



Charles v Republic (Miscellaneous Criminal Application E113 of 2004) [2024] KEHC 9171 (KLR) (23 July 2024) (Ruling)

Neutral citation: [2024] KEHC 9171 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E113 OF 2004**

MS SHARIFF, J

JULY 23, 2024

BETWEEN

MOSES ODHIAMBO CHARLES APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant Moses Odhiambo Charles has moved this court for leave to file an appeal out of time. This application is supported by his affidavit dated 10.6.2024 wherein he deposes that the delay in filing an appeal was based on false promises by his relatives that they would retain an advocate to lodge an appeal but it has now become apparent that no advocate has so far been retained.
2. I am persuaded by the reason cited for the delay and I thus allow this application and I make the following orders:-
 - a) The applicant I granted leave to file his appeal out of time within 7 days from the date hereof.
3. Mention on 1.8.2024 to confirm compliance.

DATED, SIGNED AND DELIVERED THIS 23RD DAY OF JULY, 2024.

M. S. SHARIFF

JUDGE

