



REPUBLIC OF KENYA



**Odhiambo v Republic (Miscellaneous Criminal Application
E076 of 2022) [2022] KEHC 13167 (KLR) (23 September 2022) (Ruling)**

Neutral citation: [2022] KEHC 13167 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E076 OF 2022
RE ABURILI, J
SEPTEMBER 23, 2022**

BETWEEN

AUSTINE OTIENO ODHIAMBO ALIAS WUOD OTHIALO APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for waiver of court fees on appeal arising from Judgment, conviction and sentence at Siaya High Court in Siaya HCRCC No. E028 of 2021 on 30/6/2022)

RULING

1. The applicant convict seeks leave of court to prosecute his appeal to the Court of Appeal as a pauper. However, I find no pauperism demonstrated by way of an affidavit. I note that the applicant, filed notice of appeal on July 8, 2022, to file his appeal to the Court of Appeal from Siaya HCR E028/2021.
2. I order that the applicant shall deposit into court Kshs 10,000/= to cover the cost of preparing a complete set of record of appeal.
3. Application for waiver of fees is declined.
4. I so order.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 23RD DAY OF SEPTEMBER, 2022

R.E. ABURILI

JUDGE

