

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

APPELLATE SIDE

CRIMINAL APPEAL NO.288 OF 2000

(Being an Appeal from Original Conviction and Sentence in Criminal Case No.520

of 1999 of the Chief Magistrate's Court at Mombasa –A.W. Gungi, RM)

ANNA AUMA OWINO APPELLANT

VERSUS

REPUBLIC RESPONDENT

J U D G M E N T

The appellant has withdrawn her appeal on conviction. She appeals only on sentence. She submits that she is already serving a sentence in another criminal case being Cr. Case No.2552 of 1996 where she was sentenced to 5 years imprisonment.

In this appeal the sentence is 2 years imprisonment. She is asking that that sentence do commence so that both sentences shall run concurrently to shorten her time in prison. She says she has children at home who are suffering in her absence. I accept her submissions as reasonable. I hereby allow her appeal on sentence and order that the sentence in this case shall commence and run concurrently in that in Cr. Case No.255 of 1996.

Dated at Mombasa this 17th Day of July, 2002.

J. KHAMINWA

COMMISSIONER OF ASSIZE

