



IN THE COURT OF APPEAL OF KENYA

AT ELDORET

CRIMINAL APPEAL 266 OF 2005

JOHN LESENGETI LOKORIA.....APPELLANT

AND

REPUBLIC.....RESPONDENT

(Appeal from an order of the High Court of Kenya Kitale (W. Karanja, J) dated 25/05/07

in

H.C.C.R.A. NO. 31 OF 2005)

JUDGMENT OF THE COURT

The appellant's appeal was summarily rejected by the superior court under *section 352(2)* of the Criminal Procedure Code. The appeal was against conviction on a plea of guilty to an offence of defilement of a girl contrary to *section 145(1)* of the Penal Code. A sentence of 20 years imprisonment was imposed on the appellant upon his conviction. In the superior court the main complaint was on severity of sentence and we think the learned judge was perfectly entitled to reject that appeal. As we have no jurisdiction to entertain any further appeal on sentence by dint of *section 361* of the Criminal Procedure Code we reject the appeal now before us and we order that it be and is hereby dismissed.

DATED and DELIVERED at ELDORET this 18th day of September, 2007.

R.S.C. OMOLO

.....

JUDGE OF APPEAL

P.N. WAKI

.....

JUDGE OF APPEAL

J.W. ONYANGO OTIENO

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR