



REPUBLIC OF KENYA

IN THE COURT OF APPEAL  
AT NAIROBI  
(CORAM: BOSIRE AG. J.A. (IN CHAMBERS))  
CRIMINAL APPLICATION NO.NAI 9 OF 1996(NYR 2/96)

BETWEEN

CHARLES WANJAU KARIMI .....APPLICANT  
AND  
REPUBLIC .....RESPONDENT

(Application for extension of time to file fresh notice  
of appeal and record of appeal from a conviction,  
judgment, or as the case may be) of the High Court  
of Kenya At Nyeri (Justice J.L.A. Osiemo) dated 24th  
day of September 1996

in  
H.C.C.C. No.226 of 1995)  
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RULING OF THE COURT

This is an application under rule 4 of the Rules of this court for extension of time to file and serve a notice of appeal and thereafter a record of appeal. The applicant intends to appeal against the judgment of the superior court (Osiemo, J.,) delivered on 24th September, 1996.

By dint of rule 58, a notice of appeal should have been filed within 14 days of that decision. However, none was filed. The reason given is that the relatives of the applicant, did not instruct counsel on time. That is not a sufficient reason for seeking extension. I therefore agree with Mr Bwonwong'a the Assistant Deputy Public Prosecutor, that no sufficient good reason has been given for my exercise of the discretionary jurisdiction under rule 4, above. I therefore dismiss this application. Order accordingly.

**Dated at Nairobi and delivered this 21st day of November 1996.**

**S.E.O. BOSIRE**

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**AG. JUDGE OF APPEAL**

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

**DEPUTY REGISTRAR**