



**Lentante v Republic (Criminal Appeal (Application)  
E008 of 2024) [2024] KECA 902 (KLR) (20 June 2024) (Ruling)**

Neutral citation: [2024] KECA 902 (KLR)

**REPUBLIC OF KENYA  
IN THE COURT OF APPEAL AT NAKURU  
CRIMINAL APPEAL (APPLICATION) E008 OF 2024**

**JM MATIVO, JA**

**JUNE 20, 2024**

**BETWEEN**

**JAMES SAPACHE LENTANTE ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(Being an application for leave to file an appeal out of time from the Judgment of the High Court of Kenya at Nyahururu (C.M Kariuki, J.) dated 7th March 2024 in HCCRA No. 4 of 2021)*

**RULING**

1. By an application dated March 26, 2024, the applicant, James Sapache Lentante seeks leave to appeal out of time against the judgment issued in HCCRA No. E024 of 2021 on 7<sup>th</sup> March 2024. I have read the reasons in support of the application. I note that learned counsel for the respondent in his written submissions concedes to the application. Rule 4 of the [Court of Appeal Rules, 2022](#) allows this Court to exercise discretion to extend the time limited by the Rules for the doing of any act authorized or required by the Rules. (See *Leo Sila Mutiso v Helen Wangari Mwangi* [1999] 2 EA). I have considered the application, the draft Memorandum of Appeal. I am satisfied that the application is merited. Let the applicant file a Notice of Appeal within 14 days and the record of appeal within 30 days from the date of this ruling.

**DATED AND DELIVERED AT NAKURU THIS 20<sup>TH</sup> OF JUNE, 2024.**

**J. MATIVO**

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**

