



**Odhiambo v Republic (Miscellaneous Criminal Application
E017 of 2023) [2023] KEHC 17260 (KLR) (10 May 2023) (Ruling)**

Neutral citation: [2023] KEHC 17260 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E017 OF 2023**

RE ABURILI, J

MAY 10, 2023

BETWEEN

OSCAR ODHIAMBO ODHIAMBO APPLICANT

AND

REPUBLIC RESPONDENT

*(From the original conviction and sentence in Senior Principal
Magistrate's Court Sexual Offences Case No. 31 of 2020 at Nyando)*

RULING

1. The Convict/Applicant Oscar Odhiambo Odhiambo seeks for leave to appeal out of time from the conviction and sentence in Nyando Senior Principal Magistrate Sexual Offences Case No 31 of 2020.
2. He was sentenced on March 5, 2023. The delay is not inordinate.
3. I grant leave to the Applicant to file appeal out of time.
4. The intended appeal to be filed and served upon the ODPP Kisumu within fourteen (14) days of today.
5. This order to be served on the Applicant in prisons forthwith.
6. This file is closed.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 10TH DAY OF MAY, 2023

R E ABURILI

JUDGE

