

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CONSTITUTIONAL PETITION NO. 44 OF 2019

KENNEDY WESONGA KWOPA.....PETITIONER

VERSUS

REPUBLIC.....RESPONDENT

RULING

1. The Petitioner Kennedy Wesonga Kwoba filed a similar Petition before Busia High Court Cr. Petition No. 4 of 2018 seeking resentencing.
2. Hon. Justice Kiarie Wa Kiarie dismissed it for lack of merit on 4/3/2019.
3. That being the case, this court is devoid of merit to sit on its own judgment as the High Court Busia is a court of concurrent jurisdiction with this court.
4. Accordingly, the Petition herein is struck out and dismissed.
5. This file is hereby closed.

Dated, signed and Delivered at Siaya this 16th day of September 2019

R.E. ABURILI

JUDGE