



REPUBLIC OF KENYA



**Odhiambo v Republic (Miscellaneous Criminal Application
E008 of 2023) [2023] KEHC 3424 (KLR) (13 April 2023) (Ruling)**

Neutral citation: [2023] KEHC 3424 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E008 OF 2023**

RE ABURILI, J

APRIL 13, 2023

BETWEEN

STEPHEN OTIENO ODHIAMBO APPLICANT

AND

REPUBLIC RESPONDENT

*(Application for leave to appeal out of time from the conviction and
sentence in Tamu Principal Magistrate Sexual Offences Case No 10 of 2020)*

RULING

1. The Applicant Stephen Otieno Odhiambo seeks by his application filed on February 17, 2013 for leave to appeal out of time from the conviction and sentence in Tamu Principal Magistrate Sexual Offences Case No 10 of 2020 dated October 12, 2020.
2. In his application he does not explain the reasons for the delay. I find the delay inordinate and unexplained. The Convict has taken nearly three (3) years to approach this court and he does not even disclose what offence he was tried and convicted of.
3. I find the application to be devoid of any merit. It is hereby dismissed. Order to be extracted and served on the applicant.
4. This file is hereby closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 13TH DAY OF APRIL, 2023

R. E. ABURILI

JUDGE

