

**IN THE COURT OF APPEAL
AT ELDORET**

(CORAM: MATIVO, JA (IN CHAMBERS))

CRIMINAL APPLICATION NO. ELD E007 OF

2024 BETWEEN

NICHOLAS OTIENO ONYANGO.....APPLICANT

AND

REPUBLIC.....RESPONDENT

(Being an application against sentence only against the judgment of the High Court of Kenya at Eldoret

(R. Nyakundi, J.) dated 24th July 2023

in

Criminal Case No. 97 of 2019).

RULING

Before me is an un dated application filed by Nicholas Otieno Onyango (the applicant) seeking extension of time to institute his appeal against the judgement delivered by *Nyakundi, J.* on 24th July 2023 in Eldoret HCCR Case number 97 of 2019. However, on record is his undated notice of withdrawal seeking to withdraw his aforesaid application under Rule 54 of this Court's Rules on grounds that he successfully applied for review of his sentence

before the High Court. Accordingly, the said application is hereby marked as withdrawn under Rule 54 of this Court's Rules.

Dated and delivered at Eldoret this 19th February, 2026.

J. MATIVO

.....
**. JUDGE OF
APPEAL**

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

DEPUTY REGISTRAR

