



**IN THE COURT OF APPEAL**  
**AT KISUMU**  
**CORAM: OMOLO J.A (IN CHAMBERS)**  
**CRIMINAL APPLICATION NO. NAI. 36 OF 2001 (KSM. 43/2001)**  
**BETWEEN**  
**SAMUEL ALOICE KIMANI .....APPLICANT**  
**AND**  
**REPUBLIC .....RESPONDENT**  
**(Application for extension of time to appeal out of time**  
**in an Appeal from a judgment of the High Court of Kenya**  
**at Kisii (Mr. Justice Wambilyangah) dated 29t January, 2001)**  
**in**  
**H.C.CR.APP. NO. 121 OF 2000)**  
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**R U L I N G**

As the motion filed herein is not opposed and as I see no reason for refusing the same, I allow the motion lodged in court on 28th February, 2001 and make the following orders: -  
(i)The notice of appeal, if not already filed, be filed within seven days of the date hereof. If the same has been filed then the time is extended to the date when it was filed. (ii) The record of appeal is to be filed within thirty days from today.

**Dated and delivered at Kisumu this 19th day of November, 2001.**

**R. S. C. OMOLO**

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**