



**REPUBLIC OF KENYA**

**High Court at Meru**

**Criminal Revision 430 of 2001**

**REPUBLIC..... APPELLANT**

**VERSUS**

**MOHAMED GITHIYE..... RESPONDENT**

**RULING**

20.3.2013

Lesiit Judge

Kirimi/Jane C.C.

Mungai for State/Appellant

No appearance for Respondent

Mr. Mungai: This appeal was filed by the State. We have not served the Respondent. The state no longer wishes to pursue the Appeal. I apply to withdraw the same.

**Lesiit, J.**

**JUDGE**

COURT: This appeal was filed in 2001. The State has not served it upon the Respondent. There has been inordinate and inexcusable delay in prosecuting it. In view of the learned State Counsel's submission the appeal is dismissed and the file closed.

**DATED, SIGNED AND DELIVERED THIS 20<sup>TH</sup> DAY OF MARCH 2013**

**LESIIT, J.  
JUDGE.**