



**Owuor v Republic (Miscellaneous Criminal Application
E123 of 2004) [2024] KEHC 9172 (KLR) (23 July 2024) (Ruling)**

Neutral citation: [2024] KEHC 9172 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E123 OF 2004**

MS SHARIFF, J

JULY 23, 2024

BETWEEN

SAMSON ONYANGO OWUOR APPLICANT

AND

REPUBLIC RESPONDENT

RULING

23/7/2024

Coram: Before M.S. Shariff L. J.

1. I have considered the Applicant’s notice of motion dated 27.6.2024 made by Samson Onyango Owuor and the supporting affidavit sworn on even date and I do note that the reason advanced for the delay is that the Applicant’s family had promised to hire an advocate to pursue the appeal to no avail.
2. I do find that the reason advanced for the delay is persuasive and I hereby allow the application and I make the following orders:-
 - a) The applicant is hereby granted leave to file his appeal out of time.
 - b) The applicant is directed to file and serve his memorandum of appeal within 7 days from the date hereof.
 - c) Mention on 31.7.2024 to confirm compliance.

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

M. S. SHARIFF

JUDGE

