

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

MISCELLEANOUS CRIMINAL APPLICATION NO. 54 OF 2020

ISSA JOMO SEWEDI.....APPLICANT

VERSUS

STATE.....RESPONDENT

(Being an application under Rule 113 of the Court of Appeal Rules

for leave to appeal as a pauper and to appeal out of time)

RULING

1. I have considered the application by the applicant convict as brought **under Rule 113 of the Court of Appeal Rules**. The Judgment intended to be appealed against was delivered on 10.11.2016 by Hon. J.A. Makau J in **Siaya High Court Criminal Appeal No. 40 of 2016**. There has been inordinate delay in bringing the application.

2. There is no plausible reasons for such delay of nearly 4 years and I find no points of law disclosed to be canvassed in the intended belated appeal.

3. I find the application devoid of merit. The applicant is guilty of laches. I dismiss it.

4. File closed.

Orders accordingly.

Dated, Signed and delivered at Siaya this 1st day of September, 2020

R. E. ABURILI

JUDGE