

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. E004 OF 2022

CORAM: HON. R.E. ABURILI J

WILLIAM AMONDI ODIGA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

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

in Criminal Appeal No. 152 of 2017 AND Siaya PM's Court, Criminal Case No. 107/2014

by Hon. Hazel Wandere, PM delivered on 25/10/2016)

RULING

1. I have considered the application under **Rule 113 of the Court of Appeal Rules** seeking to appeal out of time and as a pauper. The judgment to be impugned was considered in **HCRA 152/2016** and the applicant convict herein did file a similar application vide **HCR Misc. Application No. 50/2018** which was considered on merit and dismissed on 31/7/2018.
2. The Application is the same as the one which was dismissed on 31/7/2018. It is an abuse of court process. It is hereby dismissed.
3. File closed.
4. Orders accordingly.

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

R.E. ABURILI

JUDGE