



**Yogo v Republic (Criminal Revision E106 of 2024)
[2024] KEHC 7287 (KLR) (11 June 2024) (Ruling)**

Neutral citation: [2024] KEHC 7287 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E106 OF 2024**

**RE ABURILI, J
JUNE 11, 2024**

BETWEEN

DAVID OCHIENG YOGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant is David Ochieng Yogo. By his application dated 9th May 2024, he seeks for revision of sentence imposed on him on 30th March 2017 vide Kisumu HC Criminal Case No 013 of 2015 where he was convicted of the offence of murder contrary to Section 203 as read with Section 204 of the *Penal Code* and sentenced to death.
2. No proceedings and judgment in the stated case are annexed.
3. The Applicant does not explain why he did not appeal against conviction or sentence.
4. This court cannot review lawful sentence vide an application for revision.
5. Furthermore, the death sentence was commuted to life imprisonment on 21st November 2022 as per the warrant of commitment for imprisonment annexed.
6. I find the application for sentence revision to be misconceived and devoid of merit. It is dismissed.
7. This file is closed.

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

R. E. ABURILI

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JUDGE



I certify that this is a true copy of the original

Signed

DEPUTY REGISTRAR

