



**REPUBLIC OF KENYA
IN THE COURT OF APPEAL OF KENYA**

**AT KISUMU
CRIMINAL APPEAL 214 OF 2003**

EUNICE ANYANGO MATINI APPELLANT

AND

REPUBLIC RESPONDENT

(Appeal from an order of the High Court of Kenya at Kisii (Wambilyangah, J) dated 7th July, 2003

in

H.C. Cr. Appeal No. 194 of 2003)

JUDGMENT OF THE COURT

The appellant was convicted on her own plea of guilty on a charge of trafficking in cannabis sativa (Bhang) contrary to **section 4(a)** of the Narcotic Drugs and Psychotropic Substances Control Act. She was sentenced to five years imprisonment. Her appeal to the High Court was summarily dismissed.

She now comes to this Court by way of second appeal. As this is an appeal against sentence only, this Court is not in a position to interfere in view of provisions of **section 361** of the Criminal Procedure Code. Consequently, this appeal is dismissed.

Dated and delivered at Kisumu this 23rd day of November, 2004.

R.S.C OMOLO

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JUDGE OF APPEAL

E.O. O’KUBASU

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JUDGE OF APPEAL

J.W. ONYANGO OTIENO

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AG. JUDGE OF APPEAL

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

DEPUTY REGISTRAR