



**Ogolla v Republic (Criminal Miscellaneous Application E065 of 2024)
[2024] KEHC 11771 (KLR) (27 September 2024) (Ruling)**

Neutral citation: [2024] KEHC 11771 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL MISCELLANEOUS APPLICATION E065 OF 2024
RE ABURILI, J
SEPTEMBER 27, 2024**

BETWEEN

MARK DAVID OTIENO OGOLLA APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for review of conviction and sentence of in Bondo
PM's Court vide SO No. 64 of 2020 delivered by Hon. S.W. Mathenge RM)*

RULING

1. The Applicant Mark David Otieno Ogolla was convicted of the offence of defilement contrary to Section 8(1) as read with Section 8(3) of *Sexual Offences Act*. He was sentenced to serve 20 years imprisonment vide Bondo SPM SO 64/2020. He appealed vide Siaya HCCRA E020 of 2022 and vide judgment delivered on 25/1/2023, the applicant was lucky to have his sentence reduced to 10 years imprisonment conviction was upheld.
2. He now applies for sentence review.
3. I find this application dated 19/2/2024 to be an abuse of court process. It is hereby dismissed.
4. This file is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 27TH DAY OF SEPTEMBER, 2024

R.E. ABURILI

JUDGE

