



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**Criminal Appeal No. 2 Of 2019**

**CORAM: HON. R.E. ABURILI J**

**KEVIN OTIENO OPIYO.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Appeal from the Judgment, conviction and sentence delivered on 17.12.2018*

*in Ukwala SRM's Court in Sexual Offence Case No. 40 of 2018*

*by Hon. G. Adhiambo, Senior Resident Magistrate)*

**RULING**

1. Appeal was filed 23 days after judgment and No leave of court was obtained to extend time.
2. The appeal should have been filed within 14 days of date of sentence. It is hereby found to be incompetent and struck out.
3. File closed.
4. Orders accordingly.

**Dated, signed and delivered at Siaya this 25<sup>th</sup> Day of November 2020**

**R.E. ABURILI**

**JUDGE**