: -

- (a) ill-treat, neglect, torture or maim or cruelly beat or terrify an animal, to wit

a dog by beating kicking
kicking the dog pulling the dog by his legs and throwing
or him into the canopy of the vehicle

- (b) confine, chain, tether or secure an animal to wit _____
unnecessarily or under such conditions or in such manner or position as to cause
that animal unnecessary suffering, OR in a place which affords inadequate space,
ventilation, light, protection or shelter from heat, cold or the weather, by _____;

- or
(b) unnecessary starve or underfeed or deny water or food to an animal, to wit _____

SOUTH AFRICAN POLICE SERVICE



SUID- AFRIKAANSE POLISIEDIENS

A 4518493

ORIGINAL: To be handed to accused or person in whose care an accused under the age of 18 years is or has been placed
 OORSPRONKLIKE: Moet aan beskuldigde of aan die persoon in wie se sorg 'n beskuldigde onder die ouderdom van 18 jaar is of geplaas is, oorhandig word.

WARNING TO APPEAR IN COURT • WAARSKUWING OM IN DIE HOF TE VERSKYN

(In terms of section 72 of Act No. 51 of 1977 • Ingevolge artikel 72 van Wet No. 51 van 1977)

Name / Naam <u>Johannes Francois Schleutker</u>		
Residential address / Woonadres <u>No 41 George Starck Drive</u> <u>Parow</u>		
Gender / Geslag <u>Male</u>	Age / Ouderdom <u>14</u>	Police station / Polisiekantoor <u>Durbanville</u>
CR / CAS No. MR / MAS No. <u>289/09/201</u>		Case No. Saak No.

In terms of section 72 of the Criminal Procedure Act (Act No. 51 of 1977), you are hereby warned to —
 Kragtens artikel 72 van die Strafproseswet (Wet No. 51 van 1977), word u hierby gewaarsku om —

* (a)	appear before the voor die on (date) op (datum) <u>Magistrate</u> <u>2011-09-30</u> <u>at 08:30 on a charge of</u> <u>om 08:30 op 'n aanklag van</u> <u>Bellville</u> <u>Act 71/1967 Sec 2</u>	court at hof te at 08:30 on a charge of om 08:30 op 'n aanklag van
or such other charge as the Public Prosecutor may bring against you and to remain in attendance at the proceedings relating to the offence in question; of 'n ander aanklag wat die Staatsaanklaer teen u mag inbring, te verskyn en by die verrigtinge betreffende die betrokke misdryf aanwesig te bly;		
OR/OF		
* (b)	bring an accused under the age of 18 years who is in your care, or has been placed in your care or to cause 'him/her to wit 'n beskuldigde onder die ouderdom van 18 jaar wat in u sorg is, of in u sorg geplaas is, te wete	
to appear before the voor die on (date) op (datum) <u>Magistrate</u> <u>2011-09-30</u> <u>at 08:30 on a charge of</u> <u>om 08:30 op 'n aanklag van</u> <u>Bellville</u> <u>Act 71/1967 Sec 2</u>		
or such other charge as the Public Prosecutor may bring against 'him/her and to have 'him/her remain in attendance at the proceedings relating to the offence in question; of 'n ander aanklag wat die Staatsaanklaer teen 'hom/haar mag inbring, te bring of te laat bring en toe te sien dat 'hy/sy by die verrigtinge betreffende die betrokke misdryf aanwesig te bly.		

WARNING:

- You are obliged to attend the above-mentioned proceedings and must remain in attendance at such proceedings.
- Failure to comply with the above-mentioned warning constitutes an offence in respect of which you may be sentenced to a fine or three months imprisonment.

WAARSKUWING:

- U is verplig om bogenoemde verrigtinge by te woon en moet by sodanige verrigtinge aanwesig bly.
- Versuim om aan hierdie kennisgewing te voldoen, kom neer op 'n misdryf waarvoor u tot 'n boete of drie maande gevangenisstraf gevonnis kan word.

The original hereof was today handed to the aforementioned *person/accused personally and the meaning thereof was explained to *him/her.
 Die oorspronklike hiervan is vandag aan voormelde *persoon/beskuldigde persoonlik oorhandig en die betekenis daarvan is aan *hom/haar verduidelik.

SIGNATURE OF AFOREMENTIONED *PERSON/ACCUSED
 ONTEKENING VAN VOORMELDE *PERSOON/BESKULDIGDE

DATE/DATUM

PLACE/PLEK

POLICE OFFICIAL (NO., RANK, NAME)
 POLISIEBEAMPTTE (NO., RANG, NAAM)

Contact telephone number
 Kontaktelefoonnommer

Station/Stasie

e: You have the right to consult with a legal practitioner of your choice, or if you prefer, to apply to the Legal Aid Board to be provided with the services of a legal practitioner at state expense.
 wel: U het die reg om met 'n regsvertegenwoordiger van u keuse te konsulteer, of indien u verkies, by die Regshulpraad aansoek te doen om van die dienste van 'n regsvertegenwoordiger op staatskoste, voorsien te word.

note whichever is not applicable.
 rap wat nie van toepassing is nie.

Case number: D406/21

On : 30.9.2021
 Magistrate : Mamodisa Dondop
 Public Prosecutor : Ms Daniels
 Defense : JP
 Interpreter : MS

Right to legal representation and access to contents of the police docket explained to the accused as per "Rights Annexure (Attached).

Public Prosecutor:

Request remain for further
investigation

Defense attorney/ Accused:

Remanded to 29.10.2021 at D court for further investigation
legal and application

Position of Accused :

1. In custody.
2. In custody. Bail fixed at _____ on condition that accused appear at _____ court at 08h30 a.m.
3. On bail. Bail conditions extended and the accused warned to appear at Bellville _____ Court at 8h30 a.m.
4. Accused on warning and warned to appear at _____ Court 8h30 a.m



"Rights Annexure"

Explanation of rights at first appearance

Case number: 0406/74
S v Johannes Barrios Selokuter

A. Explanation of rights to legal representation (Section 35 (3) (f) and Section 35(3) (g) Act 108/1996

You have the right to legal representation in terms of the provisions of the Constitution which include the right to:

1. Appoint an attorney of own choice for which you have to pay.
2. Apply for legal aid should you not be able to afford an attorney.
3. Conduct your own defense.

Should you apply for Legal Aid you are made aware of the fact that the Legal Aid Attorney who will be appointed on your behalf is there to protect only your interest. They have no relationship with any of the State Agencies and do not work with the Prosecutor or the Police. They are officers of the court and they are obliged to follow your lawful instructions.

Do you understand?

Accused yes

Accused elect(s) to:

1. Appoint an attorney at own cost.
2. Apply for Legal Aid.
3. Conduct own defense.

B. Right to access to the police docket

You have the right to a copy of the statements in the police docket to enable you to prepare for your trial. You also have a right to an interpreter to translate the statements contained in the police docket in a language that you understand should you not be able to read the statements.

Do you understand this right?

Accused:.....

I wish / do not wish to apply for a copy of the statements in the docket.

CASE NO:

D428/21

ON

29. 10. 2021

MAGISTRATE : MRS DAVAHNA

PROSECUTOR: MRS SAM / MS DAVIDS

DEFENCE :

Mr Brunsdon

INTERPRETER :

Ms Brown

CLERK : MS S KUNZIE

ACCUSED BEFORE COURT:

PP: MATTER ON THE ROLL FOR:

SI - legal Aid application
for Request removed for
further investigations

Ref:

Cafra appearance.

Court - Remanded 27.1.2022
for further investigations "final"
After SI
Addressed a warning - warned
8:30 - D - Court



Case No. 12406/21

On/Op : 27 / 1/2022

VS/PO : Manontyaka Dauhany

SA/PP : Mrs Sam / Ms Davids

Verd./Det: Mc Peter

Int : ~~Mr. M. M. M. M.~~ Ms Blekwe

Accused absent – not allowed in building due to Covid-19 preventative measures.

Matter Struck off roll / postponed in absentia to 15 March 2022

b - Court:

~~Accused on warning/bail extended for 08h30.~~

~~Accessed in custody.~~

Accused to be subpoenaed for next date.



ON 15.3.2022

MAGISTRATE : MRS DAVAHNA

PROSECUTOR: MRS SAM / MS DAVIDS

DEFENCE: ~~Ms Peter~~ Mr Brandson absent.

INTERPRETER: Mr Makhobane

CLERK : MS S KUNZIE

ACCUSED BEFORE COURT:

PP: MATTER ON THE ROLL FOR: Accused
Request remand for our attorney
of accused as per agreed with
our attorney

Court: Remanded 16.3.2022 for
attorney.

Accused or using - varied 8:30
D. Court -



ON

16.3.2022

MAGISTRATE: MRS DAVAHNA

PROSECUTOR: ~~MRS SAM~~ MS DAVIDS

DEFENCE:

~~Ms Rase~~ Mr Brunsdome

INTERPRETER:

Mr Makhelane

CLERK: MSS KUNZIE

ACCUSED BEFORE COURT:

PP: MATTER ON THE ROLL FOR:

Plea

Def:

Confirms appearance

"Mechanically recorded"

Court - Plea - See 515

Judgment - See 515

Sentence -

See 515





IN THE MAGISTRATE COURT FOR THE DISTRICT OF BELLVILLE HELD AT BELLVILLE

CASE NO: D406/2021

In the matter between:

THE STATE

And

JOHANNES FRANCIOS SCHELECTER

STATEMENT IN TERMS OF SECTION 112(2) OF ACT 51 OF 1977 AS AMENDED

I THE UNDERSIGNED JOHANNES FRANCIOS SCHELECTER AN ADULT MALE PERSON WITH I.D. NUMBER 4611045096088 VOLUNTARILY MAKES THE FOLLOWING STATEMENT AND ADMISSIONS, AT MY SOBER SENSES AND AWARE OF MY RIGHTS AS EXPLAINED BY MY LEGAL REPRESENTATIVE:

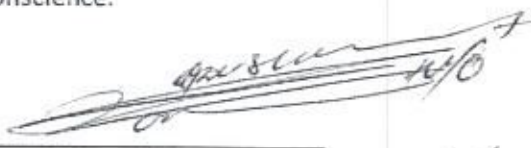
1. That I am the accused in the abovementioned matter.
2. That I understand the charge against me.
3. That I plead **Guilty** to contravening Section 2(1)(a) / 2 (1)(b) read together with sections 1,3 and 4 of the Animals Protection Act 71 of 1962 – Cruelty to Animals.
4. In that on or about **21 September 2021** at or near **30 Wellington Street R2, Durbanville** in the district of Bellville, I unlawfully and intentionally ill-treated, neglected, tortured, maimed or cruelly beat and terrified a dog by beating, kicking and pulling the dog by its hind legs throwing it into the canopy bakkie vehicle.
5. In amplification of my plea I have the following to say:
 - 5.1 That whilst I was at the Agri market to purchase goods, my dog escaped from my vehicle and ran towards the store and subsequently through the store.
 - 5.2 Being of ill health and not being as mobile as I once was, I chased after the dog to ensure no harm is done to anyone in or around or the Agri market. The dog sped away and caused havoc within the store.
 - 5.3 I contend that I was upset and embarrassed that my dog was causing such chaos, that could potentially result in injury or damages for those around.
 - 5.4 The dog ran out of the Agri market's front door and was heading for the traffic on main road.

- 5.5 Upon catching the dog, I was relieved, out of breath, but also angered that the dog had made me chase after it. This caused my anger to spill over and resulted in me lashing out at my beloved dog. This has never occurred before, because I am an animal lover who do not condone violence against any animals.
- 5.6 After reaching my vehicle with the dog, which I admit to carrying by his hind legs, the dog brutally bit my hand which further sparked my anger and resulted in me pushing the dog into the back of my vehicle.
- 5.7 I admit that my actions were wrongful.
- 5.8 After placing the dog in the back of the vehicle, I was brutally attacked by a passerby who had witnessed the altercation. The passerby beat me in the face, threw me on the ground and kicked me which caused injuries so severe, I required medical assistance as I was bleeding from my head wound.
- 5.9 My dogs are like family to me and I plead with the Court to release my dogs in my custody and not to declare me unfit to own dogs.
6. I admit to causing harm and scaring my dog, by injuring and carrying the dog by its hind legs. I further admit that my actions aforesaid were wrongful and punishable by a court of law.

Signed at Bellville on this 16th day of March 2022

Johannes Francios Schlechter 

This affidavit was signed and sworn to by the Deponent before me at Bellville on this the 16th day of March 2022. The Deponent acknowledged the fact that he has read the affidavit as well as knows and understands the contents of the affidavit. The Deponent further testified that the contents of the affidavit are both true and correct and that he has no objection to taking the prescribed oath and considers it to be binding on his conscience.



COMMISSIONER OF OATHS

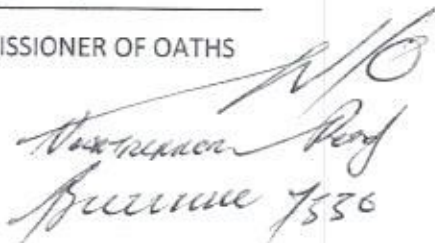

7536

Exhibit B

DATE : 2022-03-15

REQUESTED BY : 71950478 ME C HOUGH

DURBANVILLE DETECTIVE STATION



DISPATCHED TO : DURBANVILLE DETECTIVE STATION
SA POLISIEDIENS
POSEBUS 22
DURBANVILLE
7550
Tel : 021 964851

INVESTIGATION OFFICIAL : AO MJ JAARS 5340756
TEL :
FP-REGISTER NO : 138/09/2021

FP-NUMBER : 2021 YDG754
SEQUENCE NUMBER : 2021 BELLVILLE LCRC 41058
CAS/CR-NUMBER : DURBANVILLE 289/09/2021

NAME : SCHELECHTER JOHANNES
GENDER : MALE
BIRTH DATE : 1946-11-04
ID-NR : 4611045096088

CHARGE : CRUELY OVERLOAD, OVERDRIVES, OVER RIDE, BEAT, KICK, GOADS, ILL-TREATS, NEGLECTS, INFURILIATES, TERRIFIES, TORTURES, OR MAIMS ANY ANIMAL

LCRC : BELLVILLE LCRC

ISSUED FOR : THE HEAD SAPS CRIMINAL RECORD CENTRE

NO PREVIOUS CONVICTIONS