

IN THE COURT OF APPEAL

AT MOMBASA

CORAM: TUNOI, J.A. (IN CHAMBERS)

CRIMINAL APPEAL (APPLICATION) NO. 39 OF 1999

BETWEEN

WILLIAM NYANGUSI KITHUKUAPPELLANT

AND

REPUBLICRESPONDENT

(Appeal from a judgment of the High Court of Kenya at
Mombasa (Hayanga & Waki JJ) dated 6th November, 1998

in

H.C.CR.A. NO. 129 OF 1997)

R U L I N G

There being no objection to the application, I grant it as prayed. The applicant is granted leave to file his appeal out of time. Criminal Appeal No. 39 of 1999 is deemed to have been lodged within the prescribed period.

Dated and delivered at Mombasa this 20th day of July, 1999.

P. K. TUNOI

JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR