



**Ochieng v Republic (Miscellaneous Criminal Case E079 of 2023)
[2024] KEHC 13378 (KLR) (22 October 2024) (Ruling)**

Neutral citation: [2024] KEHC 13378 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL CASE E079 OF 2023
RE ABURILI, J
OCTOBER 22, 2024**

BETWEEN

SAMSON ONYANGO OCHIENG APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant Samson Onyango Ochieng is a convict in Ukwala PM SO Case No. 34/2018 where he was sentenced to serve life imprisonment for incest.
2. The victim was his 13 years old first-born daughter.
3. He appealed vide HCCRA 44/2019 and withdrew his appeal against conviction and challenged sentence alone.
4. Vide judgment rendered on 24/3/2021, this court dismissed the appeal against sentence and upheld it as imposed by the trial court.
5. In his current application dated 16/6/2023, he seeks for sentence review on account that he has no pending appeal to the Court of Appeal.
6. I have considered the application for sentence review and find no merit in it. This court is further devoid of any jurisdiction to sit on its own appeal.
7. The application filed on 16/6/2023 is dismissed.
8. This file is closed.

RULING DATED, SIGNED AND DELIVERED THIS 22ND DAY OF OCTOBER, 2024

R. E ABURILI



JUDGE

