

REPUBLIC OF KENYA

IN THE COURT OF APPEAL

AT NAKURU

(Coram: Kwach, J.A. (IN CHAMBERS))

CRIMINAL APPLICATION NO. 7 OF 1998

BETWEEN

LEONARD SAITABAU LOUKOSHA.....APPELLANT

AND

REPUBLIC.....RESPONDENT

(Appeal from a conviction and sentence of the High Court of Kenya at Nakuru (Mr. Justice D.M. Rimita) dated 20th June, 1997

in

H.C. CR. APPEAL NO. 187 OF 1996)

RULING

This is an application for extension of time to file a second appeal. In the supporting affidavit the applicant says that he did not lodge an appeal because he fell ill.

But in response to my inquiry as to why he did not do so, he now says that he filed his appeal immediately after 20th June, 1997 and handed it in at the reception, but the people there sat on it. I think this is an afterthought because if it was true it would have been included in his supporting affidavit.

I find no merit in this application. It is accordingly dismissed.

Dated and delivered at Nakuru this 21st day of September, 1998.

R.O. KWACH

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JUDGE OF APPEAL