



**Ochieng v Republic (Criminal Petition E011 of 2023)
[2023] KEHC 18986 (KLR) (19 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 18986 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL PETITION E011 OF 2023
RE ABURILI, J
JUNE 19, 2023**

BETWEEN

KENNEDY OTIENO OCHIENG PETITIONER

AND

REPUBLIC RESPONDENT

RULING

1. I have perused the submissions and documents filed in this Resentencing ‘Petition’. There is no petition annexed.
2. In addition, there are no proceedings of the lower court and no indication whether an appeal was preferred against conviction and sentence from Winam Criminal Case No. 24 of 2016.
3. From the submissions, there are contradictory statements and this court cannot tell whether the challenge is against conviction or it is a Petition for resentencing only.
4. What is before this court is ambiguous and incapable of aiding the court to make an informed determination.
5. The ‘Petition’ is therefore dismissed for want of clarity and material substance for consideration by this court and the file is hereby closed.
6. I so order.

DATED, SIGNED AND DELIVERED AT KISUMU THIS 19TH DAY OF JUNE, 2023

R. E. ABURILI

JUDGE

