



**Republic v Mwakha (Miscellaneous Criminal Application E241 of 2023)  
[2023] KEHC 21404 (KLR) (Crim) (30 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 21404 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
CRIMINAL  
MISCELLANEOUS CRIMINAL APPLICATION E241 OF 2023**

**DR KAVEDZA, J  
JUNE 30, 2023**

**BETWEEN**

**REPUBLIC ..... APPLICANT**

**AND**

**EVERLYN MWAKHA ..... RESPONDENT**

**RULING**

1. I have gone through the Notice of Motion application dated 22<sup>nd</sup> June, 2023 and the supporting affidavit of Ismael Kiragu, Senior Prosecution Counsel, of even date. The applicant seeks leave to file an appeal of time on grounds, *inter alia*, that they were unable to obtain typed proceedings within the prescribed time of appeal.
2. I am satisfied that the application is merited. I therefore
  - a. That the applicant is granted leave to file the appeal out of time within 14 days with effect from July 3, 2023.
  - b. A copy of this order be served upon the respondent.
  - c. File closed.

**RULING DATED DELIVERED IN ABSENCE OF PARTIES THIS 30<sup>TH</sup> DAY OF JUNE 2023.**

.....  
**D. KAVEDZA  
JUDGE**

