



IN THE COURT OF APPEAL

AT KISUMU

(CORAM: MARAGA, MUSINGA & GATEMBU JJ.A)

CRIMINAL APPEAL NO. 42 OF 2013

BETWEEN

MATHEW MUSINA AMENDO..... FIRST APPELLANT

JOHN ELISHA.....SECOND APPELLANT

AND

REPUBLIC.....RESPONDENT

An appeal from a judgment of the High Court of Kenya at Kakamega, (Chitembwe, J.) dated 8th November, 2012

in

H.C.C.R. NO. 48 OF 2009)

ORDER OF THE COURT

When this appeal came up for hearing this morning, Mr. Athunga, learned counsel for all the appellants, made an informal application for withdrawal of the appeal, which application was not opposed by Mr. Ogoti, Senior Assistant DPP for the respondent.

Consequently, this appeal is hereby marked as withdrawn under **rule 68 (4)** of this Court's Rules.

DATED at Kisumu this 30th day of June, 2015.

D.K.MARAGA

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JUDGE OF APPEAL

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D. K. MUSINGA

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JUDGE OF APPEAL

S. GATEMBU KAIRU FCIArb

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JUDGE OF APPEAL

I certify that this is

a true copy of original

DEPUTY REGISTRAR