Dok30

Lars Rune Føleide
Moldbakken 17
5042 BERGEN

Deres referanse Vår referanse 08-190209MED-BBYR/04 Dato 25.02.2009

Oversendingsbrev
Hordaland Politidistrikt -Henrik Johan Molnes

Vedlagt oversendes til orientering:

	Dokumentdato	**Dokumentnummer**
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Bergen tingrett

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BERGEN TINGRETT

DOM

Avsagt:	24.02.2009	
Saksnr:	08-190209MED-BBYR/04	Marte Røv
Rettens leder:	dommerfullmektig	
Meddommere:	Egil Hamre Trygve Skagestad	

Den offentlige påtalemyndighet	Politiinspektør Sidsellsachsen
mot	
Henrik Johan Molnes	Advokat Gisle Didriksen

DOM

Henrik Johan Molnes, was born 16.08.1985 and live in Breivik Veien 14, 5042 Bergen.

By tiltalebeslutning issuance of the Hordaland Police 18.11.2008 he put under indictment at the Bergen court for violation of

Penal § 229 first punishment option

to have damaged another in the body or health.

Basis:

Sunday 7 September 2008 at approx. 05.00 at the Norwegian School of Helleveien 30 in Bergen, he bet Lars Rune Føleide in Øyen Bryne so that he received a wound that had syes with 5 stitches.

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Hovedforhandling held 19.02.2009. Defendant met and recognized him not guilty by tiltalebeslutningen. The court received the explanation from 5 witnesses, and it was made so evidence that emerges from the right book. Download prosecutor alleges that the defendant be convicted in accordance with tiltalebeslutningen to 45 hours samfunnsstraff. Moreover, the downside prosecutor alleges that the defendant sentenced to pay compensation to the plaintiff as well as relief compensation determined after the Court's discretion, and his legal costs imposed by the Court's discretion. Defender download claim that to acquit the defendant, Its that he is considered the mildest way.

Court's assessment

Guilt question

After the evidence that was brought under the negotiation in case the Court has added the following due to the fact that proved beyond any reasonable doubt and reasonable:

My comments are written in blue, with Calibri font and slightly larger font.

I must say surprised me that it is common legal practice in Norway to use only pen and paper, without it being put to use more modern tools such as sound recorder or a referrer. All that goes on NHH NOK have been able to experience it that attention is somewhat reduced when one must note at the same time. It can be reasonably fast in the turns too, so it's not always easy to get with all that being said. Especially is this the case when you have 5 witnesses who have not completely consistent in his explanation to testify, where it can seem more like 5 independent stories

told without being easily possible to link those together into one event. It helps not at all like contemporary setting foot in the court also has some degree of biased in relation to what really happened that night. It will characterize the information that is emphasized, particularly when it is presented more than one version. It is thus difficult for the Court to render literally what is being said, and in the correct chronological order to tell what actually happened. At NHH we learn about the various pitfalls, specifically the information processing pitfalls where a type is called: Framing (framing). That is the way information is presented can affect the outcome. A study proved this by giving the option to invest in 5 different mutual funds and a rentefond. When selected 75% mutual funds, and 25% selected purely Fund. While another group had offered a mutual fund, and 5 different rentefond. 34% selected as mutual funds, and 66% selected purely Fund.

Employees of TWA		Employees of University of California	
choose from:	average % invested	choose from:	average % invested
Equity Fund 1	75%	Equity Fund	34%
Equity Fund 2		Bond Fund 1	66%
Equity Fund 3		Bond Fund 2	
Equity Fund 4		Bond Fund 3	
Equity Fund 5		Bond Fund 4	
Bond Fund	25%	Bond Fund 5	

In this case the 5 people chosen to tell a false, and I make up only 1 person who can tell what actually happened. It is widely recognized that mutual funds offer better returns than rentefond over time. However, 66% of the employees at the University of California rentefond since the range is considerably larger one option. The same result I got to experience, where 66% of judges (both lekdommere) voted in favor of the defendant. This is randomly selected citizens without some form of training and awareness of this type of pitfalls. They obviously know not to complete the mine about irrational escalation of commitment (irrational Escalation of commitment bias), which explains much why the matter has not been resolved at an earlier time.

Sunday 07.09.2008 at approx. 05.00 at the Norwegian School of Bergen, it was kept closed Latecomers in a room in the school buildings that are used by student Direksjonsmusikken music. Both the defendant and the plaintiff Lars Rune Føleide was present on Latecomers, besides several other persons were also present in the room. Because of that the plaintiff had taken pictures inside the room, the plaintiff was asked to leave the premises of music directors member Harald Øyen. Plaintiff opposed this, when he is not believed there was no reason to ask him to go from the party. After some discussion took Harald Øyen and another member of the student, Jarle Sjongs Mathisen, get the plaintiff to bring him out of the premises. The plaintiff opposed the continued deportation, and strongly opposed when he in an attempt was made to lead out of the premises of Øyen and Mathisen. The plaintiff took the

grips with some bark rakkar that stood in the room and slammed them away from him.

I witness the explanation, it was explained that I threw the aforementioned bar stool, but they failed to say that I first struck barkrakken against each other. The Court has clearly interpreted this in a more realistic version, where I only slenger / tips over bark missed. The court can not with them that also Jarle should have given me a warning, it is not mentioned that Harald held the discussion going with me for 10 minutes and the right have not guessed that when it is given up to several warnings - so must I also have the opportunity to take several photos of each warning. So what is being cited here is only a highly simplified and thus a wrong version of what was described by witnesses. I find it frightening that not even an American right to be able to get with all that was said. This is the most time to make use of aids, if not more to be to manipulate the court.

When the defendant, who at this point came into the room, so that was, he decided to go to Øyen Mathisen and to help them get the plaintiff out without knowing the background to why the plaintiff should be removed. The defendant took hold of the plaintiff, and left him in order to lead him out. Ulrik Andreassen went to, and they were the four people who actively or more passively participated in the attempt to get the plaintiff out. At one point had Harald Øyen defendant in his one hand and the plaintiff on his second. Plaintiff-oriented, the kind associated with a fist against the defendant, who met the defendant in the face. Defendant responded immediately in the battle by pulling the plaintiff against him and bite him, a bite that struck the plaintiff surprised. After bite hold of the plaintiff the defendant immediately backed away from the plaintiff. Plaintiff intervened in the incident also get shirt collar on both Ulrik Andreassen and Glenn Kvisler.

Here is the right fair for bærtur and drive almost free fortellerkunst. The Court has the difficult task of re-tell a story in the light of the inconsistent testimony was given. The reality is that it was not easy to be wise on the testimony that was given, and there was no clear correlation between the different statements. The court has allowed doubt to come good for all 5 involved, and even fill in the many gaps and holes in their explanations. Henrik had no reason to get into space without first having been to the toilet, which he said nothing about the right or in the meeting with the core board. Harald explained in court that he discussed with me in 10 minutes, which were also given warnings from Jarle. Is based on 2 warnings, then we can imagine that I spent 5 minutes from I got to the warning I took another picture - that provides a course for a total of 20 minutes. Nobody is in the toilet is so long, and in a small space with relatively few people - then Henrik necessarily take on board the core subject matter in relation

to that I do not come after warnings about the shooting.
The Court is obviously not interested in such progress to the event, impatient and jump to the episode where the damage occurred, according to the version involved. The Court also fails to highlight the elegant that the defendant could not remember which side I should have hit him with fist connected, choose the right also to simplify the level of detail by the failure of the plaintiff was on the right or left side of Harald - something he actually said in court . The Court is well underway in his narrative, and thus fail to say anything about who actually saw that Henrik bit me in the face - where the answer is no! The Court continues to say that the reel "hit" me, as if it would have been a battle - which only underlines how little experienced right is with violence injuries caused by a bite. They have not examined the matter carefully, for my surprised are actually untouched by the cut. Cut is located between the eyebrows and eye, a place it would be very very difficult or impossible to apply the same cut only by the use of teeth.
The court has obviously not thought of it that it is physically impossible for defendant to be able to bite me so high up when he is 180 cm high, and I am 183 cm high. Ie. that he had to bite nearly 10 cm of his own mouth, which means that he first had to force me down in knestående before he deliberately and knowledge could be made an attempt to bite me. But such a thing was not explained in court. The court could not have been good with the explanation, since they imagine that Glenn Kvisler was in the room (Rum). This is not the case, since he explained that he came from the new toilets and saw me the first time in - where it also explained that some of my assets will be sent out through dørsprekken. They also told me that I took stranglehold, not that I took hold of the shirt collar. NOK a misconception and wrong representation of the Court.

The plaintiff was then taken out for a time outside the student association's local, where he stayed with several other Direksjonsmusikken Music Members until a watchman came to a few minutes later and took the plaintiff out of time. As a result, the defendant had bitten the plaintiff a visible cut by Øyen Bryne as it bled slightly from. This was visible immediately after the incident.

The Court said nothing about that Harald acquired G4S guard, and no one said anything about why it took several minutes before he arrived. It seems that the right could not by themselves which members of the Company Musikken I

stay with me in the hallway, and the only one who mentioned the word blood in his witness explanation was Harald - and it was in what happened right after Henrik bet me (where Harald not the reel), but that was something strange with blood and stuff. But at no time was it said that I was bloody and waited outside in the hall for several minutes, then I start to wonder how challenging it really must be for the Court to enter a verdict. When they fail to recover given the incident properly, so should it really well done to arrive at a correct verdict. Witnesses by a number of occasions expressed that "One or the other, true .." ".. and the real thing .." ".. in a way .." and ".. like ..". As witnesses were by no means assured in his voice, and it is obviously difficult for the right to reproduce something that is so diffuse.

The Court has based his bevisvurdering on the defendant's own explanation, and explanations of witnesses Ulrik Andreassen, Glenn Kvisler, Jarle Sjongs Mathisen and Harald Øyen that all whole or in part, was present at the event. All of them explained in largely congruent in relation to the fact that prosecution based on the incident and whether other circumstances. When it comes to the violence that was exercised between the defendant and the plaintiff then has the right, in particular, emphasized the explanation to Øyen Harald, who stood between the defendant and the plaintiff when the violence between the two took place. The Court has in its emphasis of these explanations were seen up to that these witnesses are acquaintances and friends, but have found these explanations credible witness and independent and based on his own observations, and explanations bearer for the Court's view is not characteristic of or indication that the witnesses have aligned their explanations. The Court has in its bevisvurdering also set up to explain that the plaintiff differs from the other witnesses explanations in relation to the incident and how he was the damage inflicted on the eye, but can not find that the plaintiff explanation unsettle the credibility of other witnesses, and defendant, explanations, as the Court assumes. The Court also points out that the character of the plaintiff sore builds up under the defendant and other witnesses explain that the wound is inflicted by the defendant bet hold of him, and the Court notes that the wound does not fit with the plaintiff explanation that the wound was inflicted on him by that the defendant kicked him in the head. The Court notes also that it is regarded as completely unlikely that the defendant tilstår to have bitten the plaintiff over the eye, if he in fact has not exercised such an action.

Any person can see that the right version is not in accordance with the version that was released during the meeting with the Core Board. They told be involved during the trial more or less the same version that was released during the meeting with the Core Board, but the right - no, they have failed to come up with something completely different. A good example of how a feather is to 5 chickens!

It is almost unbelievable that they may be able to claim that the explanations of all was essentially coincide, when they know that everyone has said the former core of the board - and they have also talked every day in the past six years. But what fascinate me most is that those involved failed to align their stories better than they did during the core board meeting in September. But it was obviously good NOK interconnected by the Court absent tender. That the Court finds it unlikely that the defendant tilstår to have bitten me rather to have fired me, shows just how little the Court has thought through the benefits they have to say that there is a bite rather than a spark.

The court then over to take a position on whether the defendant action against the plaintiff must
regarded as a bodily suffers Penal § 229, the first punishment option.

The Court takes the position of the provisions objective side, namely whether the defendant had bitten such physical consequences for the plaintiff that it qualifies as an injury in the Penal Code Section 229 their intellect. The Court notes that the concept of damage in the penal code section 229 of them have been interpreted so restrictive that any disturbance of the body anatomical or physiological condition is regarded as damage to the body. The threshold for the physical consequences that affected the decision is subjective, which in the case assessment placed particular emphasis on the extent of injury, its nature, duration and location. Small injuries such as bruises or minor scratch normally considered to fall under the penal code section 228 This rule also applies to Bumpmap and swelling, see Rt. 1990 s. 1155 and Rt. 1992 p. 1703. By sårskader will, in addition to the lesion extent, particularly its location have an impact. Leave it on a scar that follows the precedents that it required less of arrets size if it is located in the face in order to be located on a different and less prominent part of the body.

In the present case was the plaintiff suffered a small wound over the right eye. The plaintiff came to the emergency room later in the afternoon Sunday 07.09.2008, and findings from the first consultation is described in the journal that laserasjon (istykker demolition) of the skin. The doctor made the incision in doubt, put away that the plaintiff wanted the glove, and stingeR would then be removed after eight days. Den 12.09.2008, ie 5 days after the incident, contacted
the plaintiff left the emergency room, and it turned out that the temperature had gone inflammation in the wound. The original stingeR was removed on 13.09.2008 due to the fact that they were quite loose as a result of puss from the wound. The plaintiff was then a further 7 times the doctor for follow-up of the infection until the last legebesøk the 25.09.2008, where it follows from the journal that the wound was healed, and where l using things that were set the 15.09.2008 was removed.

Here I feel right comes with self-contradiction. In the first paragraph they write that it required less of a scar in the face, and there is not much more than 1 cm from the eye! Nevertheless, the reviews probably cut that to be of minor nature. It surprise me, since the Court was presented a series of photos showing that it does not talk about something purely small cuts. But they are based apparently more on the journal, the doctor expressed doubt whether he would sew or not. This was solely due to the infection risk by being kicked by a dirty shoe dynket in the beer through an entire evening. I explained to the doctor that I had been fired, and the doctor leave this as a basis for its assessment. In spite of the images, and that I made 5 sting, so ask the right questions if I really needed to sew at all - possibly because the doctor did not clearly expressed in the journal that this doubt is due to infection risk. Which means that the Court no longer considers this as bodily, where the requirement is that you must at least have sewn 2 sting.

The court found that the wounds were inflicted on the plaintiff was of relatively modest scale, and that it is uncertain whether it was at all necessary to sew the wound, in that it was sewn under doubt. Moreover, the Court points out that the wound according to medical journal was considered healed 14 days after the incident. The Court notes that both the extent of injury and the treatment duration appears to have become more widespread as a result of the infection that got into the wound after Sying. The court also found, on the basis of the plaintiff's own explanation, that the red area around the eye that the plaintiff still has the wound will disappear in the course of this year, and that it then will only be a small scar left by the plaintiff eyelid that is not so easy to could be seen. Set up to the threshold of the court in relation to injuries to the face, the Court finds, in spite of the above mentioned factors, that a wound that causes a permanent scar at the eye of a person is regarded as a damage that is covered by the penal code section 229 The Court thus finds a concrete assessment that the wounds that the plaintiff was bitten by the defendant is to be regarded as a PHYSICAL, however, that the damage is entirely in the bottom layer of what is covered by the penal code section 229 The Court finds therefore that the objective criminal emergency conditions are satisfied.

Here, I do not understand how the Court gets its information from. I have a scar on leggen that I had as a result of that I came away in a vedkubbe. A fill things that still gave me a large, visible scar. Injury was nothing compared to the long, broad and deep cut I was inflicted close to the eye - and it has not been any signs of improvement during the last 5 months, so I can not understand how my arret just suddenly only to disappear by itself when there have been some signs of improvement. My assessment is that I will experience the same as for arret I have the Add, which will never disappear. So here comes right with a utopi as not medically justified. I'd like to know how visibility will be better when there not even some gradual improvement. I have been told by stroke, it is more rare that the infection occurs, but this is difficult to avoid if it is caused by a dirty shoe. Which means that the Court should consider the damage that the more serious. What amazes me the justice, is that they only look at what has happened and do not think even the thought of what could have happened. A spark near the eye could soon made me blind in one eye, took me hjerneblødningen, slag, resulting in paralysis on one side or in the worst imaginable case, I had been hit in the tin no: death. Should the incredible happen, that the arret is less visible than it is today - something I consider as highly unlikely due to the absence of improvement, so I will anyway have been one to two years of my life with a red stain. I must also cloud the sun as the plague and keep me indoors in Norway throughout the summer due to the risk of arrdannelse. Does not this matter at all under consideration by the criminal emergency condition?

When it comes to the subjective punishable unit terms, as the Court finds it not proven beyond any reasonable doubt and the sense that the defendant misconduct covered the damage, ie, that the Court is not certain that the defendant found it probable that his action would cause the plaintiff was injured on the body. The court notes that defendant has been rated as if he were sober, pursuant to Penal Code § 40 The right shows here that the defendant was bitten as an immediate response to the plaintiff kind, and that the defendant explained that the reel against the plaintiff was the plan and resolved without intent to harm the plaintiff. The Court finds that the defendant in any case had no desire to cause the plaintiff a PHYSICAL. In the case that the Court does not find it proved that the defendant found it probable that his bite would lead to such PHYSICAL, has been crucial to the Court that there is great uncertainty associated with how the defendant bet hold of the plaintiff and the defendant actually strengthen la bite in the action. When the final extent of injury after the Court's view, to a large extent is a result of the subsequent infection in the wound, finds it difficult to determine how hard the defendant in reality
bet get offended. Put away that the Court finds this uncertain, the Court thus can not exclude

that the defendant had been bitten by such a limited force that the defendant is not regarded as probable that plaintiff would be legemsbeskadiget as a result of it. Put away that reasonable doubt should be accused of good, find the right assumed that damage was not intentional. The subjective punishable convenience penal conditions in Section 229 is thus not fulfilled. Defendant can not sentence is pronounced for violation of this provision.

Here is the right NOK once on bærtur, and find the most amazing blackberries. When I came to the emergency room, I was told that some skin had disappeared and the skin had gone off with death. I could even see a bit skin stuck out in a triangle shape. Yet speculate right here if it was bitten without intent to harm the plaintiff. It is like the bite of an apple, ready to break through the shell and take a good bit - and then later on say that you really do not mean to bite the bullet to take it a bit. I'd like to see the person who can take a bit of an apple with that there is an intention to inflict eplet some "damage". The right do not seem to understand that whether it is a bite or a kick, so this is a direct cause of the wounded are actually infected. It is not something that just happens by itself by pure coincidence. The right do not seem to understand that a cut will not be greater as a result of an infection. It is not so skin "cracks" when a wound becomes infected, so the cut is either larger or smaller as a result of infection. The next is that I was fired by accident, and that he possibly had a spasm in the foot. The court can do here to say that it is probable that I actually struck first, when the defendant does not even even remember which side I met - and of 5 witnesses, they could only confirm one to have seen battle. The other, however, so that I was on the way to turn - but not that I met some of my battle. So, in the same sentence, they are performing when typing the following at the reel (which the defendant refers to as irrational) was not done with so much power that a bite would lead to at least 2 sting. With so much jaw, we are equipped with, so it is difficult to bite others and at the same time limit the case. It is amazing that the right can speculate that, when I actually ended up with 5 stitches to sew just a few hours after having been inflicted damage. When the limit is 2 for bodily sting, it's just fantastic what the Court is able to reel out of it. I interpret it to suggest this misoppfattes mainly due to the somewhat ambiguous conclusion journal, so I have asked the doctor about a prescription to prevent the Court takes the greater freedoms than necessary.

The Court is thus over to consider whether the defendant suffers action Section 228 of the penal code which applies assaults. The Court finds that the objective criminal convenience

conditions are satisfied, see review above, further finds also that the defendant misconduct involving assaults, when the Court finds it proven that the defendant regarded it as probable that a bite against the plaintiff face would involve a physical impact on the plaintiff body . The Court finds after this that the subjective and objective criminal emergency conditions are satisfied in relation to the Penal Code § 228 The court also finds that the defendant by bite hold of the plaintiff in the face could have recognized the possibility of bodily as a result of his action, pursuant to Penal Code Section 43, and the relationship to be allocated under the penal code section 228, second paragraph.

The Court has thus found it proven beyond any reasonable doubt and the sense that both the subjective and objective criminal emergency conditions in the penal code section 228, second paragraph is true concerning the defendant act towards the plaintiff.

The court finds the defendant guilty of her straffeloven § 228, second paragraph.

"If assaults tilfølge Harm body or Helbred or significant pain, can Fængsel indtil 3 years used, but indtil 5 years, if it has tilfølge Death or injury is significant. "

In other defendant may be punished by up to 3 years since I have been inflicted damage on the body, health, or significant pain. You can safely say that it is her case, yes. The damage is so severe that it shall be referred to as bodily based in the 5 sting I had to sew.

The court then over to take a position on whether the defendant when he bet the plaintiff acted in nødverge, and that his handling of the reason must be regarded as lawful, pursuant to Penal Code § 48 The Court has reviewed the defendant act in light of the situation, but can not find that the terms of the penal code section 48 are met, and that defendant therefore can not be considered to have bitten the plaintiff in nødverge. The Court has in its set up to the defendant's own explanation that the reel was a spontaneous reaction to be struck in the face, and that the defendant is not explained that he understood the situation that he needs to defend itself. Moreover, pointing right in that at least three of the accused already friends stood around the plaintiff and the plaintiff and held in part so clearly had the upper hand over control of the plaintiff, and that Harald Øyen stood between the defendant and the plaintiff when the plaintiff struck the defendant and so created a buffer between the two defendant and the plaintiff. The Court is therefore of the opinion that the defendant either actually or by the defendant's own perceptions of the situation was a situation where the defendant nødverge bet to defend against the plaintiff or to head off new law stubborn actions from the plaintiff.

It is sad day for all who believe they have a certain degree of rule of law in Norway, as the Court here concludes that it to bite someone in "self defense" that leads to 5 sting, infection, scarring and subsequent husproblem as

psoriasis - will be legally . It surprise me how little right to know the medical cause and, when they, after all, should consider the seriousness of the action taken by the defendant. Let me begin with the probability of infection at the bite:

"Cat's chin represents a potential risk for serious infection. The cat's long, sharp teeth can give punk tion injuries, and risk of infection is up to 85% "- http://pdf.tidsskriftet.no/tsPdf.php?pdf=pdf2004|3194-6.pdf

The long, sharp teeth, providing easy punk tion damages - that is the reason why the risk of infection appears in 85%. Punk Repair Damage means open cuts. Illustrated here in Figure 20-7: http://www.akuttmedisin.info/paramedic/PPT/Blotdelsskader_Mosby-forelesning.ppt

The probability of infection by human bite is very high, especially at such a huge cut - that recommended the immediate start of antibiotics (see PDF):

Fenoksymetylpenicillin 1 million IE 1 + 1 + 2 and kloksacillin / dikloksacillin 0.5-1 g × 3 for ten days

First 5 days later I get a prescription, when it actually had an infection! And I will of course Abboticin, which is incorrect antibiotikakur, until the day after I get diclocil - which is aimed at bacteria in the skin.

Ppt file can also disclose that the following wound types must be closed: - wounds in cosmetic important areas (face, lips, surprised, etc.). Animal and human bites are usually a combination of punk-tion, lacerasjons, avulsjons and crush injury.

Moreover, it says that sårinfeksjon is a common complications of soft parts injuries, caused by

- The opening in the skin
- Subsequent exposure to non-sterile environment

Goals of wound-treatment:

- Prevent infection
- Protecting the infection

Causal Factors in wound infections

- Time
- mechanism
- Positioning
- severity rating
- Pollution
- Care
- Cleaning

- Techniques of wound-treatment
- The patient's general condition

Infection is primarily a result of a greater opening in the skin that is exposed to a variety of bacteria, exposed in a very dirty environment. It is not to close the cut gives in itself a risk for infection. The fact that this is a cosmetic area, is in itself a reason for closure of the wounds had expected. It amazes me that the right not think I'm more concerned about my own health and arrdannelse, than that I should be willing to lie to your doctor about what has happened. Excerpts from my journal:

07/09/2008 15:40:38 Consultation [Medical Sharma, saty @ Bergen legevakt / Åsane legevakt]
Diagnosis: S18-ÅPENT SAR / Cut [SS]
Note: [SS] 07/09/2008 15:40
Anamnese
@ Was at a party last night at approx. 6 in the morning, he was kicked as he lay down. He had been at a party in 2 hours. Was no longer wanted by others.
Results: has laserasjon of skin. Some of hudkanten is black. Swelling of the eyelids. No visible damage to the eye.
X-Ray
@
Assessment
@ Is afraid vedr Sying but he wants to be sewn.
Treatment: Removes dead tissue. clean sårkanter. Syr good one could. Pas. follow, even with. If signs of infection or dark coloring, contact the emergency room because he does not have a permanent. Suture removal of approximately 8 d.

Doctor renders here what I told in broad terms. As an economist I have no idea in what are typical consequences of a kick in a dirty environment beyond what I can expect to get a scar. But what I like most others in fact are aware of is that there is something called rabbis, which is something that most people think of in connection with a bite. Now I do not know about NOK rabbis to consider whether it also applies to the human bloodstream, but to the extent that I actually was bitten - so of course I would have mentioned this to the doctor, so I would get the best possible treatment. It is exactly the session that I want to go all the way to Åsane, lying about what happened, just to reduce my chances to get the defendant domfelt due to inconsistent explanations!
The only thing that was in mind for me was to minimize the damage, which I am fully aware that the damage had occurred - the cut was a fact, and what consequences this would have for the culprit would be the most insignificant for me. The person would have NOK problems with his own conscience, but I actually could do something with - was to do my utmost to do the least possible arret visible. First Tuesday I send an email to the head of the core board - something that not just shows that I'm some vindictive person. I have not had any incentive to say anything other than the truth through the whole process. There is absolutely nothing to indicate that I have had some personal agenda against the defendant, and it was solely a social responsibility and consideration for my fellow students that I chose to take it to the core board - then still happily unaware that the head was close friend of defendant. I've been so very solution-oriented, and tried to resolve this on a local level - just to understand that there was no hope after having been served with a carefully planned cover story. Fully

aware of the complexity of the story, I made a big effort to do the job to the police as easy as possible by providing a list of 11 witnesses - to no avail, since they only questioned the 5 involved.
But it hears no space at home that I should have invested so much time and energy in a lie, when I knew right from the semester that I really had to make an effort to be finished with my master education in a year - at the age of 2 are normally . 3 weeks before the review was the exchange on a 31% higher level, so the probability of getting a job in finance (my hovedprofil) had suddenly become considerably less - which meant that I not only have to clear the master training for a year, but that I Additionally, you must clear a very good average to have hope to get my job. Yet I feel such a strong responsibility for that I must do what I can to reduce the likelihood that the culprit does something similar above my fellow man, that I give priority to spend time on this matter.
I see only to have covered part of the medical expenses I have had in this matter, so my economic concerns such as self-financed students are still the same. I still have to complete the master training for a year, and yet I continue to spend time on this matter. This even though my opportunities have always been young, and after this verdict came as reviewed my opportunity to be closer to zero. But I am so shocked at how bad the rule of law we all have in Norway, that I simply can not just put me on the sidelines and accept what happens. Probably it will cost me a master's degree, but where my opportunities are already significantly reduced. The maximum time in 2009 that some actually do something with our rule of law. As of today I will also mention that the culprit security.

The Court goes so therefore over to take a position on whether the plaintiff struck the defendant with the associated hand the face is a provocation, pursuant to Penal Code Section 228, third paragraph. The court finds on the basis of the proven fact that the plaintiff, before the defendant bet him, intentionally struck the defendant's face with hand-tied. The Court has thus found it proven that the plaintiff action is an intentional assaults that go under the Penal Code § 228 The Court has also found it proved that the defendant bite is an immediate response of this provocation from the plaintiff. The Court finds it thus proved that there were a situation that meets the terms penal code section 228, third paragraph.

Defendant drinking beer 04:27:32 - evidence of a false explanation

It was then very very hard right here to express themselves "on the basis of the proven fact". How in the hell is the proof that I hit first? It is here submitted that that something is deliberately beyond any doubt. Almost so that there is hard, physical proof that I hit first. The Court does not consider that the defendant will not even remember which side he was hit, and the defendant could not be thought of as credible when he is lying in court about when he stopped drinking. But the settlement is not there. They claim that it is aware that Henrik bet as an immediate response. However, here whatsoever _ingen_ of witnesses looked at Henrik actually bit me, not even Harald who testify to having seen that I beat Henrik. It is in itself helped to undermine the credibility of Harald, who claims something so counter-intuitive as that he should have seen the battle - but not seen the "immediate" return end of the reel. I have been inflicted damage as hard and severe that the skin disappears, and the skin sticking out - with great presence of blood. My damage is deliberate, but it struck me that Henrik will only be built under one confirmation that from Harald. Defendant's "harm" was so insignificant that he could not

even remember which side the day after he was hit, although he noticed a swelling the day after. This is obviously NOK for the right to find it proved that the penal code section 228, third paragraph are met:
"Is a gjengjældt assaults with assaults, or are at such a forudgaaende assaults or Ærekrænkelse gjengjældt, the charging straffri."
It fascinates me that right here claims that I am found guilty of violation of penal code section 228, first paragraph, which is punishable with up to 6 months imprisonment.
"Den, which exercises Vold mod one else Person or insults him anden måde body, or that contribute hertil, punished for assaults with stalls or with Prison indtil 6 months."
It just shows how very serious it is to lie in court, and how hard it should be turned down on at any instance! For it is needed obviously only a witness who can confirm the assaults, even if there are 5 witnesses who also should have been there with him, that the Court should find me guilty. The same witness said nothing about that I hit first meeting with the core board 6 days after the event!

The Court notes that it belongs to the criminal question what effect the plaintiff provocation should have, see below.

Penalties question

It is up to the Court's discretion fakultativa what impact the plaintiff provocation to be given, ie whether it will lead to straffrihet or whether it will have an impact by utmålingen of punishment. The Court notes that the decision rests primarily on an evaluation of the roughness of the defendant assaults relation to the provocation that triggered it. The court has the assessment of whether the plaintiff provocation should lead to straffrihet for the accused shared a majority (two meddommere) and a minority (Court Administrator).

The minority can not find that the provocation from the plaintiff's side of such a nature that it is correct to the defendant late straffri action as a result of it. Minority points out that the plaintiff is a kind of action which only affected the Penal § 228, first paragraph, while the defendant bitten suffers Penal § 228, second paragraph because the reel had PHYSICAL due. Minorities show this correlation to the court suggests that it takes more to let the prior provocation lead straffrihet when retaliation action involves skadefølge minority shows, to the extent also that in the situation where the violence was exercised was the defendant and his circle, which comprised the majority situation , and who had the upper hand on the plaintiff related to deportation, and that the defendant before the plaintiff directed the battle against him already held tak plaintiff physically to get him out of the premises. Minorities also shows the defendant to explain that he did not receive any Blåveisen or other visible marks after the plaintiff kind, suggesting that the plaintiff was not particularly kind powerful. The position and strength of the plaintiff kind taken into account, and the minority that the defendant act with the skadefølge it had, it was disproportionate in relation to the plaintiff provocation, and so therefore the gross to the charges should straffri as a result of offensive provocation. The minority opinion therefore that the right in this case would be to take account of provocation by utmålingen of the accused criminal.

Here is a person who knows the law, and know what is legal. Ho said that both law and practice indicate that the defendant should be punished here. Minorities had with him that there was some Blåveisen of the battle, but not the defendant said that he swell the day after - just to bring up that it was a

hard blow. It is clear to me that a judge panel should consist of several that have good knowledge of the law and common practice of justice.

The majority found that the roughness of the plaintiff in the action and the defendant's action aven similar nature that it is correct to the defendant late action straffri as a result of offensive provocation. The majority points out that the defendant act was an immediate and spontaneous reaction to be turned with associated fist in the face of the plaintiff and the defendant pulled back and away from the plaintiff immediately after the bite action without doing anything more to the plaintiff. A kind of related fist against the face of someone is an act of the same roughness as to bite someone in the face. The majority also points out that the PHYSICAL as the plaintiff was inflicted was limited and completely in the bottom layer of what is to be regarded as criminal damage in the legal sense, and that it almost has to be regarded as a coincidence that the only action that the defendant caused an injury, when the plaintiff action as easily could lead to a similar injury at the defendant. On this basis the majority believes that there is a reasonable relationship between the defendant and the plaintiff's actions, and that there is proportionality between the defendant and the plaintiff action provocation. The majority finds that the defendant by this action may be "charged straffri" after the penal code section 228 (3) as a result of provocation.

Defendant destiny, an opportunity for entry to the United States, future exclusion from the 54 working groups and the risk of samfunnsstraff should therefore be determined by two older men with gray hair. Also called lekdommere, which one would be there for the first time. The majority here has obviously been with the accused explain how he could tell that it was so hard blow to the cheek at the swell day after (although he does not have the furthest idea which side he was hit). On this basis, the majority found that my kind will have been of very rough character. This in spite of the fact that the defendant obviously was not bothered NOK of the battle to even make the trip to the doctor. No, it was Journaled, not have someone to witness any significant damage or other forms of evidence that actually underscores the gross heat of battle. On the basis of a rather dubious witness statement of Harald (who testify that he saw the battle, but not the immediate subsequent reel), it is reasonable to ask whether I have to have turned Henrik. I feel there is good reason to not believe.
But in an inexplicable and mysterious klarer majority here to get a dubious kind to be of similar character as a cut of the substantial size and a very serious so subsequent infection. The time I have lost as a result of damage is also of considerable character, and in my situation also the very important character - as in the utmost consequence may cost me a degree. Already so

much time lost at grade level means I can not expect to get some financial work, or work at all due to the high competition for jobs financial crisis has created. Defendant, however was so untouched by the battle that he was not even remember which side he was hit.
The majority's conclusion here is so incomprehensible that you can begin to wonder whether the majority may have had a certain vested interest in acquit the defendant, where both age (63 +) and the loose association of criminal justice means that the potentially large upside will be able to weigh up the marginal lower. If this is the case, it can also be included to explain why 5 witnesses choose to lie in front of Norwegian law.

Since it is the majority's conclusion that will be based on the assessment of provocation effect, should the defendant in the first criminal action thus lates straffri pursuant to Penal Code Section 228, third paragraph.

Defendant is thus to acquit.

Civil rights

Prosecutors have abolished the assertion that the right tilkjenner the plaintiff compensation for economic losses of NOK. 5 465, -, and redress compensation determined by the Court's discretion, cf Straffeprosess Law § § 3, see 427 ff. The plaintiff has stated his claim for future economic loss to be kr. 15950000, -, and redress their demands to be kr. 20000000, -.

The Court finds that the conditions for liability for the defendant are true concerning the plaintiff's expenses incurred in connection with consideration of the damage, that is, expenses for medical treatment and travel expenses in this connection. The Court notes that although the defendant to acquit because of the provocation, as is the defendant act like fully illegal and deliberate. The court finds the defendant eligible for kr. 5465, -, probable, and therefore sentenced the defendant to pay compensation to the plaintiff in this amount.

As a result of a degree to the unreasonable action of the defendant, so I no chance to get with any claim under the regular court (a practice I consider to be unreasonable).

My actual spending is actually greater than 5464, -. It was already clarified as a result of travel on the way to the police to deliver the requirement. But most were the result of the many subsequent problems, which I had psoriasis of the powerful antibiotic cure - killing everything that it came over the bacteria in the skin.

Under voldsoffererstatning.no, you can read this:

What can replace Violence compensation?
Compensation for financial loss

Expenses for medical treatment, deductibles and medicines, as well as travel in connection with the treatment

- *Expenses for treatment of tannskader.*
- *Replacement for defective clothing and other personal use of things you had on you when violent episode took place.*
- *loss of income as a result of the damage.*
- *Future loss of income as a result of the damage.*
- *Future expenses as a result of the damage.*

Relief

Replacement relief is a subjective utmålt engangssum for the tort and caused pain and for other violations, or damage of non-economic nature. Replacement level of Oppreisningen based on the administrative and court practice. It is not necessary to specify the sum to redress the compensation when any relief will be any utmålt based on current practice in similar cases, but you must apply the application form or accompanying letter that you want to substitute. By utmålingen of redress will be mentioned emphasis on current practice, but also the extensive and painful damage has been inflicted, and how seriously the criminal action which forms the basis for the application is isolation. It follows the practice that not every injury inflicted by violence qualifies for relief. Below are three examples of relief level in voldssaker after today's practice. Office of voldsoffererstatning find, however, reason to point out that this is not more than indicative, see above about what is emphasized utmålingen.

The Compensation Committee of violence ofres issue ENV-2005-1985 was searching for a brutal attacks have inflicted several breaches in the face and ribs, and tannskader. The Council found that Oppreisningen appropriate could be set to £ 15 000.

In Judgments admitted in Rt-2003-1580 the Supreme Court established the standard for relief in rape cases to £ 100 000. There was an emphasis on the increased knowledge of the damage after a rape, as well as

statements from lawmakers. The Supreme Court said that it should be special reasons to deviate from the norm up or down.
The Compensation Committee of violence ofres issue ENV-2005-3949 was the candidate been subjected to violence and death threats. She got as a result of this, bruises and psychological problems. The Council found that the threats were not of such a nature that they were covered by voldsoffererstatning Act Section 1 Compensation Committee la further stressed that it was likely done in case of injuries (bruises) were of limited nature and scope, and found it not reasonable to tilkjenne redress.

Anyone who reviews the case of bodily receive a green form called "Application for compensation from the state". On the back of this is that the upper limit on the total compensation is set at 20 times folketrygdens base. So 1.1 million in 2003. Yet am I being asked to include future loss of income as a result of the damage, which in my situation add up to greater amounts than is fixed as the upper limit. As you can see above, I was well informed about the common practice of justice, which I obviously do not agree to be when I wrote my requirements. No kronesum can give me back the valuable time I have lost. No amount allows me to look back on the ugjerningen that is done in a milder light. I made the most important election of my life when I decided to use everything I have by hard-earned savings, to pay for my now important degree - a master's degree from NHH. I was fully aware that I must really be on, and work knallhardt to do training in a year - all the way in which I had to use every available moment to study. Downhill Stocking events, that blind violence, would jeopardize the progress of the danger and probably destroy my already small chances to succeed.

The Court can not find that there is a probable future loss of income for the plaintiff as a result of the defendant action. The right shows here that the wounded flowers were growing over the eye for about 14 days, and that the plaintiff does not lose any exams as a result of the damage he was inflicted.

The Court has not been with him that we have an ongoing financial crisis, which complicate the situation for those who educate themselves in finance. It happens in such crises is that many people in various financial jobs with both high education and experience will lose their jobs, then search for others who will be announced. When companies are more concerned with cutting costs, and say the people - so many are not just employed these days. But it educates as many as before, which now must compete with several of fewer

jobs. So what needs to be one of the very few who are employed under such conditions? Jo, good marks. I had almost rapids-rated in 2 subjects the previous semester, which is actually worse than not to have been the subject of all. For tramp Monday, will not lower the rating on the print - something it does at least achievable grade. There exists no way to remove these marks in any other way than to take up the subject again. There will I first made before July 2009. But it's too late, because I must complete the master's program prior to summer. I have not NOK means to be in a 3 semester. I must also apply for work this semester, which is almost impossible job due to a number of subjects with poor grades. In my previous degree at the University of Oslo I received a cut close under the highest rating. I went out as best in class. So there is obviously something that means I have not managed to achieve that before. You do not lose exams for it to have something to say for future loss of income. It is so difficult to study at NHH that it does not take much to cast before you must suffer. When over 200 students in line for the very few top grades that are given, so you should not make many mistakes before you tumble on the list. Making almost rapids-rated, ie it is worse than to fail an exam, a court here obviously do not understand.

The court will then start to decide whether the plaintiff should tilkjennes redress for damage compensation law § 3-5 (1) for the tort and svie that he is inflicted. The Court notes that it is up to the Court's discretion whether the defendant shall be ordered to pay such compensation. The Court can not find that the stress suffered by the plaintiff is in the present case are such that it will tilkjennes redress damages. The right shows here that the plaintiff was caused to a limited damage, which will leave a very small visible scar above the eye. Moreover, were wounded by the treating physician considered to be healed already 14 days after the incident. Nor is it probable that the plaintiff has had problems, either mental or physical, as a result of the wound after it was healed again. The Court has also set up to the plaintiff's own information that he has psoriasis as a result of antibiotics cure he was put on the wound was inflamed, but they are also not that this can provide a basis to compel the defendant to pay compensation to redress the plaintiff in this case. The Court has also added some weight on the plaintiff provocation.

I am very curious on what basis the Court can say that I will be left a very small visible scar when the damage-a-half years after the damage occurred in the highest degree is so highly visible, with no signs of improvement during the last 5 months. The court could even see that I suffer from a large, red and visible spot by the eye - that they obviously must tilkjenne redress for compensation, when they themselves point out that:

"The Court notes that although the defendant to acquit because of the provocation, as is the defendant act like fully illegal and deliberate."
For this reason I was granted a compensation for documented expenses. A minimum should be also to have covered the time I've used with a reasonable hourly. But as all know, the damage and the matter has been much greater consequences for me than the direct costs - and it is clear that bright days that a certain form of compensation should tilkjennes. It is determined regardless of the Court's discretion, and may be down to one dollar. So that here is no basis for compensation tilkjenne belong no place home. The court trying to defend their point of view at present that it is not probable that I should have had complaints, either mentally or physically, as a result of the wound after it was healed again. Try right here to say that they simply look away from the hell I had to crawl in the weeks after the injury occurred? That they have set out in the first few weeks during the assessment of compensation claims? The court is informed that I suffer from psoriasis as a direct consequence of the damage, which they obviously also choose to look away from. I must also cloud the sun as the plague and keep me indoors in Norway throughout the summer due to the risk of arrdannelse. I can already tell is going to be a pest! And they obviously have zero understanding of the psychological stress it is to see the five involved almost every day at school, as a constant reminder of my currently most traumatic experience. Again using the right the alleged and highly questionable provocation to justify their obvious wrongdoing related replacement style tags.

Litigation costs

I and with that to acquit the defendant, should he not be sentenced to pay the costs of the case. The ruling is administered under the dissent as described above.

INFERENCE

1. Henrik Johan Molnes, born 16.08.1985, acquit for the conditions as stated in tiltalebeslutningen.

2. Henrik Johan Molnes sentenced to pay NOK. 5 465,-femtusenfirehundreogsekstifem-in replacement for Lars Rune Føleide within 2-to-week from judgment process, with the addition of delay interest for forsinkelsesrente Act § 3, the first section from the due date and until payment occurs.

What else can I say than that this could not possibly have been more in favor of the defendant? Which means that all exposed for blind group violence should not even take the trouble to report the incident, unless there is substantial documented expenses. It was not amazed me about the defendant has a lawyer expenditure that is greater than the final compensation claim.

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Attendance Promulgating

Location:	Bergen tinghus, 4 floor, room 442
Day:	Wednesday
Date:	25.02.2009
Time:	14:30

Retten hevet

Marte Røv

BERGEN TINGRETT

Egil Hamre

Trygve Skagestad

Guidelines to DOMFELTE I RIGHT THING

Anke things over the course of adjudication

The Court is the appeal authority for things to judicial decisions. An appeal of a verdict in the right things must be set up within two weeks from the date the verdict is reached or preached. Domfelte must be within the same deadline set on the coveted new treatment of the rights pådømt in favor of the plaintiff or others, such as mentioned in Straffeprosess Act § 3

If you believe that guilt demands for punishment are not met, you can appeal the assessment of evidence during guilt question. You can also appeal over lovanvendelsen under guilt question, utmålingen of criminal or other right result, and the error process.

The Court may refuse to process the appeal if the Court finds it clear that it will not be taking forward. If the matter comes to a crime which by law can result in imprisonment for more than six years, the appeal will only be promoted when the Court refused to find that the appeal comes to matters of less importance, or that there is no reason that the appeal is submitted. In cases where prosecutors have not alleged or there is not sentenced different response than the fine, confiscation, or loss of right to cause motorvogn, can appeal only promoted if special reasons for this.

If the appeal is submitted, you will be appointed a defender who is paid by the public. If you want a particular defense, you should disclose it at the time of the appeal or as soon as possible later.

In the appeal statement should be mentioned: the conviction that appealed, the appeal of the entire verdict or indictment only some records, and whether it includes the decision on confiscation or Mortifikasjon-whether the appeal comes to administrative procedures, evidence evaluation under guilt question,

lovanvendelsen under guilt question, or the decision on punishment or other right result-when the appeal comes casework; the error as claimed-on the coveted new treatment of rights in favor of the plaintiff or others, as mentioned in Straffeprosess Act § 3

At the request for new treatment of the requirements mentioned in Straffeprosess Act § 3, must be defined: whether it applies to the entire decision is a result that required the error that made the current actual and legal reasons for there being evidence that the errors will be taken

Moreover, should include: new evidence which claimed the change-requested-by appeal of lovanvendelsen; the wrong appeal based on

You can put up appeal statement written or oral for the things that have reached the right verdict, or for prosecutors (eg. The Prosecutor or the police). If you are a prisoner, you can also set up the appeal for employees working in the prison. Forsvareren or another attorney can advise whether you should declare appeal, and possibly help you with writing the appeal statement. You can also help to write the Declaration of things appeals court, prosecutors, or with staff in the prison. In any case, you must sign the appeal statement.

Request for new treatment in the right things

If you are domfelt without having been present during the negotiation, you can petition the matter dealt with again. Terms for new treatment due to meeting absence is making it likely that you had valid absences, and that you can not blame that you failed to report in time. Petition for a new treatment must be set up for the right things or prosecutors within two weeks from the verdict is declared.

Imprisonment If you are sentenced imprisonment and have special wishes about the time of sentencing of this, please contact your local police. You will order the police to meet the stipulated time and place of sentencing of a prison sentence.

If you are sentenced conditional imprisonment, it means that utmålingen or the consummation of the sentence is deferred to a trial. The basic terms by conditional sentence is that you do not commit any new criminal offense in the period. There may be other terms set out in the verdict. If you commit a criminal offense in the period, the Court may give an overall verdict for both the actions or special verdict for the new action. If you violate established conditions, the Court may

decide that the punishment be completely or partially consummated.

Samfunnsstraff

If you are sentenced samfunnsstraff, it means that you are required to perform useful community service, participate in the program or other measures prepared by Detective care of freedom in as many hours as the Court has decided. Society Penalties may also include a prohibition against contact with certain people. Kriminal caregivers decide when and how the punishment is carried out. If you commit a new criminal offense before the society the punishment is carried out, or if you do not perform community punishment, the Court may decide that it Its a prison sentence in whole or in part shall be consummated.

Bot

If a fine is not paid at specified times, it will be collect by the State Innkrevingssentral by salary deductions or other coercion fulfillment. This does not succeed, it must Its prison sentence atoned.