



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NAKURU
ADOPTION CAUSE NO. 11 OF 2016
IN THE MATTER OF J O N.....MINOR
AND
S W N & F N N.....APPLICANTS
RULING

The Application is brought by way of Originating Summons dated the 28th day of April, 2016. The Applicants **SWN** and **FNN** through Mugweru & Company Advocates, their advocates seek the following orders;

- (1) Spent
- (2) Spent
- (3) Spent
- (4) THAT the applicants be authorised to adopt the minor **JON**.
- (5) THAT the Registrar-General do make the appropriate entries in the Adopted Children's Register in respect of the minor **JON**.
- (6) THAT the court does issue such other orders as may be necessary in the best interest of the child.
- (7) THAT costs be in the cause.

The Applicants (**S W N & F N N**) herein are husband and wife. Both of them are [particulars withheld] by profession. They work at [particulars withheld] in the U.S. and do business here in Kenya as well. They met at the [particulars withheld] in the year 2010 where they were both working and on 2nd May, 2015 they did a Christian wedding solemnised at Stockton City, San Joaquin County - U.S. and a certificate No.[...] issued. They have been blessed with one baby girl.

The Prospective Adoptive father is a biological brother to the late A N, the mother to the minor. So he is his maternal uncle to the minor. The adoptive parents have been supporting the minor basically and psychosocially ever since the mother was alive and have had the continuous custody of the minor.

JON was born on 21st April, 2001 to one A N, who is now deceased. (She passed on 29th August, 2015) He was the only child to his late mother. He attended [particulars withheld] township Primary School and sat for his KCPE as a private student passed. He was admitted to [particulars withheld] High School. While in form two (2), he began experiencing pedagogical impediments. After a consensus with his guardian and teachers, he was better suited to enroll in a vocational training. Subsequently he joined Ashley's Hair and Beauty College where he successfully pursued a course in beauty and hair dressing. He is very creative and gifted in craftsmanship. He is fully acquainted with the adoption process and is eager to join his Prospective Adoptive Parents.

He is over fifteen years old, nobody has ever claimed fatherhood as the mother was never married. Pursuant to **Section 156(1)** of the **Children's Act 2001**, the minor was declared free for adoption by the Kenya Children's Home.

Vivienne Mang'oli, Sub-County Children Officer, Kajiado North Sub-County after conducting investigations by visiting and interrogating the Applicants and other family members filed a report dated 2nd September, 2016 in court on their suitability to adopt the minor.

The report recommended that the applicants have proved capable of providing parental care for the minor.

Upon reading the above report and satisfying myself that all the legal requirements have been adhered to, this court is satisfied that the applicants are suitable persons to adopt J O N.

For the above reasons:

(8) The applicants be authorised to adopt the minor **J O N**.

(9) The Registrar-General do make the appropriate entries in the Adopted Children's Register in respect of the minor **J O N**

Costs be in the cause.

Orders Accordingly.

Dated and Signed at Nakuru this 9th day of December, 2016.

A. K. NDUNG'U

JUDGE