



REPUBLIC  
IN THE COURT OF APPEAL  
AT NAKURU

OF

KENYA

CORAM: BOSIRE, J.A. (IN CHAMBERS)  
CRIMINAL APPLICATION NO. NAI. 35 OF 2000

BETWEEN  
GIBSON KING'AU LAZARO .....APPLICANT  
AND  
REPUBLIC .....RESPONDENT

(An application for extension of time to lodge Notice of Appeal out of time in an intended appeal from a Judgment of the High Court of Kenya (Hon. Mr. Justice Rimita & Ondeyo, JJ.) dated 16th February, 2000

in  
H.C.CR.C. NO. 1442 OF 1998)

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**R U L I N G**

In this application under rule 4 of the Court of Appeal Rules for an extension of time within which to lodge a Notice of Appeal, the applicant says that the delay in lodging the Notice was due to the fact that he did not have the money to hire an advocate to represent him in his intended appeal against conviction and sentence for the offence of cultivating cannabis sativa. The reason is not tenable, but considering that Mr. Mutuku, Senior State Counsel, does not oppose the application and also that I consider that it was due to ignorance on the part of the applicant that he did not lodge his Notice of Appeal, in time, I am minded to allow the application. I extend the time for lodging a Notice of Appeal for such time as will validate the applicant's Notice of Appeal lodged on 29th November, 2000, out of time.

**Dated and delivered this 19th day of February, 2001.**

S. E. O. BOSIRE  
.....  
JUDGE OF APPEAL

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

**DEPUTY REGISTRAR**