

REPUBLIC OF KENYA
IN THE COURT OF APPEAL
AT MOMBASA

(CORAM: CHUNGA, C.J, TUNOI & OWUOR, JJ.A)
CRIMINAL APPEAL NO. 62 OF 2002

BETWEEN
PWANI MOHAMEDAPPELLANT
AND
REPUBLICRESPONDENT

**(Appeal from the Judgment of the High Court of Kenya at
Mombasa (Mr. Justice Osiemo & Khaminwa, Comm. of
Assize) dated 23rd October, 2001
in
H.C.CR. APPEAL NO. 83 OF 1999)**

RULING OF THE COURT

Mr. Ngombo, counsel for the appellant, has requested for an adjournment on the ground that copies of submission relied upon by the appellant in the superior court were not made part of the record of this Court and have just been given to them. In that regard, both counsel require time study the same. We are satisfied that this is a valid reason for us to take out this appeal from today's hearing list and order that the same be fixed for hearing in the next session.

**Made and delivered at Mombasa this 21st day of January,
2003.**

B. CHUNGA
.....
CHIEF JUSTICE
P.K. TUNOI
.....

JUDGE OF APPEAL
E. OWUOR
.....
JUDGE OF APPEAL

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