



**Ocholla v Republic (Miscellaneous Criminal Application E081 of 2023)
[2023] KEHC 26816 (KLR) (18 December 2023) (Ruling)**

Neutral citation: [2023] KEHC 26816 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E081 OF 2023
RE ABURILI, J
DECEMBER 18, 2023**

BETWEEN

WILLIAM OBONDO OCHOLLA APPLICANT

AND

REPUBLIC RESPONDENT

*(Arising from the original conviction and sentence in
High Court Criminal Case No.19 of 2008 at Kisumu)*

RULING

1. The applicant William Obondo Ocholla was convicted and sentenced to death vide Kisumu HCCRC No. 19 of 2008 for the offence of murder contrary to section 203 as read with section 204 of the [Penal Code](#).
2. He petitioned for resentencing and *vide* HC Constitutional Petition No 47 of 2020, in a ruling rendered on September 28, 2021, the High Court set aside death sentence and substituted it with thirty (30) years imprisonment to be calculated from the time of arrest.
3. The applicant is back asking for sentence review.
4. I have considered the application. I find no substance to warrant further review of the already reviewed sentence.
5. I decline the application filed on November 8, 2023 and dismiss it.
6. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 18TH DAY OF DECEMBER, 2023

R. E. ABURILI



JUDGE

