

**IN THE COURT OF APPEAL
AT NYERI**

**(CORAM: KATWA KIGEN K. J., JA. (IN
CHAMBERS)) CRIMINAL APPLICATION NO. E010
OF 2026 BETWEEN**

MUNGUYA LAPARLASHA.....APPLICANT

AND

REPUBLIC.....RESPONDENT

(Being an application for extension of time to file an appeal against the Judgment of the High Court of Kenya at Marsabit (Francis Rayola, J.) delivered on 15th October, 2025

in

*HC.CR Case No. E002 of
2023.)*

R U L I N G

1. This is an undated application by the applicant seeking extension of time to file an appeal. Though undated, there is a prison stamp on the submissions of the application dated 5th February 2026.
2. The application is marked as being brought under **Rules 31** and **42** of the **Court of Appeal Rules**. It must have been intended to be based on **Rule 4, Court of Appeal Rules**, and so I deem.
3. It relates to a judgment made on 15th October, 2025, sentencing him to 25 years imprisonment. It proposes to challenge both conviction and sentence.

4. The delay to file the appeal is explained as having been occasioned by (a) Lack of Legal advice even in prison (b) His transfers to various prison stations.
5. In addition to the notice of motion, the applicant filed submissions. There are no responses to the application.
6. The case relates to conviction for the murder of his brother, by gunshot wound. It is based on circumstantial evidence which include that the applicant was the last person seen with the deceased brother, that the applicant disappeared for 3 months upon the death, and that the gun used was ascribed to the applicant.
7. Having taken into account the explanations given, the nature of the case being a criminal murder matter, the sentence, the absence of contestation, I am inclined to exercise my judicious discretion to extend time within which the appeal is to be lodged.
8. In the situation, I extend the time within which the Notice of Appeal is to be filed by the applicant by 14 days.

Dated and delivered at Nyeri this 13th day of March,

2026 KATWA KIGEN K. J.

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

*I certify that this is
a true copy of the*

original
Signed
DEPUTY REGISTRAR