

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT NAIROBI
CORAM: OMOLO, J.A. (IN CHAMBERS)
CRIMINAL APPLICATION NO. NAI 16 OF 1999
BETWEEN

JULIUS LAWRENCE WARUI APPLICANT
AND
REPUBLIC RESPONDENT

**(Application to amend the notice of appeal from a
judgment of the High Court of Kenya at Nairobi (Oguk
J) dated 17th June, 1996**

**in
H.C.CR.A. NO. 71 OF 1992)**

R U L I N G

I have no power to grant the order sought by Mr Nyamu. This Court has held that a notice of appeal is a primary document and cannot be amended. If it is defective an applicant has to start afresh. That being so, I refuse this application and order that it be and is hereby dismissed.

Dated and delivered at Nairobi this 1st day of November, 1999.

R.S.C. OMOL

JUDGE OF APPEAL

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