



**Omondi v Republic (Criminal Petition E011 of 2024)  
[2024] KEHC 5297 (KLR) (20 May 2024) (Ruling)**

Neutral citation: [2024] KEHC 5297 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL PETITION E011 OF 2024  
RE ABURILI, J  
MAY 20, 2024**

**BETWEEN**

**ERICK OCHIENG OMONDI ..... PETITIONER**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

(From original conviction and sentence by Hon. Justice D. S. Majanja delivered on 23<sup>rd</sup> May 2017 in High Court Criminal Case No. 37 of 2011 at Kisumu)

1. The Petitioner was convicted and sentenced to death on 23<sup>rd</sup> May 2017 and from his address to the court, he appealed to the Court of Appeal although he claims that he did not receive any response.
2. The Petitioner to trace a copy of his Notice of Appeal to the Court of Appeal and pursue his appeal to the end as this court cannot sit on its own judgment and review the decision of the court of competent jurisdiction.
3. In the premises, I decline to hear the merits of the application dated 15<sup>th</sup> March 2024 and strike it out.
4. This file is closed.

Dated, Signed and Delivered at Kisumu this 20<sup>th</sup> Day of May, 2024

**R. E. ABURILI  
JUDGE**

