



REPUBLIC OF KENYA



**Mwanza v Republic (Criminal Miscellaneous Application  
E135 of 2024) [2025] KEHC 2708 (KLR) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 2708 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KIAMBU  
CRIMINAL MISCELLANEOUS APPLICATION E135 OF 2024  
DO CHEPKWONY, J  
FEBRUARY 17, 2025**

**BETWEEN**

**SHARON NTHOKI MWANZA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The matter is for mention for parties to take directions on the Notice of Motion filed on 30<sup>th</sup> October, 2024, in which the Applicant is seeking for orders that:-
  - a. The court allows the Applicant to file an appeal out of time.
  - b. Spent.
  - c. The costs of the application be waived since the Applicant is in legal custody and without financial means.
2. The application is premised on the grounds set out in the Supporting Affidavit sworn by the Applicant.
3. The application is not opposed by the Respondent. This being the case, the Notice of Motion application filed on 30<sup>th</sup> October, 2024 is hereby allowed in the following terms:-
  - a. The Applicant is hereby granted leave to file an appeal at the Court of Appeal, Nairobi out of time.
  - b. The costs of the application be and are hereby waived.

It is so ordered.

**RULING DELIVERED VIRTUALLY, DATED AND SIGNED AT KIAMBU THIS 17<sup>TH</sup> DAY OF  
FEBRUARY, 2025.**



**D. O. CHEPKWONY**

**JUDGE**

In the presence of:

Applicant in person –present

M/S Ndeda counsel for Respondent

Court Assistant - Martin

