



**REPUBLIC OF KENYA**

**High Court at Meru**

**Criminal Case 158 of 1999**

REPUBLIC..... APPELLANT

VERSUS

THIAURI M'IKUNYUA M'KAILANYA.....RESPONDENT

**R U L I N G**

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 1999. 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.