



REPUBLIC OF KENYA



KENYA LAW
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**Madowo v Republic (Miscellaneous Criminal Application
E060 of 2022) [2022] KEHC 12360 (KLR) (25 May 2022) (Ruling)**

Neutral citation: [2022] KEHC 12360 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E060 OF 2022**

RE ABURILI, J

MAY 25, 2022

BETWEEN

ERASTUS OMWONYA MADOWO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application arising from conviction and sentence of the Chief Magistrate's Court at Siaya in Criminal Case No. 919 of 2016 and Siaya HC Misc. Cr. Application No. E007/2022)

RULING

1. The applicant was convicted and sentenced in Criminal Case No 919 of 2016 on November 11, 2019 before the Magistrate's Court at Siaya. He applied for leave to appeal as a pauper vide HCR Misc E007/2022 on 20/1/2022 nearly three years later and on 27/1/2022 this court dismissed his application on account of unexplained delay. He now wants leave to appeal against that ruling which application is not even supported by a sworn affidavit to explain the further delay of 4 months.
2. I find no ground upon which I can grant the application as there is no reason given for the delay.
3. I dismiss the application.
4. File is closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 25TH DAY OF MAY, 2022

R.E. ABURILI

JUDGE

