

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT SIAYA

CRIMINAL APPEAL NO. 34 OF 2017

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

JAMES OWINO ODUOR.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

(Being an Appeal lodged vide HCCRA No. 8/2017 arising from Original Criminal Case No. 222 of 2015 at Ukwala Law Courts, RM's Court.)

RULING

1. This appeal is similar to Cr. Appeal No. 8/2017 between the same parties and which latter appeal was determined in favour of the Appellant **James Owino Oduor** on 23/3/2018 by Hon. Majanja J.

2. Accordingly, I order that this appeal being a replica of Cr. Appeal No. 8/2017 the same is hereby struck out being *res judicata* and the file herein is hereby marked as closed for archiving.

Orders accordingly.

Dated, Signed and Delivered at SIAYA this 20th Day of November 2018.

R.E. ABURILI

JUDGE