



**Odera v Republic (Miscellaneous Criminal Application E131 of 2024)
[2024] KEHC 10227 (KLR) (19 August 2024) (Ruling)**

Neutral citation: [2024] KEHC 10227 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E131 OF 2024**

**RE ABURILI, J
AUGUST 19, 2024**

BETWEEN

NICKSON OCHORO ODERA APPLICANT

AND

REPUBLIC RESPONDENT

(From the original conviction and sentence in Kisumu CM SO Case No. E004 of 2023)

RULING

1. The applicant claims in his application dated 5/7/2024 that he was convicted of the offence of defilement under Section 8(3) *Sexual Offences Act* and was sentenced to serve 5 years in prison. He claims that he was in custody for 4 months and two weeks which were never considered in sentencing.
2. There is no evidence on record to support the allegations.
3. I find the application is not supported by any material. It is hereby dismissed.
4. Signal to issue.
5. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF AUGUST, 2024

R.E. ABURILI

JUDGE

