



**Otieno v Republic (Criminal Appeal E091 of 2024)  
[2024] KEHC 12820 (KLR) (24 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 12820 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL APPEAL E091 OF 2024  
MS SHARIFF, J  
OCTOBER 24, 2024**

**BETWEEN**

**SILAS ANAM OTIENO ..... APPELLANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. I have perused the notice of motion dated 3<sup>rd</sup> October 2024, the affidavit in support thereof and the enclosures therein and I do note that the Applicant was sentenced on 25.9.2024 in Maseno SPM Cr. Case No. E376 of 2024, to pay a fine of Kshs.10,000 and in default to serve 2 months imprisonment.
2. The Applicant has now moved this court for review of sentence and he pleads, erroneous though that his sentence was 1 year without an option of a fine.
3. Given that the Applicant has miscomprehended his sentence, his appeal herein and this application are all premised upon the said miscomprehension of facts wherefore I do hereby summarily dismiss the appeal herein and the notice of motion dated 3.10.2024.

**DELIVERED, DATED AND SIGNED AT KISUMU THIS 24<sup>TH</sup> DAY OF OCTOBER, 2024.**

**M. S. SHARIFF**

**JUDGE**

