



**REPUBLIC OF KENYA**

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

**CRIMINAL APPEAL NO. 31 OF 2018**

**JOHN OMONDI ODHIAMBO *alias***

**NYAKWAR OWIRO.....APPELLANT**

**-VERSUS-**

**REPUBLIC.....RESPONDENT**

**ORDER**

1. As I retired to write the judgment in this appeal I realized that the typed proceedings were incomplete as some pages were missing. I attempted to read the handwritten proceedings but that was not very helpful either.

2. Consequently, the Deputy Registrar of this Court shall transmit the lower court file back to Rongo Law Courts for purposes of retyping of the proceedings. To that end, the judgment herein is deferred to a later date. This matter shall however be fixed for a Mention on 30/05/2019 to confirm the status of the record and for further orders.

Orders accordingly.

**DELIVERED, DATED and SIGNED at MIGORI this 09<sup>th</sup> day of May 2019.**

**A. C. MRIMA**

**JUDGE**