



REPUBLIC OF KENYA

IN THE ENVIRONMENT & LAND COURT AT MOMBASA

ELC CASE NO.98 OF 2016

TSUMA MWANGALA.....1ST PLAINTIFF

JAPHET M. TSUMA.....2ND PLAINTIFF

FREDRICK TSUMA.....3RD PLAINTIFF

JOSEPH TSUMA.....4TH PLAINTIFF

SAMWEL TSUMA.....5TH PLAINTIFF

WLSON TSUMA.....6TH PLAINTIFF

VERSUS

JULIUS KARISA DECHE..... DEFENDANT

JUDGEMENT

INTRODUCTION

1. Pursuant to the plaint dated **9th May 2016** and filed on the same day, the plaintiffs sought the following reliefs:

- a) An order of temporary injunction do issue against the defendant, his heirs, legal representatives or anybody authorized by him restraining them from interfering with the peaceful and quiet enjoyment of the suit property pending the hearing and determination of this suit.
- b) An order of permanent injunction do issue against the defendant, his heirs, legal representatives or anybody authorized by him restraining them from interfering with the peaceful and quiet enjoyment of the suit property pending the hearing and determination of this suit.
- c) That an order do issue revoking the title deed no.LR No.MN/IV/636 held by the defendant in respect of this suit property and that the suit property be registered in the name of the 1st plaintiff.
- d) That the defendant be compelled to compensate the plaintiffs for the loss incurred.
- e) Any other relief the court may deem fit to grant.

2. The defendant filed an amended defence and counterclaim on the **18th June 2016** seeking the orders inter alia;

- a) A declaration that the defendant is entitled to exclusive and unimpeded right of possession and occupation of all that parcel of land to wit L.R No.M/IV/636 CR No. 53768.
- b) A permanent injunction restraining the plaintiffs whether by themselves or their servants or agents or otherwise from entering, remaining on, trespassing, selling, alienating charging, leasing and/or any other dealing with the suit property.
- c) General damages for trespass.

d) Costs of the suit and counterclaim.

e) Interest on (c) and (d) above.

3. On the **21st of June 2016**, the plaintiffs filed a Reply to the defendant's defence and counterclaim stating that the title obtained by the defendant was obtained fraudulently and by misrepresentation, consequently the plaintiffs were seeking that the defendant's title be revoked.

PLAINTIFFS' CASE

4. The plaintiffs aver that at all material times to this suit they were living and tilling on a plot of land situated at MTWAPA in Kilifi County measuring 1.548 hectares which the defendant holds as the registered owner vide certificate of title no.LR NO.MN/IV/636. The 1st plaintiff avers that he has lived on this plot since earlier **1950s** and that the 2nd to 6th plaintiffs were born on this land. The 1st plaintiff avers that he has developed the land and he has planted several coconut trees on the land.

5. The 1st plaintiff contends that the suit land is a beach land that had no title. The 1st plaintiff avers that on numerous occasions, he applied for the title for the land but could not get it since the titles for the beach plots were only given by the President of the Republic of Kenya. The 1st plaintiff avers that in or around earlier 2004, the defendant approached him and asked him to vacate from the plot on the grounds that the plot belonged to him.

6. The 1st plaintiff states that he did several suits in the administration offices and all on occasions the plea of the defendant were dismissed. The 1st plaintiff contends that in the year **2004** he was arrested and beaten by the police from Mtwapa Police Station and that he was arraigned in court and charged with the offence of trespass in **Criminal Case No.589 of 2004**. The 1st plaintiff avers that after full trial, he was acquitted of the charges. The 1st plaintiff states that during the trial of the **Criminal Case No.589 of 2004** the defendant was unable to explain how he obtained the title to the suit land.

7. The 1st plaintiff avers that the title of the defendant was obtained fraudulently and has given particulars of fraud. In those particulars he has stated that the defendant has never lived on the suit property, that the defendant's title was obtained irregularly and contrary to the prevailing law, that the suit property has never been the property of the grandfather to the defendant and the defendant could not inherit it, that the defendant's parents have never lived on the suit property and they have nothing on the suit property, that the National Land Commission was not given any evidence to show that the defendant's parents and or grand parents lived on the suit property but only relied on the allegations by the defendant who did not disclose that the 1st plaintiff and his family are on the suit property, that apart from the defendant, there are other people claiming the suit property who have titles issued by Ministry of Lands, that the 1st plaintiff was in possession and has fully developed the plot yet he was not given the opportunity to apply for registration, and lastly that the application and issuance of the title was done secretly without affording the 1st plaintiff an opportunity.

8. The plaintiffs state that the suit property is surrounded by water and they only gain entry to the land by boat or when the water mass has receded. The 1st plaintiff aver that the Criminal Case No.589 of 2004 at Kilifi Law court ended in **2005** and since then the defendant vanished into thin air. The plaintiffs contend that on **2nd May 2016**, policemen in the company of the defendant arrested and took the 2nd to the 6th plaintiffs to Mtwapa Police Station and while there, the defendant and his sons burnt down their houses with everything inside there, causing irreparable loss and damage to the plaintiffs.

9. The plaintiffs have particularized the loss and damage and allege their houses were burnt and the plaintiffs' families are living in the cold. The plaintiffs contend that there was no court order and proceedings in any court between the plaintiffs and the defendant sanctioning the demolition and eviction. That the police officers did not serve any court order on the plaintiffs. The 2nd to the 6th plaintiffs state that on **3rd of May 2016** they were arraigned in court and charged with the offence of Forcible detainer contrary to Section 91 read together with Section 36 of the Penal Code.

10. The plaintiff state that the defendant's claim that the plaintiffs moved to the land in **2014** is untrue and that the plaintiffs are still on the land with their family members. That the defendant has deployed guards on the suit property and the plaintiffs aver that the suit property is claimed by several people who have come to the suit property purporting to hold titles for the same property. The plaintiffs state that the defendant's title for the suit property was illegally issued. The 1st plaintiff avers that he and his family have lived on the suit property for a period of more than **40 years** and that he deserve to be registered as the owner of the suit property by virtue of adverse possession.

11. The plaintiffs aver that the attempt of the defendant to misuse the police to use excessive force to try to evict them is an act in vain. The plaintiffs state that they have no any other place apart from the suit property which they know as home.

12. The matter came up for hearing on **16th May 2019** where the plaintiff called three witnesses namely; Fredrick Tsuma Mwangala, PW1, Samwel Tsuma, PW2 and Wilson Tsuma, PW3.

13. PW1 testified that they did not have a title to the suit property. He stated that he together with his brothers were charged in **Criminal Case No.452 of 2016**, with the offence of forcible detainer where they were found guilty and convicted to one-year probation period. He produced the charge sheet and marked it as **P.Exhibit No.1**. He was cross examined by the defendant's counsel. PW1 confirmed that he was born in the year **1993** and as such, he was still a child aged 10 years by the time the title was being issued to the defendant. He testified that neither his late father nor the plaintiffs have the title to the land in dispute and that they do not live on the suit property.

14. PW2 in his testimony states that he was born in **1990** and as such he was **13 years** by the time the title was being issued to the defendant and that they do not have a title to the suit property. He told the court that in **2003**, he together with his brothers were charged before Shanzu

Law Courts with the offence of forcible detainer of the suit property. He stated that their mother does not live on the suit property and that their father, the 1st plaintiff died in **2017**, and was not buried on the suit property.

15. PW3 adopted his witness statement as his evidence in chief. He stated that he was **29 years** old and that his father has been on the suit land since **1950s**. That however, was according to his father. He testified that he did not know the defendant until he was arrested. He stated that he was arrested by police on **2/5/2016** at his home on allegation that they grabbed land. He stated that he was born on the suit land and the defendant had title. That he was charged and sentenced to probation for one year for forcible detainer. He stated that he was born in 1992 and could not tell when their father entered the suit land because he was not yet born at the time and that his father had not acquired title and none had been issued to him.

DEFENDANT'S CASE

16. The defendant avers that the issues raised in this suit were the same issues raised in **ELC No. 69 of 2016 - Yasser Ali Sheikh vs Julius Karisa Deche**, which suit is yet to be determined and is pending at the High Court in Malindi, and touching on the same subject matter and involving the same parties, which is a clear contravention of section 7 of the Civil Procedure Act, Cap 21 Laws of Kenya.

17. The Defendant denied the Plaintiffs' allegation that they were living and are still living on a plot of land at Mtwapa in Kilifi County measuring 1.548 hectares which the Defendant holds as the registered owner vide certificate of Title No. LR. No. MN/IV/637 and put the Plaintiffs to strict proof thereof.

18. The Defendant avers that he is the bona fide registered proprietor of the suit property with an indefeasible title against the Plaintiffs and the whole world having been duly issued with the same on **13th February, 2003** in accordance with section 23 of the Registration of Titles Act Cap 281 Laws of Kenya (repealed) and has been in quiet possession and enjoyment of the said parcel of land since then. The Defendant denied the Plaintiffs' claim that they have lived on the suit property since **1950's** and the allegation that the **2nd to 6th** Plaintiffs were born on the suit land. It is the Defendant's contention that the Plaintiffs are merely trespassers and without any colour of right have continuously entered and interfered with the suit property, causing the Defendant to lodge a complaint with the police which resulted to the criminal proceedings against them. The Defendant denies the Plaintiffs claim that the 1st Plaintiff has developed the suit land and planted several coconut trees thereon.

19. The defendant denies that the 1st plaintiff had on numerous occasions applied for the title for the land but could not get it since the titles for the beach plots were only given by the President of the Republic of Kenya either as alleged or at all.

20. The defendant denies that in or around early **2004** he approached the 1st plaintiff or anyone for that matter and states that he did not ask the plaintiffs to vacate from the plot on the grounds that the plot was his either as alleged or at all and further states that the plaintiffs have been a nuisance to the Defendant's quiet enjoyment of the suit property and nothing more. He denies knowledge of the several suits allegedly filed by the Plaintiffs in the administration office and **Criminal Case 589 of 2004**.

21. The Defendant denies that his title was obtained fraudulently.

22. The Defendant avers that he lodged a complaint against the Plaintiffs with the Police and that the move by the police to arrest the Plaintiffs and arraign them in court was lawful and legal as the same was done in accordance with their statutory and constitutional mandate. He admits that on **3rd May, 2016**, the **2nd to 6th** Plaintiffs were arraigned in court and charged with the offence of forcible detainer contrary to section 91 as read with Section 36 of the Penal Code.

23. The defendant avers that the plaintiffs' continuous unlawful and illegal stay on his parcel of land is a gross violation of his right to own property as enshrined under article 40 of the Constitution of Kenya.

24. The defendant admits that he has deployed guards on the suit property and further avers that the said move is to protect and preserve his property.

25. The defendant avers that there is a pending suit before the Honourable Court in **ELC No.69 of 2016** at Malindi over the same subject matter in which he seeks inter alia a declaration that he is the bona fide registered proprietor to wit L.R No. MN/IV/636 CR No.53768.

26. The defendant denies that his title was illegally issued and avers that he followed all the laid down procedures and made all the requisite payment prior to issuance of the title to the parcel of land to wit L.R No. MN/IV/636 CR No. 53768 on **13th February, 2003**.

27. The defendant states that the plaintiffs' plea of adverse possession is miserable and incurably defective in Law and substance and that the defendant has continuously occupied the land in issue since 1960s in the absence of the plaintiffs. The defendant therefore denies the Plaintiffs' claim of adverse possession. He further states that the plaintiffs have never been in continuous uninterrupted occupation of the suit premises but have been intermittent trespassers on and off the suit land since the **year 2004**.

28. The defence called two witnesses, the defendant who testified as DW1 and Simon Alington Jeffa Ngome DW2, who was the Assistant chief of Kibitani ,Mawamba sub-location.DW1 adopted and produced his witness statements filed in court on **17th May, 2016** and his supplementary witness statement filed on **16th March, 2017**. He also adopted and produced his bundle of documents filed on **17th May 2016** which were produced and were marked as Defence Exhibit-1 and a further supplementary list of documents filed in court which he produced and were marked as D.Exhibit 2.

29. DW1 testified that he is the bonafide registered owner of L.R No.MN/IV/636 with indefeasible title to the same. That the suit land

initially belonged to his grandfather and that he applied to the Government for allocation of the said suit land and was given a letter of allotment. That in 2003 he was issued with a title. That sometime in 2013 he lodged a complaint with the Director of Criminal Investigation Department when he realized there was another title fraudulently registered in the name of one YASSER SHEIKH ALI. That later on 9th December 2013, the Director of Criminal Investigations Department submitted findings in a report forwarded to the Chief Land Registrar stating that the title held by the said Yasser Sheikh Ali was a forgery and made recommendations to the effect that the title purportedly issued to Yasser Sheikh Ali be cancelled and expunged from the records and that the defendant's title be reinstated.

30. DW2 testified that he knew the suit property since he was the area chief. He stated that the suit property belonged to the defendant. That in 1995, the late area chief welcomed him to a sitting whereby the 1st plaintiff had been summoned to the chief. That the defendant had raised a complaint with the area chief stating that Katana Mwangala, who was the brother to the 1st Plaintiff was occupying the suit property illegally. That Katana Mwangala died and was not buried in the suit property but on the plaintiffs' ancestral land. He stated that they did a site visit by both parties whereby the chief ruled that the land belonged to the defendant.

31. Upon the close of the case, the Plaintiffs and the Defendant through their respective advocates requested for time to file their written submissions which were duly filed.

ANALYSIS AND DETERMINATION

32. The court has carefully considered the evidence on record, the submissions made and the applicable laws. From the pleadings and the aforesaid evidence on record, the issues that call for determination are:

- i) Whether the Plaintiffs have acquired the suit land LR No. MN/IV/636 CR. NO. 38018 by Adverse Possession.
- ii) Whether the Defendant is a bona fide registered owner of the suit land.
- iii) Whether the Plaintiffs are entitled to the prayers sought in the plaint.
- iv) Whether the Defendant is entitled to the prayers sought in the counter claim.

WHETHER THE PLAINTIFFS' HAVE ACQUIRED THE SUIT LAND LR. NO. MN/IV/631 CR.NO. 38018 BY ADVERSE POSSESSION.

33. Adverse possession is a common law doctrine under which a person in possession of land owned by someone else may acquire valid title to it. In Kenya, this doctrine is alive in section 7 of the Limitation of Actions Act Cap 22 Laws of Kenya that states:

“An action may not be brought by any person to recover land after the end of twelve years from the date on which the right of action accrued to him or, if it first accrued to some person through whom he claims, to that person.”

34. Section 17 of the Limitation of Actions Act provides as follows:

“subject to section 18 of this Act, at the expiration of the period prescribed by this Act for a person to bring an action, to recover land (including a redemption action) the title of that person to the land is extinguished.”

35. The period of twelve years starts to run from the moment the trespasser takes adverse possession of the land and the registered proprietor is regarded as having been disposed of or having discontinued his possession.

36. In *Wambugu –v- Njuguna (1983) KLR 173*, the Court of Appeal held inter alia, that:

“1. The general principle is that until the contrary is proved, possession in law follows the right to possess.

2. In order to acquire by the statute of limitation of title to land which has a known owner, that owner must have lost his right to the land either by being dispossessed of it or by having discontinued his possession of it. Dispossession of the proprietor that defeats his title are acts which are inconsistent with his enjoyment of the soil for the purpose of which he intended to use it...”

37. The ingredients were recently discussed by the Court of Appeal in the case of *Mtana Lewa –v- Kahindi Ngala Mwagandi [2015] eKLR* where it was stated:

“Adverse possession is essentially a situation where a person takes possession of land and asserts rights over it and the person having title to it omits or neglects to take action against such person in assertion of his title for a certain period in Kenya is twelve (12) years. The process springs into action essentially by default or inaction of the owner. The essential prerequisites being that the possession of the adverse possessor is neither by force or stealth nor under the license of the owner. It must be adequate in continuity, in publicity and in extent to show that possession is adverse to the title owner”

38. The Plaintiffs have to prove that they have used the suit land as of right: nec vi, nec clam, nec precario. They must show that the registered owner of the land had knowledge (or means of knowing, actual or constructive) of the possession or occupation. Further, the possession must be continuous.

39. In this case, there is no denial that the Defendant is the registered proprietor of the suit land. The evidence on record shows the Defendant was allotted the land and later issued with title to the suit property on **13th February, 2003** in accordance with section 23 of the Registration of Titles Act Cap 281 Laws of Kenya (repealed). Whereas the Plaintiffs' claim that they have acquired the suit property by way of adverse possession, the Defendant adduced documentary evidence to prove that he asserted his ownership right to the property in **2003** after acquiring title vide **Civil Case No. 581 of 2003 – Julius Karisa Deche –vs- Beuzitu Mwangala**. The Defendant also adduced evidence showing that he also lodged a complaint with Mtwapa Police after which the **2nd to 6th** Defendants were arrested and charged with forcible detainer contrary to Section 91 as read with Section 36 of the Penal Code of the Defendant's land in **Criminal Case No. 452 of 2016 to wit, Republic –vs- Japhet Mwangala & 4 Others**.

40. In their own evidence, the Plaintiffs admit that they have had disputes with the Defendant from around early **2004**. Indeed, they admit that the **1st** Plaintiff was even arrested and arraigned in court and charged with the offence of trespass in **Criminal Case No. 589 of 2004** at Kilifi court. Further, the Plaintiffs who testified, in particular PW1 and PW2, admitted that they were born in the 1990s and were minors by the time the title was issued to the Defendant. It is also apparent that the Plaintiffs possession of the suit property was by force, hence the various criminal cases they faced. One of the prerequisites for adverse possession is that the possession of the adverse possessor is not by force.

41. Based on the material on record, the claim of adverse possession by the Plaintiffs has certainly not been proved to the required standard. Their possession on the suit property, if at all, was not nec vi, nec clam, nec precario, that is without force, without secrecy and without permission. Their stay was also not continuous. It is therefore my finding that the Plaintiffs have not met the threshold to warrant this court to grant an order of adverse possession. The Plaintiffs' claim is therefore without merit and the same must fail.

42. The Plaintiffs' have also pleaded fraud against the Defendant. It is trite law that any allegations of fraud must be pleaded and strictly proved. In the case of **Ndolo –v- Ndolo (2008), KLR**, the court stated:

“...we start by saying that it was the Respondent who was alleging that the will was a forgery and the burden to prove that allegation lay squarely on him. Since the Respondent was making a serious charge of forgery or fraud, the standard of proof required of him was obviously higher than that required in ordinary Civil Cases, namely proof upon a balance of probabilities; in cases where fraud is alleged, it is not enough to simply infer fraud from the facts.”

43. In addition, Section 107 and 108 of the Evidence Act provide that the burden of proof lies in the person alleging fraud. In this case, the Plaintiffs' have not produced any iota of evidence linking the Defendant to any fraudulent dealings and have failed totally to offer any evidence to prove that the Defendant's title was obtained fraudulently and irregularly.

44. From the material on record, it is my finding that the Plaintiffs' claim based on fraud is without merit and the same must fail.

WHETHER OR NOT THE DEFENDANT IS THE BONAFIDE REGISTERED OWNER OF THE SUIT LAND

45. As already stated, the evidence on record shows that the Defendant was first issued with an allotment letter and later issued with a title of the suit property on **13th February, 2003** under the provisions of section 23 of the Registration of Titles Act Cap 281 (now repealed). The Defendant produced a copy of title in respect of the suit land. That is prima facie evidence that the suit land belongs to the Defendant. The Plaintiffs' at the hearing affirmed that they do not have title to the suit property. There is also a search on record dated **19th January, 2016** that confirms that the Defendant is the registered owner of the suit property.

46. Section 23 (1) and (2) of the Registration of Titles Act Cap 281(repealed) also provided as follows:

“The certificate of title issued by the Registrar to a purchaser of land upon a transfer or transmission by the proprietor thereof shall be taken by all courts as conclusive evidence that the person named therein as proprietor of the land is the absolute and indefeasible owner thereof, subject to the encumbrances, easements, restrictions and conditions contained therein or endorsed thereon, and the title of that proprietor shall not be subject to challenge, except on the ground of fraud or misrepresentation to which he is proved to be a party.”

47. Section 26 of the Land Registration Act No. 3 of 2012 provides that:

“(1) The certificate of title issued by the Registrar upon registration, or to a purchaser of land upon a transfer or transmission by the proprietor shall be taken by all courts as prima facie evidence that the person named as proprietor of the land is the absolute and indefeasible owner subject to the encumbrances, easements, restrictions and conditions contained or endorsed in the certificate, and the title of that proprietor shall not be subject to challenge, except –

(a) on ground of fraud or misrepresentation to which the person is proved to be a party; or

(b) where the certificate of title has been acquired illegally, unprocedurally or through a corrupt scheme.”

48. Section 24 of the Land Registration Act, No. 3 of 2021 provides:

“(a) The registration of a person as the proprietor of land shall vest in that person the absolute ownership of that land together with all rights and privileges belonging or appurtenant thereto; and

b)The registration of a person as the proprietor of a lease shall vest in that person the leasehold interest described in the lease, together with all implied ad expressed rights and privileges belonging or appurtenant thereto and subject to all implied or expressed agreements, liabilities or incidents of a lease.”

49. Section 25 of the same Act provides as follows:

“1) The rights of a proprietor, whether acquired on first registration or subsequently for valuable consideration or by an order of court, shall not be liable to be defeated except as provided in this Act, and shall be held by the proprietor, together with all privileges and appurtenances belonging thereto, free from all other interests and claims whatsoever, but subject –

a) to the leases, charges and other encumbrances and to the conditions and restrictions, if any shown in the register; and

b) to such liabilities, rights and interests as affect the same and are declared by Section 28 not to require noting on the register, unless the contrary is expressed in the register.

2)Nothing in this section shall be taken to relieve a proprietor from any duty or obligation to which the person is subject to as a trustee.”

50. In the case of ***Dr. Joseph Arap Ngok vs Justice Moiwo Ole Keiwua & 5 Others Civil Appeal No. Nairobi 60 of 1997***, it was held:

“section 23(1) of the Act gives an absolute and indefeasible title to the owner of the property. The title of such an owner can only be subject to challenge on grounds of fraud or misrepresentation to which the owner is proved to be a party. Such is the sanctity of title bestowed upon the title holder under the Act. It is our law and law takes precedence over all other alleged equitable rights of title. In fact, the Act is meant to give sanctity of title, otherwise the whole process of registration of titles and the entire system in relation to ownership of property in Kenya would be placed in jeopardy.”

51. In the instant case, no fraud or misrepresentation has been proved against the Defendant in the manner he acquired title to the suit property. It has also not been proved that the Defendant’s title was acquired illegally, unprocedurally or through a corrupt scheme. The Defendant has demonstrated on a balance of probabilities that he is the bonafide registered owner of the suit property. As the bona fide registered owner of the property, the Defendant is therefore protected under the provisions of Article 40 of the Constitution. I find the evidence on record sufficient to prove that the Defendant has proved his counterclaim against the Plaintiffs on a balance of probabilities.

52. In this case, the Defendant’s title to the suit property has been found to be bona fide. There is humble evidence that the Plaintiffs unlawfully, forcibly and without any colour of right trespassed upon the Defendant’s land. The Plaintiffs’ have even been charged with and convicted for the offence of forcible detainer. Once trespass is established, it is actionable per se and no proof of damage is necessary for the court to award general damages. There is no doubt that the Plaintiffs have since the year 2004 trespassed on the defendant’s land, and have been intermittent trespassers on and off the said land since then. No doubt the Defendant has suffered loss and damage due to the said trespass and is entitled to damages. I award the Defendant damages in the sum of **Kshs.1,000,000/=**.

53. The upshot is that Judgment is entered for the Defendant against the Plaintiffs’ in the following terms:

a) A declaration be and is hereby made that the Defendant is the bona fide owner of parcel LR. NO. MN/IV/636 C.R..NO. 53768 and is entitled to exclusive and unimpeded right of possession and occupation of the same.

b) A permanent injunction is hereby issued restraining the Plaintiffs whether by themselves or their servants or agents or otherwise from entering, remaining on, trespassing, selling, alienating, charging, leasing and/or in any other way dealing or interfering with the suit property.

c) The Defendant is awarded general damages for trespass in the sum of Kshs.1,000,000/=.

d) The Plaintiffs’ suit against the Defendant is dismissed.

e) Costs of the suit and counterclaim are awarded to the Defendant.

f) Interest on (c) and (e) above.

54. Orders accordingly.

DATED, SIGNED AND DELIVERED VIRTUALLY AT CHUKA THIS 3RD DAY OF DECEMBER, 2021 IN THE PRESENCE OF:

C/A: Ndegwa

Gekonde for Plaintiffs

Mrs Omutimba h/b for Njuguna for Defendant

C. K. YANO,

JUDGE

COURT

Judgment delivered virtually in the presence of Mr. Gekonde for the Plaintiffs and Mrs Omutimba for the Defendant

C. K. YANO – JUDGE

3.12.2021