

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

MISCELLANEOUS CRIMINAL CASE NO. 9 OF 2017

(in the matter of an intended Appeal)

Between

JOEL MIRIKA APPLICANT

VERSUS

REPUBLIC RESPONDENT

RULING

I have considered the application and the Affidavit in Support. The reason advanced for the delay is that the family of the Applicant failed to secure the services of an Advocate as expected due to financial constraints.

I consider that to be a plausible reason when coupled with the sentence of 20 years metted out to the Applicant.

Accordingly, the application is allowed. The Petition of appeal is deemed to be filed with leave. Let the Petition be served upon the Director of Public Prosecutions (DPP). The registry to open an Appeal file. This file be closed.

DATED, SIGNED AND DELIVERED THIS 29TH DAY OF MARCH, 2017

A. MABEYA

JUDGE

29/03/2017