



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Okello v Republic (Criminal Appeal 50 of 2018)
[2022] KEHC 16749 (KLR) (19 December 2022) (Ruling)**

Neutral citation: [2022] KEHC 16749 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL APPEAL 50 OF 2018
RE ABURILI, J
DECEMBER 19, 2022**

BETWEEN

FRANCIS NYAKANYI OKELLO APPELLANT

AND

REPUBLIC RESPONDENT

(An Appeal originating from Ukwala PM's Sexual Offence Case No. 9 of 2017)

RULING

1. This appeal has been pending before this court for over 4 years now and despite the request and reminders to Ukwala Law Courts to avail the lower court file, there is no response or action. It is frustrating to call for a file for over 4 years with no response. The matter cannot be mentioned forever.
2. I hereby mark this appeal as closed.
3. The Deputy Registrar to notify the appellant in person who shall be at liberty to apply, upon which a fresh court file shall be opened and the appeal considered on its merits since this court is unable to keep the file pending infinitum.
4. File closed.
5. I so direct.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 19TH DAY OF DECEMBER, 2022

R.E. ABURILI

JUDGE

