

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

MISC. CRIMINAL APPLICATION NO. E091 OF 2021

CORAM: HON. R.E. ABURILI, J

JOSEPH WANGO OMONDI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application for Sentence Review against sentence in Ukwala Senior Resident Magistrate's Court in Cr. Case No. 531 of 2015)

RULING

1. The applicant Joseph Wango Omondi, was convicted of the offence of attempted defilement and sentenced to serve 10 years imprisonment. He claims that he never appealed and only wants review of sentence to take into account two years spent in remand custody vide Ukwala SRM Sexual Offence 531/2015 to be considered. He however contradicts himself at paragraph 4 by stating that he was arrested on February 2016 and sentenced in August 2016. He has not attached any proceedings to support his assertions.
2. That being the case, I find the applicant inconsistent in his application.
3. I decline the application and dismiss it.
4. File closed.
5. Orders accordingly.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 20TH DAY OF SEPTEMBER 2021

R.E. ABURILI

JUDGE