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06 MARCH 2026

Enquires: MR M MORENA
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My ref: 0270/2026/Z62
Your ref: TRC COI

KHAMPEPE JUDICIAL COMMISSION OF INQUIRY

To: The Secretary
Adv AM Thokoa
Email: secretary@trc-inquiry.org.za

Dear Commissioners and Secretariat of the Commission

RE: WITNESS: ADV MENZI SIMELANE (APPLICATION IN TERMS OF RULE 7 OF THE TRC COMMISSION)

This Application comprise of two parts, 1st the condonation for the late application for witness to be led by their legal representative and the actual application

CONDONATION

1. We make this application late due to the late instructions received from our organizational client the NPA, who gave the instructions to represent Adv Menzi Simelane to us on the eleventh hour whilst the train was already in a very fast motion.

2. We further submit that after joining the fast-moving train, we had to consult with our client and having to peruse the voluminous file record in order to assist Adv Simelane adequately and further this was preceded by two more applications to reschedule Adv Simelane testimony due to time constraints in the preparations for his appearance to assist the Commission.

APPLICATION

3. Our legal team comprising of Adv Thabani Masuku SC and Adv Vivian Rikhotso instructed by Mr M Morena of the State Attorney Pretoria, were still considering records provided also records downloaded from the Commission's website of which led to this late application for condonation on the request to lead Adv Simelane's evidence on the date of his appearance.
4. We write to urgently apply or request as we hereby do, that our client Adv Menzi Simelane evidence be led by his legal representative as mentioned above, our client has already extensively consulted with his legal team and this will greatly assist in leading oral evidence in the Commission.
5. It is our humble submission that the Commission condone our late application in light of the above.
6. Thank you for considering the above request.

Yours faithfully

A handwritten signature in black ink, appearing to read 'M Morena', is written over a light blue rectangular background.

M Morena (Mr)
For State Attorney: Pretoria