



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT NAIROBI**

**MISCELLANEOUS CRIMINAL APPLICATION NO. E021 OF 2021**

**PATRICK MUMA ISAIAH.....1<sup>ST</sup> APPLICANT**

**STEPHEN WAFULA KURIATI.....2<sup>ND</sup> APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

I have considered the submissions of the parties herein. This matter was originally filed at the Constitutional and Human Rights Division. The Hon. Justice A. C. Mrima referred this matter to this division in view of the prayers sought of resentencing. In the said ruling the Hon Judge noted that all the Divisions of the High Court have same Constitutional jurisdiction bestowed under Article 165 of the constitution.

I have noted that the appeal herein was handled at Kiambu High Court. It is only fair that this application (petition) for resentencing be heard by the same court.

I accordingly therefore order that this petition No. 177/2020 (E021/2021) be transferred for hearing before the High Court, Kiambu. The Deputy Registrar of this court is ordered to facilitate this process of transfer.

Orders accordingly.

**D. O. OGEMBO**

**JUDGE**

**8.6.2021.**

Court:

Ruling read out in court (online) in presence both applicant and Mr. Kiragu for the state.

**D. O. OGEMBO**

**JUDGE**

**8.6.2021.**