



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KITALE**

**CRIMINAL APPEAL NO. 78 OF 2016**

**(Being an appeal arising from conviction and Sentence in Kitale Chief Magistrate's Court Sexual Offence Case No. 49 of 2015 delivered by C.C. Kipkorir Resident Magistrate on 4/8/2016)**

**ERICK WANYONYI SIMIYU .....APPELLANT**

**VERSUS**

**REPUBLIC .....RESPONDENT**

**FURTHER ORDERS**

I have perused the Age Assessment report prepared by Dr. Oyieke M.A. dated 18/10/17 on behalf of the appellant as ordered by this court on 21/9/2017. I am satisfied that the appellant is aged 18 years and thus the age of the majority. The appeal is hereby dismissed as per the judgment dated 21/9/2017.

**Delivered, signed and dated at Kitale on this 11<sup>th</sup> day of December, 2017**

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**H.K. CHEMITEI**

**JUDGE**

**11/12/17**

**In the presence of;**

**M/S Kakpi for the Respondent**

**Appellant – present**

**Court Assistant – Kirong/Silvia**

**Court: Directions given in court.**