



**REPUBLIC OF KENYA**

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

**CRIMINAL REVISION NO. E019 OF 2020**

**ISIAIAH GORO MALOA.....APPLICANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

1. I have considered the Application by the convict Isaiah Goro Maloa in HCR 8/2019 where he was sentenced to serve 3 years imprisonment following a plea bargain in Murder plea of guilty. The convict claims that the 3 years imprisonment were to run from the date of arrest yet his committal warrant states that the 3 years of imprisonment are to run from the date of sentence on 28/7/2020.
2. I have perused the trial court record HCR 8 of 2019 and I find that the court's pronouncement on sentence imposed was that the 3 years imprisonment term is to take into account the period already spend in prison custody.
3. The committal warrant also states that the applicant/convict herein is sentenced to serve 3 years imprisonment, taking into account the period already spent in prison custody.
4. That being the case, I find no reason why the convict is complaining. I find the pronouncement by this court crystal clear and not capable of any second interpretation or clarification. I dismiss the application by the applicant/convict.
5. File closed.
6. Orders accordingly.

**Dated, signed and Delivered at Siaya, this 3<sup>rd</sup> Day of December, 2020**

**R.E. ABURILI**

**JUDGE**