



REPUBLIC OF SOUTH AFRICA

FORM 3

[Regulation 4]

INTERIM PROTECTION ORDER

SECTION 3(2) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

(\*Delete whichever is not applicable)

Take note: In terms of section 10(4) of the Protection from Harassment Act, 2011, the physical, home and work address of the complainant or related person must be omitted from the protection order (including any reference to such an address in documents annexed to the interim protection order), unless the nature of the terms of the order necessitates the inclusion of the address.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF Kuilsriver

HELD AT Kuilsriver APPLICATION NO. H668 / 2022

In the matter between:

Tyrone Buchanan Johnson (Complainant)

AND

Ruben Theodor Fichert (Respondent)

1. PARTICULARS OF RESPONDENT

Name and surname: Ruben Theodor Fichert

Address: 91 Francapani street  
Klein Bron Estate

Contact number (telephone number/cellular phone number/facsimile number/e-mail address (whichever is available)): 083 925 1545

2. PARTICULARS OF APPLICATION

The complainant applied for a protection order against the respondent in terms of the Protection from Harassment Act, 2011 (Act No. 17 of 2011). This court, after considering the application, issued an interim protection order against the respondent.

**3. PARTICULARS OF INTERIM PROTECTION ORDER**

In terms of the interim protection order:

3.1 The respondent is prohibited by this court from —

(a) engaging in or attempting to engage in harassment of —

- \* (i) the complainant; and/or
- \* (ii) the following related person/s:

- .....
- .....
- .....
- .....
- .....

(b) enlisting the help of another person to engage in harassment of the complainant and/or above related person/s; and/or

(c) committing any of the following act/s:

- (i) Not to threaten applicant with violence
- (ii) .....
- (iii) .....

3.2 The court imposes the following additional conditions that are necessary to protect and to provide for the safety and well-being of the complainant or related person/s:

- (a) .....
- (b) .....
- (c) .....

3.3 The court orders:

* (a)	That a member of the South African Police Service is to seize the following weapon(s): all fire-arms in possession of respondent
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:  to supervise the collection of the complainant's or related person's personal property set out in paragraph 8 of the application for a protection order, and such member is authorised to take all reasonable steps to effect the collection of the said property.

4. The respondent is called upon to show cause on 02 November 2022 (the return date) at 08:30 (time) at the abovementioned court, why the court should not issue a final protection order.

5. The return date specified in paragraph 4, above, may be anticipated by the respondent on not less than 24 hours' notice to the applicant and the court.

6. If the respondent does not appear on the return date and if the court is satisfied that —  
(a) proper service has been effected on the respondent; and  
(b) the application contains *prima facie* evidence that the respondent has engaged or is engaging in harassment,  
the court must issue a final protection order.

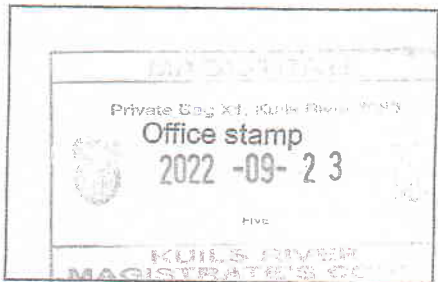
7. A copy of the application of the complainant and the record of any evidence noted during proceedings are attached for the information of the respondent.

8. In terms of section 16 of the Act the court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.

9. In terms of sections 3(3) and 15(a) of the Protection from Harassment Act, 2011, NO De Kock (name and surname), who is a ~~\*clerk of court/\*sheriff/~~ \*peace officer is hereby directed to serve the interim protection order, a copy of the application for a protection order and the record of evidence noted on the respondent in accordance with regulation 28 of the Protection from Harassment Regulations, 2013.

  
.....  
MAGISTRATE

23/9/2022  
.....  
DATE



**TAKE NOTE:**

(a) A warrant of arrest has been authorised for the arrest of the respondent, the execution of which is suspended subject to the respondent's compliance with any specified prohibition, condition, obligation or order contained in this protection order.

(b) A respondent who contravenes any specified prohibition, condition, obligation or order contained in the protection order is in terms of section 18(1)(a) of the Protection from Harassment Act, 2011, guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding five years.

Give full details of all incidents of harassment:

Over the last year we have been involved in LITIGATION at CSOS and this court between Fichant and my Family.

Fichant has over many occasions in the past harassed children that live in our Estate and recently my own children

Fichant has carried his FIREARM with him in the Estate, see Annexure A Report by SJC SECURITY confirming that he carries his Firearm with him.

Fichant has verbally and in writing threatened to kill me, most recently emailing me a letter (ANNEXURE B) at Paragraphs 116 TO 132 Fichant says He will shoot me on SITE

Fichant also threaten to kill me when I ASKED HIM TO TURN OFF THE SOUND OF HIS CAMERAS. HE VERBALLY THREATENED MY WIFE AND WE HAD A YOUNG BOY HEAR MR FICHANT SAY ALL THE THREATS. ATTACHED ANNEXURE C

ME AND MY FAMILY FEAR FOR OUR LIVES WHICH IS IN DANGER BECAUSE FICHANT CARRIES HIS GUN WITH HIM NEXT DOOR TO MY HOUSE AND SAYS HE WILL SHOOT ME IF HE SEES ME. HE HAS ALREADY CARRIED HIS FIREARM WITHIN THE ESTATE AND MADE IT CLEAR HE WILL USE IT TO SHOOT ME OR OTHERS.

I FEAR FOR MYSELF AND FAMILY AS FICHANT SAYS HE WILL SHOOT US.

I CANNOT GO OUT OF MY HOUSE OR PUBLIC AS WE FEAR FICHANT WILL SHOOT US AS HE HAS ALREADY TAKEN A GUN OUT OF A MINOR (ANNEXURE C)

FICHANT SHOULD NOT BE ALLOWED TO CARRY A FIRE ARM.

To whom it may Concern: Mr Gabone

17 September 2022

Mr Fichart has sent me a demand letter stating that I am harassing him and that if it happens again or come near him or his property he will shoot me.

Firstly this is false and he is trying to put pressure on us due to a court case coming up on 28<sup>th</sup> November 2022.

He has falsely accused me of harassing him on this date, however it was not true and Mr Fichart actually harassed me and threatened to kill me and make me and my family pay.

I calmly asked him to turn the noise of his security cameras off as it was making a noise.

He then threatened to kill me with his dogs and started shouting abuse saying 'You and your family will pay, you are and unemployed loser and he kept on shouting at me threatening my wife'.

When he started shouting a young gentlemen came to ask if he could assist as he was worried Mr Fichart was going to shoot me (as he has taken out his gun before on a minor and there Mom). Has SJC Security Report.

Joel Redelinghuys was there from the beginning when Mr Fichart was threatening me and heard everything, I have asked him and his mother yesterday in her presence (Christine Redelinghuys ID: 6810010014088) if they would be willing to give and affidavit of this event and they said he would.

3 young girls also witnessed the incident (ages 9 -12) and ran to call security as they were afraid Mr Fichart was going to kill me.

He has sent a threatening letter on Wednesday to say if I come near him or his property he will shoot me (Proof of Letter)

I am applying for a harassment interdict against Mr Fichart as he is a threat to me and my family and is unstable and we urgently request his gun to be taken away.

Kind Regards  
Tyrone Johnson  
19 Kleinbron Road  
Brackenfell

Christine Redelinghuys (Guardian Joel Redelinghuys)  
ID: 6810010014088





**GUARDING SERVICES (PTY) LTD**

**PHYSICAL ADDRESS:**

8 Roslyn Street  
Brackenfell

**POSTAL ADDRESS:**

PO Box 831  
Bellville

Tel Nr: 0861 752 911

Email: charl@sjcgroup.co.za

**VAT NR: 4710 251 606**

**REG NR: 2008/ 018170 /07**

# **INCIDENT REPORT BY Phillip Du Plooy**

**REPORT AND DETAILS  
OF INCIDENT AT  
KLEINBRON ESTATE  
KLEINBRON AVENUE  
BRACKENFELL**

**30 December 2021**



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**INCIDENT COMPLETED BY**

**NAME OF INVESTIGATOR** : **Phillip Du Plooy, SJC Manager**

**DATE OF INCIDENT** : **30 December 2021**

**PLACE OF INCIDENT** : **91 Frangipani Road**

**TIME OF INCIDENT** : **Approximately 17H30 on 29 December 2021**

**PERSONS INVOLVED** : **Mr T Fitchat: 91 Frangipani Rd**  
: **Mrs N Xotyeni 18 Moepel Rd**

**NATURE OF INCIDENT** : **Pointing off a Firearm.**

**CURRENT STATUS: COMPLIMENT**

2 x Grade B Dayshift (06h00 to 18h00)

3 x Grade C Dayshift (06h00 to 18h00)

2 x Grade B Nightshift (18h00 to 06h00)

3 x Grade C Nightshift (18h00 to 06h00)

**OFFICERS ON DUTY AT TIME OF INCIDENT**

2021/12/30

De Klerk

Jacobs

Julius

Roman

Knipe



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**BACKGROUND:**

On Friday Night the 30 December 2021 at approximately 17H30 Security at main gate received a call from Mr Fitchat at 91 Frangipani Street reporting that kids are victimizing and harassing his family and he needs the assistance of the security guards, because he was threatened by Mrs Xotyeni residing at 18 Moepel street.

S/O De Klerk immediately informed SJC Control room and management. SJC armed response was despatch to 91 Frangipani Street Kleinbron by SJC Control room. At around 17H50 Security and SJC Arrived at 91 Frangipani Street. SJC Management arrived on site at 18h05 to investigate the incident.

**INCIDENT REPORT:**

On Friday afternoon 2021-12-30 the children of Miss N Xotyeni was playing in the common (Public Park) when they pass Mr Fitchat residents at 91 Frangipani Road.

Mr Fitchat came out of his house and was shouting at the children and told them that his dog (Big black Rottweiler) was going to bite them if they pass his house again. The children were upset and went to report it to their mother (Miss Xotyeni). At around 17H00 Miss Xotyeni and her son went back to 91 Frangipani to confront Mr Fitchat.

On Arrival the Front door was closed, she knocked on the door, but nobody replied but they could see people moving around the house. After a while Mr Fitchat opened the door with the dog at his site and a firearm in his hand. Miss Xotyeni confronted Mr Fitchat about him threatening the children and making false allegations that their children were victimizing and harassing his family. Mr Fitchat got upset and pointed a firearm in the direction of Mrs Xotyeni and told her to keep their children away from his house or they will be consequences. Mr Fitchat then pointed the firearm in the air and firing one shot. This all in the presence of Mrs Xotyeni's son. Mrs Xotyeni left Mr Fitchat's premises and returned home to 18 Moepel Street where she informed security and phoned Brackenfell SAP.

Security officers De Klerk and Jacobs and two Armed Response officers S Heineman and S Engelbregt and SJC Manager P Du Plooy respond to the call of Mr Fitchat's house. On arrival we found 'A' weapon on the kitchen counter we were informed by Mr Fitchat that his family was harassed and victimized by the children and was threatened by Mrs Xotyeni and the weapon was only an airgun and that he uses for self-defence. I asked Mr Fitchat to remove the magazine from the weapon and to lay it back on the counter. Only then could





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we confirm that it was an airgun. I took photos of the weapon and magazine as proof. We all left and proceed to Mrs N Xotyeni house at 18 Moepel street.

We arrived at 18 h35 at Mrs N Xotyeni house (18 Moepel street). We were informed that Mrs Xotyeni already contacted the Brackenfell SAP and was waiting for them to arrive. 19h10 SJC Security and SJC Armed response was send on their way to proceed with their duties while I stayed behind waiting for the SAP to arrive. The SAP Sgt Tom and constable Pekeur only arrived at 21H20 and took the full statement from Mrs Xotyeni. Mrs Xotyeni was informed by Sgt Tom that they will open a docket and it will be handed over to the detectives. They will investigate the charges against Mr Fitchat. Mrs Xotyeni was also informed by Sgt Tom to report to Captain Strous at SAP Brakenfell the following morning to lay additional chargers against Mr Fitchat. At 22h00 the SAP left the Estate.

General:

- Upon questioning Mr Fitchat, he admitted firing the weapon and threatening Mrs Xotyeni because he has been victimized and been harassed by the children in the Estate.

Conclusion:

- The general feeling about Mr Fitchat is that he is paranoid and very unstable. And not fit to carry a firearm.

Phillipus A Du Plooy  
SJC Operational Manager.

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The following incidents have occurred between me and Mr Tyrone Buchanan Johnson (ID number: 750923 5151 08 4)

1. I live in 91 Frangipani Street, Kleinbron Estate, Brackenfell, and I am repeatedly being harassed and threatened by my next-door neighbor, Mr Tyrone Johnson, who lives in 19 Kleinbron Avenue.
2. Mr Johnson claims to own a stationery business, but he seems to be, in fact, unemployed.
3. Mr Johnson's wife, who claims to be an anesthetist, provides for him financially.
4. Mr Johnson has threatened to kill me and my wife, and he has twice tried to provoke me into a physical altercation with him right in front of the Kleinbron Estate security cameras – once on 11 June 2022 and once on 8 September 2022.
5. He has also threatened to kill both me and my wife over our boundary wall when we were in our backyard.
6. Due to Mr Johnson's repeated and ongoing aggressive behaviour towards me and my family, I am concerned about our safety.

7. Our house is on a corner, and we have two direct neighbours, the Johnsons (19 Kleinbron Avenue) and the Frankens (89 Frangipani Street).
8. The Johnsons and Frankens are close friends, and both moved into their houses shortly after I moved into mine.
9. I have been increasingly harassed by them since they moved in.
10. The elements of the Johnsons' and Frankens' attack on me and my family have most of the components of real estate harassment, which is the crime of attempting to illegally evict a legal home owner from their property for their own financial gain.
11. Both the Johnsons and Frankens seem to be a part of the real estate harassment.
12. The Johnsons and Frankens use their own properties, the two streets in front of our house, and the public area in front of our house, to harass us.

13. Their harassment includes trespassing, loitering, stalking, excessive noise, vandalism, defamation, opening false criminal cases at the police, child abuse allegations, pedophilia allegations, threatening me physically, threatening me with legal action, turning other neighbours and the Kleinbron Estate Home Owner's Association (HOA) against me, and opening numerous CSOS (Community Schemes Ombud Service) cases against me, to name but a few.
14. Real estate harassers convince other neighbours that the home owner has committed some crime, of which they unfortunately just happen not to have any evidence.
15. They convince the other neighbours that they are in danger, and then they ask the other neighbours to report the home owner of imagined crimes to both the HOA and the police in order to ensure those neighbours' safety.
16. False accusations often include accusations of child molestation and irrational aggression, as is also the case here.
17. They also get their family and friends to flood the HOA with false accusations against the home owner, in an attempt to convince the HOA that he is a criminal.
18. They also employ or blackmail people to stalk and harass the home owner wherever he goes.
19. Real estate harassers persistently and ceaselessly annoy, bother, agitate, exasperate and provoke the home owner until he is so desperate to get away from his nightmare neighbours that he decides to sell his house.
20. The real estate harassers ensure the property does not get sold at market value, by creating a nuisance whenever a potential buyer comes to view the house.
21. The real estate harassers then send in someone who is unknown to the home owner, but who is part of the real estate harassment, to view the house, and that person puts in a much lower offer than the property is worth.
22. Since the home owner is so desperate to get away from his neighbours, and he is unable to get a fair offer, he accepts the much lower offer and

unknowingly sells his house to the very people who had strong-armed him out of his house.

23. The real estate harassers then resell the house at a much higher price, making an enormous and undeserved profit.

24. The real estate harassers make sure they sell the house to someone who is in a vulnerable time in their lives, such as a family with small children, or elderly people. The real estate harassers now have new victims to harass and the process starts all over again.

25. In this way the real estate harassers can make millions of Rands every few years.

26. It is very difficult to obtain evidence of real estate harassment because of the nature of the crime, which is to disguise the harassment as innocent-looking actions designed to gaslight the victim, and because it happens at any hour of the day.

#### 10 January 2022

27. On 10 January 2022, Mr Johnson falsely claimed on the Kleinbron Als Whatsapp group that I recorded his child in a towel. I initiated legal action against him for defamation and the matter will go to trial on 28 November 2022 at the Kuilsriver Magistrates Court.

28. Since I initiated legal action against Mr Johnson, he has made numerous attempts to delay the matter or to pressure me to withdraw the lawsuit.

29. At the time Mr Johnson apparently opened a criminal case against me.

30. On 13 January 2022, apparently in response to the criminal case opened against me by Mr Johnson, two social workers from Badisa Trio came to my house and assessed my children to determine whether they were being abused by me.

31. The two social workers seemed satisfied that my children were not being abused and that they were not in any danger from me.

32. A few weeks later I was contacted by a detective who said that the case docket was closed due to Mr Johnson's witnesses providing conflicting statements that lacked credibility.
33. Mr Johnson's false Whatsapp claiming that I had recorded his child in a towel was the first incident for which I have evidence of him personally harassing me.
34. With Mr Johnson's false allegation that I recorded his child in a towel, he has given himself a morally acceptable excuse to harass and threaten me, and to turn other people against me.
35. Since Mr Johnson has defamed me in the estate in January 2022, other individuals have also been stalking me when I walk around in the estate.
36. Mr Johnson has many family members and friends who live in the estate, who seem willing to collaborate with him against me.
37. The situation keeps escalating from Mr Johnson's side.

#### 28 January 2022

38. I initiated legal action against Mr Johnson for his defamatory Whatsapp message.
39. Right after Mr Johnson received my Letter of Demand, he walked over to my house in an aggressive manner and knocked on my door.
40. I did not open the door and after knocking angrily another few times, he left.
41. Mr Johnson then sent an email to the Kleinbron Estate manager, in which he CC'ed me, and in which he indicated that what I had allegedly done was criminal. He also indicated that he could take the criminal case against me further (implying he would take it further if I did not withdraw the civil lawsuit against him).

#### 12 February 2022

42. The sheriff delivered my summons to Mr Johnson.
43. The sheriff made two attempts to deliver the summons to Mr Johnson in person, but Mr Johnson did not open the door on both occasions, despite being at home.

44. Therefore, the sheriff affixed the summons to his front door.

45. Mr Johnson later claimed to have not received a summons from me.

#### Beginning of March 2022

46. Mrs Marianne Johnson (Mr Johnson's wife), Mrs Mariné Franken (89 Frangipani Street) and Mrs Yvonne Viljoen (58 Frangipani Street) made CSOS applications, falsely claiming that my CCTV cameras were recording their children's bedrooms and bathrooms, and demanded that my cameras be removed.

47. Two of the matters have gone for adjudication at the time of writing, and both verdicts indicated that there was no evidence that I was recording the complainants' children's bedrooms and bathrooms.

48. The verdicts indicated that the requests to remove my cameras were denied.

#### ± 21 March 2022

49. On about 21 March 2022, I returned home from having taken my dog for a walk.

50. As I approached my house, I saw Mr Johnson standing on my bottom driveway.

51. One of my CCTV cameras was making a beeping sound.

52. Mr Johnson asked me if I could hear it, but I did not respond because I preferred all our communication to be in writing.

53. I opened my gate, and Mr Johnson said, "Coward".

54. I asked him why he was calling me a coward, given that he had not even responded to the summons I had sent him, which I considered to be cowardly behaviour.

55. Mr Johnson replied that he had not received a summons, and that he had only received a letter of demand. Mr Johnson claimed that I had admitted in my letter of demand that I had recorded his child in a towel.

56. I replied that I would resend Mr Johnson's summons as part of my reply to Mr Johnson's wife's CSOS application regarding my CCTV cameras.

57. I also told Mr Johnson that his Whatsapp message implied that I was a pedophile, and I asked him to leave my property.

58. Mr Johnson denied that his Whatsapp implied that I was a pedophile.

59. Mr Johnson ignored my request for him to leave my property and he remained standing on my driveway.

60. Mr Johnson proceeded to threaten me with criminal action.

61. I told Mr Johnson that he was trespassing on my property and I again asked him to leave.

62. I told him I had given him an opportunity to settle our dispute legally, but it seems he preferred handling it with a physical confrontation.

63. Mr Johnson continued threatening me with the police and security.

64. Since the conversation was not going anywhere, I went inside my house and turned the beeping camera off.

#### **± 22 March 2022**

65. As I was returning home after taking my dog for a walk, I walked past Mr Johnson's house, and Mr Johnson was sitting on his house's boundary wall.

66. With other people present in the area, he shouted loudly at me, "Look everyone, there's the pedophile".

#### **29 March 2022**

67. Only after I had applied for a default judgement against Mr Johnson for his defamatory Whatsapp message, did Mr Johnson send me a letter of intention to defend.

#### **11 June 2022**

68. On 11 June 2022 some time between 15:00 and 17:00 I was playing by the jungle gym at the Moepel Dam with my 1-year old daughter and my 3-year old son.

69. Mr Johnson came out of his house, and in front of my children, told me, "I will kill you Fitchat". He also told me that he had two black guys watching me, and that when my cameras come down, I will be "in big trouble".

#### **June 2022**

70. My wife and I wanted to move our Jojo tank that was near our boundary wall with Mr Johnson.
71. My wife climbed onto a ladder to take the gutter out of the top of the Jojo tank in order for us to move it.
72. Mr Johnson appeared in his back yard and stood where my wife could see him out of the corner of her eye.
73. My wife realised he was standing there, but she did not look at him.
74. Mr Johnson started making strange mumbling sounds, but my wife still did not look at him.
75. Mr Johnson came closer and stood right next to the wall where my wife was on the ladder.
76. First, he just stood there for a while looking at her, but when she did not look at him, he started speaking to her in a very condescending tone of voice.
77. Mr Johnson has a tendency to mumble, and he was speaking very softly, so we were not able to hear most of what he said.
78. What we were able to hear was that Mr Johnson told my wife that she had better not look over his wall.
79. He asked my wife how she could be with me and how she could have gone to the toddler classes with his wife and child "knowing what he is".
80. He told my wife, "Did Theo tell you he threatened me and my wife?"
81. He said, "There's a huge legal bill coming."
82. Mr Johnson has been trying to convince me to drop the civil case against him, by saying I am going to pay all his legal fees, because I am representing myself in the matter and I am not using an attorney to represent me.
83. He said, "You think you're a lawyer?"
84. At the time Mr Johnson was only aware of the fact that my wife was enrolled for an LLB. I am also enrolled for an LLB. Mr Johnson has tried to convince us to not continue with the lawsuit against him because we are not qualified attorneys.



85. I was standing next to my wife, and Mr Johnson threatened me as well.

86. He told me he was going to kill me and my wife, and that he had 20 witnesses who would testify against me in the civil lawsuit.

87. Neither me nor my wife responded to Mr Johnson's monologue, so eventually he left.

#### **28 June 2022**

88. On 28 June 2022, when I returned home in my car, I stopped in the road in front of my house before reversing into my garage, as I always do.

89. A car stopped behind me and prevented me from reversing into my garage.

90. The person sounded their car's horn, and remained behind me.

91. My garage door was open, so it would have been obvious to the person in the car that I was intending to reverse into my garage.

92. I assumed the person did not realise I was trying to reverse into my garage, and that the person thought I was stopping in the road on purpose to block his way.

93. I drove over to my neighbour's driveway to get out of the person's way and to allow them to drive past.

94. After I stopped in my neighbour's driveway, the person in the car again came and parked right behind me, preventing me from getting out of my neighbour's driveway.

95. I got out of the car to explain to the person why I had stopped in the road, but I realised I had forgotten to pull up the handbrake, so I went back to pull it up.

96. The person's car moved to stop in the neighbour's driveway next to my car.

97. I got out again and started saying "I live here", when I saw that the driver of the car was, in fact, Mr Johnson.

98. Mr Johnson looked out of his car window and said to me, "Get out of the way".

99. I realised he was again attempting to provoke me, so I did not respond, got back into my car and drove to my garage.

#### **8 September 2022**

100. The most recent harassment incident occurred on Thursday 8 September 2022 at about 18:15 in front of the Kleinbron Estate CCTV cameras that are pointed towards the Sheba gate entrance.

101. I took my 3-year old son to play by the Moepel Dam and to take him for a walk around the estate. Mr Johnson approached me while we were walking from the dam towards Sheba gate.

102. Mr Johnson approached us, and while my son was standing between us, Mr Johnson started acting in a threatening manner and intimidated us.

103. He alleged that the Hawks are investigating me, that the police are prosecuting me again, and that the family he falsely alleges I had shot at, has connections with the EFF, and that they were coming for me right now in front of security.

104. He told me, "I know all about you, Mr Bitcoin."

105. He attempted to provoke me into a physical altercation with him by acting like a gorilla and by making gorilla noises.

106. Mr Johnson's approach was completely unprovoked from my side. I did not walk near Mr Johnson's house, or beckon him to approach, and I did not engage with him in any way.

107. I did not respond to his threatening behaviour and walked away from him.

#### Increasing tension

108. Due to Mr Johnson's apparent apprehension and anxiety at the approaching trial date, I suspect the situation between me and Mr Johnson will eventually erupt into physical violence.

109. I believe the reason why Mr Johnson is attempting to physically provoke me is so that it will appear as though I had initiated an unprovoked attack on him, so that he can finally have "evidence" of all his false allegations that I am erratic and illogically aggressive.

110. If I am so erratic and aggressive as Mr Johnson falsely claims, why does he keep approaching me?

111. Mr Johnson is not acting as a reasonable person would act.
112. Mr Johnson seems to want to claim that I initiated an unprovoked (criminal) attack on him in order for him to get out of the civil lawsuit I initiated against him, because he knows I did not record his child in a towel, and he is unable to credibly defend his Whatsapp message in court.
113. The way Mr Johnson intimidates and threatens me in front of my children leads me to reasonably believe that he may attempt to harm my children in order to try to provoke me into an altercation with him.
114. Mr Johnson' behaviour towards me and my family this past year has caused me to keep my children inside our house most of the time, but I am unwilling to allow him to illegally continue to restrict my right to freedom of movement any longer.
115. I intend resuming to take my children to play at the Moepel Dam park.

#### Carrying of firearm in public place

116. In light of the fact that Mr Johnson has on two occasions indicated to me that he intends killing me and my wife, and since he has also displayed provable intimidating behaviour towards me and my children, it is reasonable for me to be concerned about my safety and that of my family.
117. If the situation between me and Mr Johnson continues escalating and I am forced to defend myself, it may become necessary for me to carry my firearm on my person when walking around in the estate.
118. If it becomes necessary for me to carry my firearm, I will carry it in accordance with the Firearms Controls Act,

#### **84. Carrying of firearm in public place**

(1) No person may carry a firearm in a public place unless the firearm is carried:

(a) in the case of a handgun-

(i) in a holster or similar holder designed, manufactured or adapted for the carrying of a handgun and attached to his or her person

(2) A firearm contemplated in subsection (1) must be completely covered and the person carrying the firearm must be able to exercise effective control over such firearm.

### **Potential use of firearm**

119. If Mr Johnson or one of his agents does make a serious and unlawful attempt to take my or my family's lives, as he has twice indicated his intention is, I intend to use proportionate force against him in self-defense or private defense, and if proportionate and necessary, may include the use of my licensed firearm.

120. I am a licensed firearm owner and have completed the requisite competency certificate, so I am aware of how to use my firearm within the legal framework provided in the Firearms Control Act and the relevant case law.

121. I do not intend to use my firearm unlawfully and I do not wish to shoot or kill anyone with my firearm, unless my or my family's lives are unlawfully threatened. I only intend to use my firearm in a legal manner.

122. This email serves as a record that I am officially trying to avoid an attack on me and my family by Mr Johnson, his family, friends and agents; and that I am officially trying to avoid the use of force to defend myself against Mr Johnson, his family, friends and agents.

123. I am sending you this email to prevent the situation with Mr Johnson from escalating, and to ensure everybody's safety in the estate, including Mr Johnson's.

124. I understand that, since we are next-door neighbours, it is impossible for us to completely avoid each other, but it is possible for Mr Johnson to not initiate a confrontation with me.

125. If Mr Johnson has anything that he wants to say to me, he does not need to approach me in person. He is welcome to send me a Whatsapp, or more advisable: to send me an email through his attorney.