



**Nzioka v Republic (Criminal Appeal E062 of 2024)
[2025] KEHC 7764 (KLR) (29 May 2025) (Directions)**

Neutral citation: [2025] KEHC 7764 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MACHAKOS
CRIMINAL APPEAL E062 OF 2024**

RC RUTTO, J

MAY 29, 2025

BETWEEN

AISACK MWANGI NZIOKA APPELLANT

AND

REPUBLIC RESPONDENT

DIRECTIONS

1. This matter was scheduled for judgment on 29th May 2029. However, upon reviewing the case before drafting the judgment, it became evident that the appellant's pleadings were missing from both the physical court file and the CTS (Case Tracking System).
2. From the record, I note that on 10th February 2021, when this matter came before the court, counsel for the respondent informed the court that they had received the appellant's submissions and required more time to file their own submissions. Upon reviewing the respondent's submissions, it is clear that they make reference to the Petition of Appeal, the amended supplementary grounds of appeal, and the appellant's submissions.
3. However, upon further examination of the CTS records, the only document filed by the appellant is the Petition of Appeal, which was forwarded on 5th August 2024. This clearly indicates that certain pleadings are missing.
4. Given the severity of the sentence involved and the nature of the appeal, the court finds it necessary to ensure that the appellant is given a fair opportunity to present all required documents in support of their case. Proceeding with the judgment without the amended grounds of appeal and the appellant's submissions would be unjust.
5. Therefore, in the interest of justice, I will defer the judgment to allow the appellant sufficient time to upload and submit all missing pleadings and submissions before the court renders its final decision.



DATED, SIGNED AND DELIVERED AT MACHAKOS THIS 29TH DAY OF MAY, 2025

RHODA RUTTO

JUDGE

In the presence of;

.....the Appellant

.....ODPP

Sam Court Assistant

