



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT VOI**  
**CRIMINAL APPEAL NO 13 OF 2014**

**REPUBLIC**

**VERSUS**

**DAVID MATATA KITEME**

**RULING**

1. On 14<sup>th</sup> February 2017 the Prosecution closed its case after calling seven (7) Prosecution witnesses.
2. The court directed that counsel for both the State and the Accused person to file their respective Written Submissions on the question of whether or not the Accused person had a case to answer, which they duly did. The Accused person's Written Submissions were dated and filed on 24<sup>th</sup> March 2017 while those of the State were dated 10<sup>th</sup> April 2017 and filed on 12<sup>th</sup> April 2017.
3. Having carefully considered the evidence by the Prosecution witnesses and the Written Submissions by both the counsel for the State and the Accused person, the court was of the opinion that a *prima facie* case had been established to warrant the Accused person to be put on his Defence. He is hereby put on his defence.
4. It is so ordered.

**DATED and DELIVERED at VOI this 4<sup>th</sup> day of May 2017**

**J. KAMAU**

**JUDGE**

In the presence of:-

Oduor h/b for Muthami-for Accused person

Miss Anyumba-for State

Josephat Mavu– Court Clerk