



**Musya v Republic (Criminal Revision E032 of 2025)
[2025] KEHC 4559 (KLR) (8 April 2025) (Ruling)**

Neutral citation: [2025] KEHC 4559 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KIBERA
CRIMINAL REVISION E032 OF 2025**

DR KAVEDZA, J

APRIL 8, 2025

BETWEEN

JAMES KINYOO MUSYA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant filed the present notice of motion application dated 18th February 2025 together with a certificate of urgency of similar date, seeking leave to appeal out of time against his sentence.
2. The lower court file has been submitted. The records indicate that the applicant filed a similar appeal at Milimani under Criminal Case Number 164 of 2014 and that the appeal was heard and dismissed.
3. It is my view that this court does not have jurisdiction to hear and determine the present application. The application should be made to the Court of Appeal since the High Court has rendered its decision on 10th September 2017.
4. The application is hereby dismissed.

Orders accordingly.

DIRECTION ISSUED IN THE ABSENCE OF THE PARTIES THIS 8TH DAY OF APRIL 2025

D. KAVEDZA

JUDGE

