



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**MISC. CRIMINAL APPLICATION NO. 39 OF 2020**

**KENNEDY OTIENO OLWENY...APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

1. I have considered the application dated 9/6/2020 and the supporting affidavit. The applicant was convicted and sentenced in 2014 on 23/10/2014 which is 6 years ago. He wants leave to appeal out of time against a 15 year imprisonment term imposed on him for the offence of defilement.
2. The delay is inordinate and unexplained.
3. The application is an afterthought. The same is hereby declined and dismissed.
4. File closed.
5. Orders accordingly.

**Dated, signed and Delivered at Siaya this 7<sup>th</sup> Day of July 2020**

**R.E. ABURILI**

**JUDGE**