



**Ajoki v Republic (Miscellaneous Criminal Application E077 of 2021)
[2022] KEHC 14431 (KLR) (25 October 2022) (Ruling)**

Neutral citation: [2022] KEHC 14431 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E077 OF 2021
RE ABURILI, J
OCTOBER 25, 2022**

BETWEEN

STEPHEN ODHIAMBO AJOKI APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The application was filed on September 14, 2021 by Stephen Odhiambo Ajoki.
2. From the court file herein, he was given the opportunity to file court proceedings from the lower court to enable this court consider whether section 333(2) of the [Criminal Procedure Code](#) is applicable in his case.
3. On March 16, 2022 he was granted 21 days. On June 21, 2022 the court granted him another 21 days.
4. There is no compliance with the orders of the court.
5. The file cannot be kept in court dormant indefinitely. I find the applicant is not interested in his case being determined.
6. The application filed on September 14, 2021 is hereby dismissed for noncompliance with court orders and for lack of substance.
7. The file is closed.
8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 25TH DAY OF OCTOBER, 2022.

R.E. ABURILI

JUDGE

