



**Ekitela v Republic (Miscellaneous Criminal Application E022 of 2024)  
[2024] KEHC 15310 (KLR) (19 November 2024) (Ruling)**

Neutral citation: [2024] KEHC 15310 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KAPENGURIA  
MISCELLANEOUS CRIMINAL APPLICATION E022 OF 2024  
RPV WENDOH, J  
NOVEMBER 19, 2024**

**BETWEEN**

**JOHN EKAI EKITELA ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. By the Notice of Motion dated 6/8/2024, the Applicant John Ekai Ekitela sought a review of his sentence. He was charged with the offence of murder and he was sentenced to life imprisonment, and he appealed to the Court of Appeal vide Criminal Appeal 17/2016 but it was dismissed.
2. Mr. Majale, the Prosecution counsel, opposed the application on grounds that it is misplaced.
3. The Appellant having been sentenced by this court and his appeal dismissed by the Court of Appeal, if he is still aggrieved, he should move to Supreme Court. He cannot come back down to this court.
4. This application is an abuse of court process and is hereby dismissed.

**DELIVERED, DATED AND SIGNED AT KAPENGURIA THIS 19<sup>TH</sup> DAY OF NOVEMBER, 2024.**

**R. WENDOH**

**JUDGE**

Ruling delivered in open Court and in the presence of:

State Counsel: Mr. Majale

Court Assistant: Juma/Hellen

Appellant: Virtual

