



**Omwono v Republic (Criminal Petition E009 of 2023)
[2023] KEHC 18984 (KLR) (19 June 2023) (Judgment)**

Neutral citation: [2023] KEHC 18984 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
CRIMINAL PETITION E009 OF 2023
RE ABURILI, J
JUNE 19, 2023**

BETWEEN

RAPHAEL JUMA OMWONO PETITIONER

AND

REPUBLIC RESPONDENT

JUDGMENT

1. The Petitioner is Raphael Juma Omwo No He asserts and deposes that he was convicted and sentenced to serve twenty (20) years imprisonment vide Winam Senior Principal Magistrate’s Criminal Case No 1124 of 2014. He then claims that he did not appeal to the High Court since his conviction due to the lack of points of law.
2. However, annexed to his petition is a document titled “written submissions” and therein in the citation is Kisumu HCCRA No E006 of 2022 wherein he even set out Grounds of Appeal and argued out on each ground including challenging the sentence imposed on him.
3. Regrettably the Petitioner has not even annexed copies of proceedings and judgment in the lower court yet the High Court supplies to all self-represented Convicts/Appellants complete records of appeal free of charge.
4. I find the Petitioner herein to be mischievous and deliberately failed to avail court proceedings so that the court cannot tell the outcome of his appeal and secondly, whether he was released on bond pending trial or not.
5. For the above reasons and contradiction, I find this Petition devoid of any substance. It is hereby dismissed.
6. This file is hereby closed.

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



R. E. ABURILI
JUDGE

