



IN THE COURT OF APPEAL

AT NAIROBI

[CORAM: OUKO (P), KARANJA & SICHALE, JJA]

CRIMINAL APPEAL NO. 11 OF 2017

BETWEEN

KENNETH MAWIRA BUSAKA.....1ST APPELLANT

FREDRICK OTIENO ODHIAMBO.....2ND APPELLANT

AND

REPUBLIC.....RESPONDENT

(Being an appeal from the judgment of the High Court of Kenya at

Nairobi (Achode, J) dated 4th October, 2012 in HCCRA NO. 427 OF 2010)

ORDER OF THE COURT

On **19th May, 2021**, this Court delivered a judgment and reduced the life sentence imposed by **T. Ngugi**, the then Principal Magistrate, Makadara Law Courts and confirmed by **Achode, J**, to a term of thirty (30) years imprisonment from the date of conviction.

However, we erroneously gave the date of conviction as **11th June, 2016** instead of **11th June, 2010**. This anomaly has been pointed out to us by the Officer in Charge, Kamiti Maximum Prison.

Accordingly, this error is corrected pursuant to **Rule 35(1) of this Court's Rules** and we direct that the appellants will serve thirty (30) years imprisonment from the date of Conviction, **11th June, 2010**.

This Order is signed by **W. Karanja** and **F. Sichale, JJ.A, Ouko, (P)**, (as he then was) having been elevated to the position of Supreme Court Judge. (**Rule 32(2) of this Court's Rules**).

DATED AND DELIVERED AT NAIROBI THIS 9TH DAY OF JULY, 2021.

W. KARANJA

.....

JUDGE OF APPEAL

F. SICHALE

.....

JUDGE OF APPEAL

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

signed

DEPUTY REGISTRAR