



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**MISC. CRIMINAL APPLICATION NO. 27 OF 2020**

**JOSEPH OWINO OLOO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

1. Vide Constitutional Petition No 48 of 2019 which was determined on 22/1/2020, this court ordered for the applicant/petitioner herein Joseph Owino Oloo to be produced before the PM's court for mitigation and resentencing. However, it appears the said order has not been complied with. It was upon service of the order upon the PM's court that they were to issue production order for the Petitioner to appear for mitigation and resentencing.

2. This court cannot make similar orders as those made in Petition 48/2019.

3. Nonetheless, as the court appear not to have served the said orders upon the PM's court, I hereby direct that the PM's court to be served with orders issued in Petition 48/2019 and this order, for the said court to issue Notice upon the DPP and the Petitioner herein who is serving prison, for purposes of conducting the mitigation and resentencing online.

4. This file is closed.

5. Orders accordingly.

**Dated, signed and delivered at Siaya, this 21<sup>st</sup> Day of May 2020.**

**R.E. ABURILI**

**JUDGE**