



RIVERS STATE JUDICIARY, NIGERIA

CHIEF JUDGE'S CHAMBERS



HIGH COURT COMPLEX, STATION ROAD, PORT HARCOURT RIVERS STATE, NIGERIA.
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Our Ref: RS/JUD/CJ/RSHAS/VOL.2/26

20th January, 2026

The Rt. Hon. Speaker
Rivers State House of Assembly
Moscow Road
Port Harcourt
Rivers State

The Hon. Speaker

Re: REQUEST FOR THE APPOINTMENT OF SEVEN-MAN INVESTIGATIVE PANEL PURSUANT TO SECTION 188(5) OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (AS AMENDED)

Reference is made to your two letters to my office, both dated 16th January, 2026 and received same date. To both letters, are attached voluminous documents on the subject-matters to wit:

Request for the Chief Judge, my humble self, "to appoint seven (7) persons to investigate the allegations of gross misconduct against His Excellency, Sir Siminalayi Fubara, GSSRS, the Governor of Rivers State, pursuant to Section 188(5) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended)"; based on the resolution of the House of Assembly vide Section 188(4) of the Constitution.

There is also a separate letter of request regarding the appointment of Governor of Rivers State, Prof. Ngozi Nma Odu, DSSRS, which was issued in the same language, effect and purpose.

My office is also in receipt of two separate court orders of interim injunction issued on 16th January, 2026 in two suits namely:

1) Suit No.: OYHC/6/CS/2026

**Her Excellency, Prof. (Ms.) Ngozi Nma Odu,
DSSRS**

Vs.

**The Rt. Hon. Martin Amaewhule, DSSRS
(Speaker, Rivers State House of Assembly) &
32 Ors.**

2) Suit No.: OYHC/7/CS/2026

**His Excellency, Sir Siminalayi Fubara,
GSSRS**

Vs.

**The Rt. Hon. Martin Chike Amaewhule,
DSSRS (Speaker, Rivers State House of
Assembly) & 32 Ors.**

The Hon. Chief Judge of Rivers State is the 32nd Defendant/Respondent in the said suits. The said interim orders were served on my office on the same 16th January, 2026.

For the avoidance of doubt, paragraph 1 of the said two orders state thus:

"That an interim injunction is hereby made, restraining the 32nd Defendant, i.e., The Hon. Chief Judge of Rivers State from receiving, forwarding, considering and or howsoever acting on any request, resolution, articles of impeachment or other documents or communication from

the 1st – 27th and 31st Defendants for the purpose of constituting a panel to investigate the purported allegations of misconduct against the Claimant/Applicant for seven days."

Attached herewith, are certified true copies of the said orders.

Constitutionalism and the Rule of Law are the bedrock of democracy and all persons and authorities are expected to obey subsisting orders of court of competent jurisdiction, irrespective of perception of its regularity or otherwise.

Given the above scenario, our legal jurisprudence enjoins the parties to obey the order of interim injunction until it is set aside or the suit is finally determined. Case laws vindicate this position:

In the case of HON. DELE ABIODUN Vs. THE HON. CHIEF JUDGE OF KWARA STATE & 3 ORS. (2007) 18 NWLR, 109-169 is apposite. In that case, the Chief Judge of Kwara State who proceeded to set up 5-man panel to investigate the allegations levelled against the Appellant despite a subsisting restraining order of court and pending suit was roundly condemned in strong language and voided the entire proceedings. At page 165, the Court of Appeal in its judgment, descended on the Chief Judge as follows:-

"I liken the scenario created by the Chief Judge to the position of a chief priest and custodian of an oracle turning round to desecrate the oracle. The Chief Judge of the State who is the custodian and head of the judicial arm of the State, ought to abide by the Laws of the State, nay the land..."

...on. Speaker, the law envisions a three-pronged restraint in virtue of the subsisting interim orders of injunction, the pending motion on notice for interlocutory injunction and pending suits.

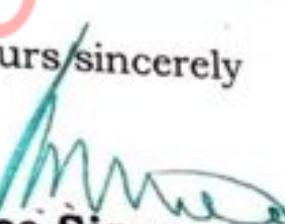
Furthermore, you have lodged appeal against the said interim orders at the Court of Appeal, Port Harcourt Division. I was served with the Notices of Appeal on 19th and 20th instant. Attached herewith, are the said Notices of Appeal. By the doctrine of 'lis pendens', parties and the court have to await the outcome of the appeal.

In view of the foregoing, my hand is ~~fettered~~, as there are subsisting interim orders of injunction and appeal against the said orders. I am therefore legally ~~disabled~~ at this point, from exercising my duties under Section 188(5) of the Constitution in the instant.

It is hoped that the Rt. Hon. Speaker and the Honourable Members of the Rivers State House of Assembly will be magnanimous enough to appreciate the legal position of the matter.

Please accept the assurances of my warm regards.

Yours sincerely


Hon. Justice Simeon C. Amadi
CHIEF JUDGE OF RIVERS STATE

Encls.