



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**AT SIAYA**

**MISCELLEANOUS CRIMINAL APPLICATION NO. 62 OF 2020**

**BERNARD OMONDI MUMBO.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an application seeking sentence Review against sentence vide Siaya PM'S Court Criminal Case No. 29 of 2020)*

**RULING**

1. The applicant BERNARD OMONDI MUMBO seeks leave to appeal out of time from a Ruling of this Court declining to transfer some of his many criminal cases from Bondo Principal Magistrate's Court to other Courts.
2. The Ruling is dated 7.7.2020. There are no plausible points of law disclosed for an intended appeal from the Ruling of this Court. Furthermore, no leave of court to appeal (not appeal out of time) was sought and granted by the court as no right of appeal accrues directly from a ruling to decline transfer of a case from one court to another court.
3. The applicant simply wants to delay expeditious determination of the several criminal charges facing him yet he can still appeal against any unfavourable outcomes on the merits of the criminal cases facing him.
4. I find this application not merited. I further find no evidence of pauperism to warrant waiver of Court fees.
5. I dismiss the application and direct the applicant to submit to the jurisdiction of Bondo Principal Magistrate's Court to conclude the many criminal cases pending against him, considering the current situation of Covid – 19 where movement from Court to Court, of the Applicant and witnesses from Bondo to those other courts is likely to pose a high risk to other Court users.
6. File closed.
7. Orders accordingly.

**Dated, signed and delivered at Siaya this 1<sup>st</sup> day of September, 2020**

**R. E. ABURILI**

**JUDGE**