



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**MISC. CRIMINAL APPLICATION NO. 10 OF 2020**

**KEVIN ONYANGO ODHIAMBO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an Application for leave to appeal out of time under section 349 of the Criminal Procedure Code from Original Criminal Case No. 40 of 2018 at SPM's Court, Bondo in a judgment dated 30.4.2019)*

**RULING**

1. The applicant **Kevin Onyango Odhiambo** claims that he was convicted on 30.4.2019 by Bondo PM's Court for the offence of which is undisclosed and sentenced for a term which is not disclosed in the pleadings. He also claims that he wishes to appeal as a pauper and attached an affidavit which is not commissioned.
2. I have perused the application as presented and I find it misconceived and a waste of judicial time. There is no material upon which this court can consider an application to appeal out of time or to allow the applicant to file an appeal and prosecute it as a pauper.
3. The application is devoid of merit. The same is hereby dismissed.
4. File closed.
5. Orders accordingly.

**Dated, signed and Delivered at Siaya this 22<sup>nd</sup> Day of July, 2020**

**R.E. ABURILI**

**JUDGE**