



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**MISC. CRIMINAL APPLICATION NO. E010 OF 2022**

**CORAM: HON. R.E. ABURILI, J**

**ISSA JOMMO SEWEDY.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(An Application arising from conviction and sentence of the High Court*

*at Siaya in Criminal Appeal No. 40 of 2016 AND Bondo PM's Court, Cr.*

*Case 481/2015 delivered on 13/4/2016 by Hon. M. Obiero, PM)*

**RULING**

1. I have considered the Application filed on 20/1/2022 under the ***Rule 113 of the Court of Appeal Rules*** seeking for leave to file appeal out of time and as a pauper.
2. I note that there is inordinate delay in bringing the application and more so, no acceptable or sufficient reasons have been advanced for the delay.
3. The judgment to be impugned was delivered by Justice James A. Makau, J on 10/11/2016.
4. I find the application an afterthought and lacking in merit.
5. The same is hereby dismissed.
6. File is closed.
7. Orders accordingly.

**DATED, SIGNED AND DELIVERED AT SIAYA THIS 27TH DAY OF JANUARY 2022**

**R.E. ABURILI**

**JUDGE**