

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISCELLEANOUS CRIMINAL APPLICATION NO. 5 OF 2020

EZRA OMONDI.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an application for sentence reduction in a judgment

delivered on 24/1/2019 Siaya PM's Court Cr Case No 71 of 2013)

RULING

1. The applicant **EZRA OMONDI** claims in his oral submissions in support of this application for sentence reduction that he filed an appeal against conviction and sentence which was dismissed by Kisumu High Court. He claims that he committed the offence and that he seeks for sentence reduction. He was sentenced to serve 20 years imprisonment upon conviction for the offence of Manslaughter.
2. As the appeal by the applicant herein against sentence and conviction **EZRA OMONDI** was dismissed by a Court of concurrent jurisdiction, this court is *functus officio*. It cannot sit on its own appeal.
3. This application is dismissed and the file is closed.
4. Orders accordingly.

Dated, Signed and Delivered at Siaya this 10th day of February, 2020.

R.E. ABURILI

JUDGE