



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Dimba v Republic (Criminal Petition E020 of 2022)
[2023] KEHC 2875 (KLR) (24 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 2875 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL PETITION E020 OF 2022
RE ABURILI, J
MARCH 24, 2023**

BETWEEN

GEORGE OLUOCH DIMBA PETITIONER

AND

REPUBLIC RESPONDENT

RULING

1. Thepetitioner/convict is George Oluoch Dimba. He has filed this petition for resentencing claiming that he was convicted and sentenced to death by the High Court at Kisumu vide High Court Criminal Case No 37 of 2010 for the offence of murder and that his death sentence was commuted to life imprisonment in 2016 by the President.
2. That he has been in prison for 12 years and that the mandatory death sentence as imposed is unconstitutional.
3. The convict does not disclose whether he exercised his right of appeal to the Court of Appeal. No court proceedings from the trial court or testimonials are annexed.
4. I find the Petition not supported. It is hereby dismissed.
5. Thepetitioner is free to file a supported petition.
6. Order/signal to issue. File closed.

Dated, Signed and Delivered at Kisumu this 24thDay of March, 2023

R. E. ABURILI

JUDGE

