



REPUBLIC OF KENYA

IN THE COURT OF APPEAL
AT NAKURU

CORAM: GICHERU, J.A. (IN CHAMBERS)

CRIMINAL APPLICATION NO. NAI 37 OF 2001

BETWEEN

JOHN OTIRA TARO APPLICANT

AND

REPUBLIC RESPONDENT

(Application for extension of time to file notice of appeal out of time in an intended appeal from a judgment of the High Court of Kenya at Nakuru (Rimita J) dated 27th April, 1994

in

H.C.CR.A. NO. 111 OF 1993)

ORDER

I have had a glance at the Applicant's Criminal Appeal No 52 of 1996 and his first Appeal No 111 of 1993 and from what appears to have transpired in both those appeals and the fact that his appeal to this Court was marked as having abated, this application is incompetent and the same is struck out. The only recourse available to the applicant is perhaps to apply for the reinstatement of his Appeal No 52 of 1996.

Dated and delivered at Nakuru this 18th day of February, 2002.

J. E. GICHERU

JUDGE OF APPEAL

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

DEPUTY REGISTRAR