



**Litunya v Republic (Miscellaneous Criminal Application
E011 of 2023) [2023] KEHC 855 (KLR) (16 February 2023) (Ruling)**

Neutral citation: [2023] KEHC 855 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E011 OF 2023
RE ABURILI, J
FEBRUARY 16, 2023**

BETWEEN

DOUGLAS MUSA LITUNYA APPLICANT

AND

REPUBLIC RESPONDENT

*(Being an Application for sentence review in Judgment, conviction and
sentence in Siaya HC Criminal Case No. 50/2015 by Hon. J. A. Makau - Judge)*

RULING

1. I have perused the application filed on February 6, 2023 by the convict Douglas Musa Litunya who is serving death sentence at Manyani Maximum Prison. The applicant seeks for review of death sentence imposed on him vide Siaya HC Cr 50/2015 by J Makau upon conviction for the offence of Murder. He does not indicate whether he appealed against that death sentence or not. He wants to be placed on probation. He has not attached any proceedings or judgment or order of the court on Appeal. No document to support the death sentence review is annexed.
2. The original court file is not traceable in our Registry and it no doubt appears that it was transmitted to the Court of Appeal as is the case with such serious cases.
3. I find the application not well grounded or supported by relevant material for consideration by this court. It is hereby dismissed.
4. File closed.

Dated, signed and delivered at Siaya this 16th Day of February, 2023

R.E. ABURILI

JUDGE

