



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MOMBASA

Criminal Case 18 of 2005

REPUBLIC PROSECUTION

- V E R S U S -

1. **MARTIN MAINA alias KAKA**
2. **JOSEPH MAINA alias RASTA**
3. **PATRICK SHIKANGA LIKHOTIO ACCUSED**

RULING

It has come to my notice that this trial commenced in the presence of Assessors. On 11th December 2007 the Assessors were discharged following an amendment in the law. The hearing then proceeded without assessors. Following the decision of the Court of Appeal this amounts to a mistrial. As such the case to begin denovo. Hearing to proceed on 6th & 7th October 2010.

Dated and Delivered in Mombasa this 5th day of July 2010.

M. ODERO

JUDGE

Read in open court in the presence of:-

Mr. Ondari for State

Ms. Kawere holding brief for defence counsel

M. ODERO

JUDGE

5/07/2010