



REPUBLIC OF KENYA



KENYA LAW
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**Okoth v Republic (Criminal Revision E016 of 2023)
[2023] KEHC 18989 (KLR) (19 June 2023) (Judgment)**

Neutral citation: [2023] KEHC 18989 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL REVISION E016 OF 2023
RE ABURILI, J
JUNE 19, 2023**

BETWEEN

VINCENT ODUOR OKOTH APPLICANT

AND

REPUBLIC RESPONDENT

JUDGMENT

1. The applicant is Vincent Oduor Okoth. He deposes that he was convicted and sentenced to serve death sentence for the offence of murder in HCCRC No 15 of 2010. That he filed constitutional petition No E019 of 2021 and the death sentence was substituted with thirty (30) years imprisonment.
2. He now applies for sentence revision claiming that the 30 years' imprisonment is ambiguous. He then claims that he was sentenced to a maximum sentence.
3. I have perused the application for sentence revision, which application is similar to the one filed in HCCR revision No E003 of 2023 by the same convict/applicant.
4. I find the application to be an abuse of court process and a total waste of precious judicial time.
5. The convict having successfully petitioned for resentencing in a murder conviction cannot return to the same court to claim that 30 years' imprisonment for loss of a precious life is ambiguous and that this court should revise it further.
6. This is misguided justice and evidence of idleness by convicts who decide that they must engage the court at all times.
7. The application for sentence revision filed on June 8, 2023 is found to be devoid of any merit and is hereby dismissed.
8. This file is closed.



9. I so order.

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

R. E. ABURILI

JUDGE

