

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

MISC. CRIMINAL APPLICATION NO. E097 OF 2021

CORAM: HON. R.E. ABURILI, J

COLLINS OLUOCH OGWENO.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application seeking for leave to appeal out of time from Judgment in Siaya

HC Criminal Case No. 32 of 2017 delivered on 4/5/2020)

RULING

1. The convict applicant Collins Oluoch Ogweno seeks for leave to appeal out of time from Siaya HCR 32/2017 in a judgment delivered on 4/5/2020 (Murder).
2. It is over one year and five months since he was convicted. There is no ground or reasons given for the inordinate delay in filing merely a Notice of Appeal and in seeking to appeal out of time as required under the Court of Appeal Rules.
3. I find the applicant guilty of inordinate delay and laches. The application is found to be devoid of merit. It is hereby dismissed.
4. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 21ST DAY OF SEPTEMBER 2021

R.E. ABURILI

JUDGE