

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
IN THE DISTRICT REGISTRY OF KIGOMA
AT KIGOMA**

MISC. CRIMINAL APPLICATION NO. 25 OF 2020

*(Arising from Criminal Case No. 20/2020 Kasulu District Court Before:
Hon. I.E. Shuli - RM)*

PATRICK EZRON.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING

11/11/2020 & 11/11/2020

A. MATUMA, J

The applicant was previously granted extension of time by this Court to appeal out of time. He was extended 20 days. It is however the contention of the applicant in his affidavit that having been extended time, he prepared the notice in time and lodged it in the District Court. He also prepared the petition of appeal in time and handled it to the prison authority for its transmission to this Court.

The prison authority however delayed to do so.

In his letter the Prison Officer Incharge which is accompanying the affidavit of the applicant, states that they delayed to transmit the documents of the applicant to this Court because they were waiting for a copy of the notice from the District Court which they received when the time so extended had already expired.

The learned State Attorney Mr. Clement Masua had no objection to this application.

In the circumstances, I find that the applicant has befallen a victim of circumstances and has nothing to blame.

I therefore, extend him another 10 days from today within which he should file his notice of appeal and 20 days from today within which he should file his petition of appeal.

I call upon Prison Officers to assist him to execute his documents in time to avoid any other possible delay.

It is so ordered.




A. Matuma

Judge

11/11/2020