



**IN THE COURT OF APPEAL**

**AT NAIROBI**

**(CORAM: OMOLO, SHAH & BOSIRE, JJ.A.)**

**CRIMINAL APPEAL NO. 9 OF 1994**

**BETWEEN**

**MUTUNGA MUNYAO .....APPELLANT**

**AND**

**REPUBLIC.....RESPONDENT**

**(Appeal from a conviction and sentence of the High Court of Kenya at Machakos (Mr. Justice Osiemo) dated 10th December, 1993**

**in**

**H.C.CR.C. NO. 1 OF 93)**

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**ORDER OF THE COURT**

We have now noticed that all the documentary exhibits produced and available to us are copies. We cannot find the original documents even in the file of the trial court. We adjourn this appeal and stand over it generally to enable the Deputy Registrar of the Court to find out where the original documents, including the Inquiry Statement allegedly made by the appellant, are: The Deputy Registrar must try to make these documents to the court to enable us do justice in the matter.

**Dated at Nairobi this 9th July, 1998.**

**R. S. C. OMOLO**

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**JUDGE OF APPEAL**

**A. B. SHAH**

.....

**JUDGE OF APPEAL**

**S. E. O. BOSIRE**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**