



**Onyango v Republic (Miscellaneous Criminal Application
E033 of 2023) [2023] KEHC 19005 (KLR) (19 June 2023) (Ruling)**

Neutral citation: [2023] KEHC 19005 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KISUMU
MISCELLANEOUS CRIMINAL APPLICATION E033 OF 2023**

**RE ABURILI, J
JUNE 19, 2023**

BETWEEN

ZABLON ONYANGO APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. I have considered the application filed on June 8, 2023 which is not supported by any court proceedings and judgment. The Applicant/Convict Zablun Onyango has used abbreviations throughout in the application which I find vague, ambiguous and incomprehensible without court proceedings.
2. Furthermore, such proceedings that would have the effect of declaring a statute or sections thereof unconstitutional can only be initiated by way of a proper constitutional Petition and considered interpartes with the ODPP or Attorney General being made parties and being served with the Petition.
3. In the absence of material for consideration, I find this application devoid of any merit and is hereby dismissed.
4. This file is closed.

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

R. E. ABURILI

JUDGE

