

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

HC. CR. REV. NO. 44 OF 2018

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

MAURICE VINCENT WAKA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an appeal against both the conviction and the sentence dated 23.10.2017 in Criminal Case No. 534 of 2017 in Siaya Law Court before Hon. J. Ongondo – PM)

RULING OF THE COURT

The Applicant herein **Maurice Vincent Waka** is a 28 year old convict for the offence of stealing contrary to **Section 275 of the Penal Code Cap 63 Laws of Kenya**. He was sentenced to serve 1 year in prison on 23/10/2017 vide Siaya PM Cr. Case No. 534/2017.

He seeks by his application in line with decongestion of Prison Policy, for revision of sentence.

However, according to the attached schedule of Prisoners/Offenders and confirmed by the Post Sentence Review Report by the Probation Officer, Siaya signed and dated 14/4/2018 by Ochieng Ogola, Probation Officer. The offender has already served sentence of one year from 23/10/2017 to 23/6/2018.

That being the case, the request for revision of sentence is overtaken by events. The request is declined.

File to be closed.

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

R.E. ABURILI

JUDGE

In the presence of:

Mr. Okach: Prosecution Counsel for the State

Maurice Vincent Waka: Applicant in person (*present*)

Court Assistant: Akida and Brenda