

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT SIAYA

CRIMINAL DIVISION

CRIMINAL REVISION NO. 62 OF 2019

BYRON OMONDI OTIENO.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an application for Revision of sentence in Ukwala HCCR. Case No. 350 and 352 of 2016

dated 8.9.2016 before Hon. G. Adhiambo - SRM).

RULING:

1. On 13.6.2018 this Court delivered a judgment dismissing the appeal filed by the appellant Byron Omondi Otieno, against conviction and sentence in HC RA 142/2016 arising from Ukwala SRM CR. Case No. 352/2016 wherein he was convicted for the offence of being found in possession of a firearm without a permit and sentenced to serve 10 years imprisonment.
2. He has now filed this application for revision of sentence. This Court has no jurisdiction to hear and determine an application for sentence revision after pronouncing itself on appeal as it will be sitting on its own appeal.
3. As the Court is *funtus officio*, I find the application for revision of sentence devoid of substance. The same is hereby dismissed.
4. The file is hereby closed.

Dated, signed and delivered at Siaya this 16th day of October, 2019.

R.E. ABURILI

JUDGE