



IN THE COURT OF APPEAL

AT KISUMU

(CORAM: E . M. GITHINJI, HANNAH OKWENGU &

J. MOHAMMED, J.J.A.)

ELECTION PETITION CIVIL APPEAL NO. 32 OF 2018

BETWEEN

JOSEPH AMISI OMUKANDA.....APPELLANT

AND

INDEPENDENT ELECTORAL AND

BOUNDARIES COMMISSION (IEBC).....FIRST RESPONDENT

RETURNING OFFICER,

NAVAKHOLO CONSTITUTUENCY.....SECOND RESPONDENT

EMMANUEL WANGWE.....THIRD RESPONDENT

(Appeal from the judgment of the High Court of Kenya at Kakamega,

(Njagi, J.) dated 2nd March, 2018

in

HIGH COURT ELECTION PETITION NO. 13 OF 2017)

ORDER OF THE COURT

As the appellant was served with a notice to show cause and has failed to explain why no action has been taken in furtherance of the appeal, we order that the notice of appeal dated 16th March, 2018 be and is hereby struck out with costs under Rule 84 of the **Court of Appeal Rules** as read with **Rule 4(2)** of the Court of Appeal Election Petition Rules 2017.

DATED at Kisumu this 21st June, 2018.

E. M. GITHINJI

.....

JUDGE OF APPEAL

HANNAH OKWENGU

.....

JUDGE OF APPEAL

J. MOHAMMED

.....

JUDGE OF APPEAL

I certify that this is

a true copy of the original.

DEPUTY REGISTRAR.