

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. E012 OF 2022

CORAM: HON. R.E. ABURILI J

PETER ODHIAMBO ABONY.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application arising from conviction and sentence of Siaya

High Court in Criminal Case No. 29 of 2017)

RULING

1. I have considered the Application filed on 20/1/2022 seeking leave to file appeal out of time and as a pauper. It invokes **Rule 113 of the Court of Appeal Rules**. The Judgment sought to be impugned was delivered on 25/1/2021 wherein the applicant was convicted for the offence of Murder and sentenced to serve 30 years imprisonment.

2. No reasons have been given for the inordinate delay of one year.

3. I find this application an afterthought and lacking in merit.

4. It is hereby dismissed.

5. File closed.

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

R.E. ABURILI

JUDGE