



**Wayoga v Republic (Miscellaneous Criminal Application
E088 of 2024) [2024] KEHC 7370 (KLR) (11 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7370 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E088 OF 2024**

RE ABURILI, J

JUNE 11, 2024

BETWEEN

VINCENT OUMA WAYOGA APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in the Senior Principal
Magistrate's Court Criminal Case No. E998 of 2021 at Winam)*

RULING

1. The Applicant is Vincent Ouma Wayoga. He is a convict of Robbery with violence contrary to Section 296(2) of the *Penal Code* vide Winam SPM Criminal Case No E998 of 2021.
2. He seeks leave to appeal out of time from the conviction and sentence of ten (10) years imprisonment imposed on him by the trial court.
3. There is however no indication as to when he was sentenced.
4. Nonetheless, as the Applicant/convict is unrepresented and therefore those details may have escaped his attention, and as no prejudice will be occasioned to the prosecution if leave to enlarge time to file an appeal from the conviction and sentence in Winam SPM Criminal Case No E998 of 2021 is granted, I hereby allow the application dated 4th June 2024.
5. The Applicant is granted 14 days of service of this order upon him through prisons authorities.
6. The Petition of appeal shall be accompanied by a copy of warrant of commitment to prison sentence showing when the Applicant was sentenced by the lower court.
7. This file is closed.



8. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 11TH DAY OF JUNE, 2024

R. E. ABURILI

JUDGE

