



REPUBLIC OF KENYA



KENYA LAW
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**Bett v Republic (Miscellaneous Application 21 of 2018)
[2022] KEHC 12134 (KLR) (20 May 2022) (Ruling)**

Neutral citation: [2022] KEHC 12134 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
MISCELLANEOUS APPLICATION 21 OF 2018**

AN ONGERI, J

MAY 20, 2022

BETWEEN

PHILIP KIPKOSKEI BETT APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Petitioner filed an undated Application filed on 01/3/2021 seeking a transfer to any other court for hearing of his petition.
2. The petitioner was sentenced to death on 1/9/2016 by the High Court at Kericho and appealed to the Court of Appeal.
3. However, he withdrew the appeal and applied for resentencing under the Muruatetu rule.
4. He is now apprehensive that the resentencing will be dismissed as done on recent petitions and he wants to be transferred to any other court.
5. The respondent opposed the Application and submitted orally that the petitioner has no basis for seeking a transfer.
6. The petitioner said he has the original file but he refused to avail it.
7. The petitioner also refused to be interviewed by the Probation Officer saying he wants to be transferred to another court.
8. I find that the petitioner's application lacks in merit.
9. The petitioner has no reason to seek to be transferred to any other court.
10. The petitioner has not reformed at all despite having been in custody since 2016. His attitude is wrong.



11. I dismiss his application seeking transfer to another court.
12. Since he has declined to file submissions in his petition the same is also dismissed.
13. He has a right of appeal to the court of appeal.

DELIVERED, SIGNED AND DATED AT KERICHO THIS 20TH DAY OF MAY 2022.

A. N. ONGERI

JUDGE

