



IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: OMOLO, AKIWUMI & TUNOI, J.J.A.)

CIVIL APPEAL NO. 27 OF 1999

BETWEEN

THE GOVERNMENT OF THE

UNITED STATES OF AMERICA ..... APPELLANT

AND

JOSEPH MUIRURI GITHONGO ..... RESPONDENT

(Appeal from the Judgment of the High Court of Kenya at

Nairobi (Justice Mbiti) dated 1st September, 1998

in

H.C.C.C. NOS. 1315 OF 1991 AND 2040 OF 1996 CONSOLIDATE)

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JUDGMENT OF TUNOI, J.A.

I have had the opportunity of reading the judgment of Akiwumi, J.A. in this appeal and I agree with his reasoning and the conclusions at which he has arrived. I have nothing useful to add.

**Dated and delivered at Nairobi this 13th day of July, 2000.**

**P. K. TUNOI**

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**JUDGE OF APPEAL**