

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

MISC. CR. APPL. NO. 51 OF 2018

(CORAM: R. E. ABURILI - J.)

ERICK ODUOR.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING ON APPLICATION

I have considered the application under **Rule 113 of the Court of Appeal Rules** and the leave sought to appeal out of time as a poor person.

I allow the Applicant to file Notice of Appeal out of time and the Notice of Appeal as filed to be deemed to be duly filed and served, thus being an intended first appeal.

On whether the Court should waive court fees for preparation of the record of Appeal, I order the Appellant to deposit into Court a sum of Ksh. 15,000/= (fifteen thousand Kenya Shillings only for purposes of preparation of the records of appeal, as there is no material to suggest that he is a pauper and that imprisonment has made him poor.

Dated, Signed and Delivered at SIAYA this 31ST day of July 2018.

R.E. ABURILI

JUDGE