



**REPUBLIC OF KENYA**

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

**CRIMINAL APPEAL NO. 49 OF 2017**

**(CORAM: R. E. ABURILI - J.)**

**REMI SUNGUTI WANYAMA.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

*(Being an Appeal against Conviction and Sentence on a Judgment delivered on Criminal Case No. 19 of 2017 at Ukwala Law Courts, SRM's Court)*

**RULING**

1. I have perused the file herein. I note that the Appellant filed this appeal out of time without leave of court and after his application for Revision of Sentence was dismissed on 20/3/2018.
2. That being the case, the appeal is a *nullity ab initio*. The same is incompetent. It is hereby dismissed.
3. The Appellant to serve full sentence imposed by the trial court.

***Dated, Signed and Delivered at SIAYA this 9<sup>th</sup> Day of October 2018.***

**R.E. ABURILI**

**JUDGE**