Supreme Court of Appeal, Registrar's Office • PO Box 258, Bloemfontein, 9300 • c/o Elizabeth- & President Brand Street, Bloemfontein •
Tel (051) 492 4623 • Fax (051) 4127 449 • www.supremecourtofappeal.gov.za

Enquiries: L Lengana Date: 05 November 2026 Ref: 312/2026 & 313/2026

YOUR REF:
LEGAL AID BLOEMFONTEIN
4TH FLOOR FEDSURE BUILDING
49 CHARLOTTE MAXEKE STREET
BLOEMFONTEIN
9301

YOUR REF: DH MURRAY
LOVIUS BLOCK ATTORNEYS
31 FIRST AVENUE
WESTDENE
BLOEMFONTEIN
9300

YOUR REF:
OFFICE OF THE DPP JOHANNESBURG
INNES CHAMBERS
CORNER PRITCHARD & KRUIS STREETS
JOHANNESBURG
2000

Mr/Ms

APPLICATION FOR *AMICUS CURIAE*: HELEN SUZMAN FOUNDATION

IN THE MATTER BETWEEN: TLHOMEDI EPHARIM MFALAPITSA v THE STATE & ANOTHER

Attached please find a copy of the court order

L LENGANA (Mrs)
COURT REGISTRAR

SCA

SUPREME COURT OF APPEAL OF SOUTH AFRICA

CASE NO: 312/2026 &
313/2026

BEFORE THE HONOURABLE JUSTICE ZONDI DP

On the 05 November 2026

In the application for *amicus curiae*: **HELEN SUZMAN FOUNDATION**

REGISTRAR OF THE SUPREME COURT OF APPEAL
SOUTH AFRICA
PO Box 258, Bloemfontein 9301
2026 -11- 05
SCA-002
REGISTRAR OF THE SUPREME COURT OF APPEAL
SOUTH AFRICA

In the matter between:

TLHOMEDI EPHRAIM MFALAPITSA **APPELANT**

and

THE STATE **1st RESPONDENT**

CHRISTIAAN SIEBERT RORICH **2nd RESPONDENT**

Having considered the application lodged on 30 September 2026,

IT IS ORDERED THAT:

1. **The applicant is admitted as amicus curiae in terms of the Supreme Court of Appeal rule 16 and subject to its provisions.**
2. **The applicant must observe the Supreme Court of Appeal rule 16(7) and (8).**
3. **The applicant's heads of argument shall be limited to 20 pages.**
4. **The decision to permit oral argument will be taken by the presiding judge.**
5. **The heads of argument of the amicus curiae must be filed within one month of the date of the filing of the respondent's heads of argument.**
6. **Alternatively, if the respondent's heads have already been filed the amicus curiae is directed to file its heads of argument within one month of the date of this order.**
7. **Any party wishing to file supplementary heads of argument in response to those of the *amicus curiae* may do so within 15 days of the filing of the heads of argument of the *amicus curiae*, and such heads shall not exceed 10 pages**

in length.

BY ORDER OF THIS COURT

L LENGANA (Mrs)
COURT REGISTRAR

REGISTRAR OF THE SUPREME COURT OF APPEAL
SOUTH AFRICA
PO Box 268, Bloemfontein 9301
2026 -11- 05
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