

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

MISC. CRIMINAL APPLICATION NO. E076 OF 2021

CORAM: HON. R.E. ABURILI, J

PETER NJERU NDWIGA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Application originating from Siaya Principal Magistrate's court in

Cr. Case No. 48 of 2014 by Hon. C.A. Okore, Senior Resident Magistrate on 15.9.2016

AND Judgment delivered in Siaya HCRA No. 56 of 2016 by Lady Justice T.W. Cherere, J on 18.4.2018)

RULING

1. The Applicant and his advocate are absent. On 21/7/2021 the applicant's counsel was directed to file written submissions to canvass his application and today's mention was to fix a judgment date. There are no submissions filed to canvass the application for resentencing.
2. Accordingly, the applicant has not complied with directions of the court given in his presence.
3. I proceed and dismiss the Application dated 5/5/2021 for want of prosecution and mark this file as closed.
4. Orders accordingly.

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

R.E. ABURILI

JUDGE