



**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL**  
**AT MOMBASA**

**(CORAM: OMOLO, LAKHA & KEIWUA, J.J.A.)**  
**CRIMINAL APPEAL NO. 102 OF 1999**

**BETWEEN**

**ENOCK MOTARI KIBOMA ..... APPELLANT**

**AND**

**REPUBLIC .....RESPONDENT**

**(Appeal from a Judgment of the High Court of Kenya at  
Mombasa (Justice Hayanga) dated 23rd October, 1998**

**in**

**H.C.CR.A. NO. 468 OF 1996**

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**JUDGMENT OF THE COURT**

We have carefully considered the appellant's grounds of appeal as set out in the Memorandum. All of them relate to sentence and they are therefore an appeal against sentence only. There is no appeal against conviction. This being a second appeal we have no jurisdiction to entertain an appeal against sentence.

**This appeal is, therefore, dismissed.**

**Dated and delivered at Mombasa this 25th day of January, 2000.**

**R. S. C. OMOLO .....**

**JUDGE OF APPEAL**

**A. A. LAKHA .....**

**JUDGE OF APPEAL**

**M. KEIWUA .....**

**JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR.**