



**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL**

**AT MOMBASA**

**CORAM: SHAH, J.A. (IN CHAMBERS)**

**CRIMINAL APPEAL (APPLICATION) NO. 154 OF 2001**

BETWEEN

ZIRO WANJE ZIRO .....APPLICANT

AND

REPUBLIC .....RESPONDENT

(Application for extension of time to file an appeal out  
time from the judgment of the High Court of Kenya at  
Mombasa (Hayanga, J) dated 29th June, 2000

in

H.C.CR.A. NO. 316 OF 1999)

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**R U L I N G**

Although the notice of appeal was lodged almost a year out of time, as the respondent is not objecting to the application for extension of time and as the applicant has an undoubted right of appeal, I allow this application and order that the notice of appeal lodged on 27th June, 2001, in the superior court, be deemed to be lodged in time as now extended. The appeal itself, i.e. Criminal Appeal No. 316 of 1999 be listed for hearing as soon as practicable. The applicant is exempted from paying any court fees.

**Dated and delivered at Mombasa this 17th day of January, 2002.**

**A.B. SHAH**

.....

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**