

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISC. CRIMINAL APPLICATION NO. 42 OF 2018

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

PETER OBARE AMARA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(From Original Conviction Cr. Case No. 320 of 2015 at Principal Magistrate's Court,

Siaya and Criminal Appeal No. 115 of 2018)

RULING

1. The Applicant/Convict's appeal was dismissed on 19/2/2018 vide a judgment signed by Majanja J. and delivered by T. Cherere J. on 19/2/2018 in HCCRA No. 115 of 2016.
2. There is no reason why the Applicant never filed Notice of Appeal in time until 3rd July 2018.
3. There is no material to support the inordinate delay and to show his pauperism.
4. There is no point or question of Law framed to demonstrate arguability of the intended second appeal. The Applications dated 16th March 2018 and 26th February 2018 are hereby dismissed.

Dated, signed and Delivered at Siaya, this 24th Day of September 2018.

R.E. ABURILI

JUDGE