



REPUBLIC OF KENYA



**Otieno v Republic (Miscellaneous Criminal Application E183 of 2024)
[2024] KEHC 11537 (KLR) (30 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11537 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E183 OF 2024
MS SHARIFF, J
SEPTEMBER 30, 2024**

BETWEEN

SAMWEL ONYANGO OTIENO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have perused the notice of motion dated 21.6.2024 and the supporting affidavit of Samuel Onyango Otieno and I do note that whereas he states that he had failed to lodge an appeal within 14 days from 26.4.2023 due to false promises by his relatives who had allegedly undertaken to retain an advocate for him, he has not made disclosure of the identity of the relatives that misled him nor the advocate that the undisclosed relatives had approached. Nor has he annexed the fee note of the advocate, whose fees his relatives failed to pay.
2. I do note that the reason advanced has therefore not been substantiated to the satisfaction of this court wherefore I decline to extend time.
3. This file is marked as closed.

DATED, SIGNED AND DELIVERED THIS 30TH DAY OF SEPTEMBER, 2024

M. S. Shariff

JUDGE

