



**REPUBLIC OF KENYA**

**IN THE COURT OF APPEAL**

**AT MOMBASA**

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

**CRIMINAL APPEAL(APPLICATION) NO. 54 OF 2000**

**BETWEEN**

**MASUMBUKO KILONZO MUTHAMI .....APPLICANT**

**AND**

**REPUBLIC .....RESPONDENT**

**(Appeal from a judgment of the High Court of Kenya at  
Mombasa (Commissioner K. Shah) dated 21st September,**

**1999**

**in**

**H.C.CR.A. NO. 281 OF 1998)**

**\*\*\*\*\***

**R U L I N G**

Miss. Kwena for the respondent does not oppose this application brought under rule 4 of the Court of Appeal Rules, for an extension of the time within which to lodge his appeal.

In the circumstances I exercise my unfettered judicial discretion under the aforesaid rule and extend the time for such period as to include 2nd February, 2000, when the applicant lodged his notice of appeal, but out of time.

**Dated and delivered this 17th day of July, 2000.**

**S. E. O. BOSIRE**

**.....**

**JUDGE OF APPEAL**

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