



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
ELECTION PETITIONS AND PARTY LIST PETITIONS IN HIGH COURT				
A.	Petitions Dismissed (42)	Security for costs not paid (9)	1. Kiambu HCEP 2/2017 Milton Kimani Waitinga vs IEBC and 2 Others	MNA, Kabete Constituency 18 Oct 2017
			2. Nyeri HCEP 1/2017 Robert Mwangi Kariuki vs IEBC and 2 others	MNA, Tetu Constituency 24 Oct 2017
			3. Milimani HCEP 18/2017 Tom Onyango Agimba vs IEBC and another	MNA, Embakasi West Constituency 09 Nov 2017
			4. Milimani HCEP 21/2017 Ibrahim Ahmed vs IEBC and 2 Others	MNA, Kamukunji Constituency 17 Nov 2017
			5. Mombasa HCEP 1/2017 Omar Juma Mwakamole vs IEBC & 2 Others <i>a. Security for Costs not paid</i> <i>b. Petition not drafted according to the Rules</i>	Women Representative, Kwale County 7 Dec 2017
			6. Kitale HCEP 4/2017 Christine Nafula & another vs IEBC & 2 Others	Women Representative, Trans Nzoia County 7 Dec 2017
			7. Mombasa HCEP 3/2017 Omari Juma Mwakawole vs IEBC & 2 Others <i>a. Security for costs not paid</i> <i>b. Petition not drafted according to Rules</i>	Women Representative, Kwale County 7 Dec 2017
			8. Kericho HCEP 1/2017 Kiplagat Richard Sigei & 2 others vs IEBC & another <i>a) Petition not served</i> <i>b) Security of costs not paid</i>	Governor, Bomet County 7 Dec 2017



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Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
Petition not Served on the Respondent(s) (10)		9. Malindi HCEP 12/2017 Cosmas Foleni Kenga vs IEBC & 3 other <i>(Security of costs not paid by substituted petitioner)</i>	MNA, Kilifi North Constituency 18 Dec 2017
		10. Malindi HCEP 6/2017 Jacob Thoya Iha vs IEBC & 3 others	Senator, Kilifi County 2 Nov 2017
		11. Malindi HCEP 13/2017 Ernest Hinzano vs IEBC & 3 others	MNA, Malindi Constituency 19 Dec 2017
		12. Siaya HCEP 4/2017 Aluodo Florence Akinyi vs IEBC & 2 others	Women Representative, Siaya County 16 Oct 2017
		13. Mombasa HCEP 8/2017 Saad Yusuf Saad vs IEBC & 2 others <i>a) Improper service</i> <i>b) Defective form and content of petition</i> <i>c) Affidavit struck out</i>	Women Representative, Mombasa County 13 Nov 2017
		14. Malindi HCEP 5/2017 William Kahindi Mganga vs IEBC & 4 others <i>Petition replaced un-procedurally with another petition without leave of the Court</i>	Governor, Kilifi County, 31 Oct 2017
		15. Malindi HCEP 7/2017 Aziz Mohamed Karisa vs IEBC & 3 others <i>Petition replaced un-procedurally with another petition without leave of the Court</i>	Women Representative, Kilifi County 3 Nov 2017
		16. Malindi HCEP 9/2017 Suleiman Salim Kaingu vs IEBC & 3 Others <i>Petition replaced un-procedurally with another petition without leave of the Court</i>	MNA, Kilifi South Constituency 20 Nov 2017



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	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
			17. Muranga HCEP 1/2017 Jane Wambui Mwaura vs IEBC & 2 others	MNA, Kandara Constituency 24 Nov 2017
			18. Voi HCEP 2/2017 Morris Muindi Mutiso vs Naomi Hamsi Shaban & 2 others <i>a) Petition was not signed</i> <i>b) Security of costs not paid</i> <i>c) Lack of service on 1st Respondent</i>	MNA, Taita Taveta Constituency, 16 Nov 2017
			19. Kitale HCEP 5/2017 Robert Wamalwa Simiyu vs IEBC & 2 Others	MNA Endebbes Constituency, 27 Nov 2017
		Petition filed out of time (4)	20. Kakamega HCEP 12/2017 Andrew Toboso Anyanga vs Mwale Nicholas S. Tindi & 3 others	MNA, Butere Constituency, 23 Oct 2017
			21. Kapenguria HCEP 2/2017 Stephen Kolimuk vs IEBC and 2 others	MNA, Pokot South Constituency 23 Nov 2017
			22. Kitui HCEP 5/2017 Shadrack Mutua Kitili vs IEBC & 17 Others <i>a) Petition filed out of time</i> <i>b) Security for costs not paid</i> <i>c) Petition not served on the Respondents</i>	Party List Petition, 8 Jan 2018
			23. Milimani HCEP 25/2017 Harold Kimuge Kipchumba v. IEBC & Getrude Musurove	Party List Petition 20 Dec 2017
		Petition not drafted according to the Rules (11)	24. Kakamega HCEP 9/2017 David Wamatsi Omusotsi vs Returning Officer, Mumias & 2 others	MNA, Mumias East Constituency 02 Nov 2017
			25. Kerugoya HCEP 3/2017 James Karimi Karubiu vs IEBC & two others	Senator, Kirinyaga County 3 Nov 2017



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		26. Malindi HCEP 10/2017 Mbaraka Issa Kombe vs IEBC & 3 Others	MNA, Ganze Constituency 02 Nov 2017
		27. Mombasa HCEP 9/2017 Jimmy Kazungu vs IEBC & 2 others	MNA, Jomvu Constituency 13 Oct 2017
		28. Kerugoya HCEP 2/2017 Hon. Martha Wangari Karua & another vs IEBC & 3 others	Governor, Kirinyaga County 15 Nov 2017
		29. Malindi HCEP 11/2017 Samuel Sila Samuel Mulwa vs IEBC & 3 others	MNA, Kaloleni Constituency 20 Nov 2017
		30. Kisii HCEP 7/2017 Justry P. Lumumba Nyaberi vs IEBC & 2 others	Governor, Kisii County 06 Dec 2017
		31. Kakamega HCEP 14/2017 Seth Ambusini Panyako vs IEBC & 2 Others	Senator, Kakamega County 20 Dec 2017
		32. Garissa HCEP 5/2017 Shukra Hussein Gure vs IEBC & 2 Others <i>a. Affidavits did not comply with Section 5 & 7 of the Oaths and Statutory Declarations Act</i>	Women Representative, Garissa County 28 Dec 2017
		33. Nyamira HCEP 2/2017 Steve M. Mogaka v IEBC & 3 Others <i>Affidavits did comply with Oaths and Statutory Declarations Act</i>	MNA, West Mugirango Constitutency 14 Dec 2017
		34. Malindi HCEP 2/2017 Johnson Muthawali & another v. Kingi Michael Thoya & 2 others <i>(Petition did not comply with Rule 8 as it failed to disclose results)</i>	MNA, Magarinin Constituency 17 Jan 2018



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	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
		Petition dismissed for non-attendance of the petitioner/ counsel (2)	35. Kakamega HCEP 7/2017 Emily Nyabuto vs IEBC & 2 others	MNA, Vihiga Constituency 02 Nov 2017
			36. Milimani HCEP 24/2017 Jane Nyaboke Matoke vs ODM & 6 others	Party List Petition, 23 Oct 2017
		Petitioner failed to enjoin the Deputy Governor in the pleadings (1)	37. Mombasa HCEP 5/2017 Mwamlole Tchappu Mbwano vs IEBC & 5 others	Governor, Kwale County, 16 Nov 2017
		The court lacked jurisdiction to hear the matter (2)	38. Kisumu HCEP 1 of 2017 Vitalis Ojuang Odek vs IEBC & 3 Others	Party List Petition, 20 Dec 2017
			39. Busia HCEP 5 of 2017 Busia County Persons with Disability Network & 4 others vs IEBC & 2 Others	Party List Petition, 18 Jan 2018
		Want of prosecution (2)	40. Milimani HCEP 23/2017 Japheth Muroko & another vs IEBC & 2 others	Governor, Nairobi County 9 Jan 2018
			41. Garissa HCEP 2/2017 Nathif Jama Adan vs Ali Buno Karane & 3 Others	Governor, Garissa County 2 Feb 2018
		Sub-judice (1)	42. Voi HCEP 1 of 2017 Armstrong Mwandoo Kiwoi & another vs Granton Graham Samboja & others	Governor, Tana River County 15 Jan 2018
B.	Petitions Withdrawn (14)	Application by the Petitioner to withdraw the petition allowed (14)	43. Meru HCEP 4/2017 Bariu M'Limunyi vs IEBC & 2 others	MNA, Igembe Central 14 Nov 2017
			44. Narok HCEP 4/2017 Stanley Taparia vs Tongoyo Gabriel Koshal & 2 others	MNA, Narok West Constituency 17 Oct 2017
			45. Narok HCEP 5/2017 James Kingangir Nakola vs IEBC & Another	Governor, Narok County 11 Oct 2017



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	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
			46. Kisii HCEP 9/2017 Ombati Richard vs IEBC & 2 others	MNA, Nyaribari Masaba Constituency 19 Oct 2017
			47. Garissa HCEP 3/2017 Adow Mohamed Abakar vs Mohamed Abdi Mahamed & 2 others	Governor, Wajir County 17 Nov 2017
			48. Garissa HCEP 8/2017 Jimale Mohamud Abdullahi vs IEBC & 2 others	Women Representative, Wajir County, 17 Nov 2017
			49. Migori HCEP 3/2017 Fatuma Zainab vs Dr. Pamela Ochieng & Another	Women Representative, Migori County 30 Nov 2017
			50. Meru HCEP 6/2017 Peter Gatirau Munya vs IEBC & 3 Others	Governor, Meru County 14 Dec 2017
			51. Kakamega HCEP 10/2017 Gilphine Mokeita Omwenga vs IEBC & 3 others	MNA, Malava Constituency 16 Jan 2018
			52. Homabay HCEP 2/2017 Rabongo Fred vs IEBC & 3 others	Senator, Homa Bay County, 7 Dec 2017
			53. Lodwar HCEP 3/2017 Patrick Losike Lokaimoe vs Daniel Epuyo Nanok & 2 others	MNA, Turkana West Constituency 26 Jan 2018
			54. Kapenguria HCEP Const. Pet. 1/ 2017 Isaac Epuyo Pedoo & another vs IEBC & 4 Others	Party List Petition, 16 Nov 2017
			55. Kerugoya HCEP 4/2017 Hon. Dickson Daniel Karaba vs Ho. Kibiru Charles Reubenson & 2 others	Senator, Kirinyaga County 31 Jan 2018



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	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
			56. Lodwar HCEP 2/2017 Paul Ekuwam Nabuin vs Christopher Doye Nakuleu & 2 others	MNA, Turkana North Constituency 9 Feb 2018
ELECTION PETITIONS AND PARTY LIST PETITIONS IN MAGISTRATES COURTS				
	Summary	Reason	Case particulars	Seats/ Electoral area
A.	Petitions Dismissed (74)	Security for costs not paid (28)	1. Busia MCEP 5/2017 Aramis Makokha Nakhone vs Mukhana Laban Wanzala & 2 others	MCA, Bukhayo East 19 Oct 2017
2. Milimani Commercial MCEP 18/2017 Joseph Obiri Kenyaga vs IEBC & 2 others			MCA, Nairobi South 30 Oct 2017	
3. Milimani Commercial MCEP 17/2017 Abdi Muhyadin Abdi vs IEBC & 2 others			MCA, Sanguili Ward 2 Nov 2017	
4. Mombasa MCEP 1/2017 David Mutua Malii vs Tobias Otieno Samab & 2 others			MCA, Tudor Ward 13 Oct 2017	
5. Mombasa MCEP 2/2017 Salim Abdalla Salim vs IEBC & 2 others			MCA, Bofu Ward 12 Oct 2017	
6. Mumias MCEP 1/2017 Jane Naicar Eshuchi vs Marice Sakwa & 2 others			MCA, Khisa Ward 11 Oct 2017	
7. Mumias MCEP 2/2017 Kongoti Ronald Anzelimo vs Juma Lubinus Oduor & 2 others			MCA, Mayoni Ward 23 Oct 2017	
8. Nakuru MCEP 2/2017 Ann Nashapae Kindi vs IEBC and 2 others			Party List Petition, 26 Nov 2017	



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	Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
			9. Nakuru MCEP 3/2017 Irene Jerop Cheboi & 2 others vs IEBC & 2 others <i>a) Security for costs not paid</i> <i>b) Petition filed late</i>	Party List Petition, 24 Oct 2017
			10. Nakuru MCEP 5/2017 Sheila Chebelion & 4 others vs IEBC & Another	Party List Petition, 17 Oct 2017
			11. Kimilili MCEP 2/2017 Justine Chemtai vs Winnie Atieno Nyambok & 2 Others	Party List Petition, 16 Nov 2017
			12. Kimilili MCEP 1/2017 Makhapila J E Mwangale vs David Barasa Mabonga & 3 others <i>a) Security for costs not paid</i> <i>b) Petition not served</i>	MCA, Kimilili Ward, 16 Nov 2017
			13. Wajir MCEP 5/2017 Fatuma Fille Elmi vs IEBC & 3 others <i>a) Security for costs not paid</i> <i>b) Petition not served</i>	Party list Petition, 21 Nov 2017
			14. Wajir MCEP 7/2017 Fatuma Fille Elmi vs IEBC & 2 others <i>a) Petition filed out of time</i> <i>b) Security for costs not paid</i> <i>c) Petition not served</i>	Party list Petition, 21 Nov 2017
			15. Thika MCEP 1 /2017 Githinji Johnson Kamau vs Kingara Benson Kamau & 2 others	MCA, Mwihoko Ward 29 Nov 2017



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		16. Migori MCEP 2/2017 Leo Odoyo Obambo vs Bonface Ouma Oremo & Another	MCA, East Kanyamkago Ward, 14 Nov 2017
		17. Lamu MCEP 2/2017 Muslims For Human Rights & 3 others vs IEBC & 5 others	Party List Petition 1 Dec 2017
		18. Kiambu MCEP 1/2017 Chege Ann Wanjiku vs Clerk Kiambu County Assembly & 8 others	Party List Petition 1 Dec 2017
		19. Kiambu MCEP 3/2017 Henry Wanyoike Wahu & 2 others vs County Assembly of Kiambu & 3 others	Party List Petition 1 Dec 2017
		20. Kericho MCEP 1/2017 Amos Kimutai Birir vs Hillary Kipyegon Bett & 2 others <i>a) Security of costs not paid</i> <i>b) Petition not served</i>	MCA, Kapkatet Ward 30 Nov 2017
		21. Malindi MCEP 4/2017 Wanje Baya Kazungu vs IEBC & 2 others <i>a) Petition filed out of time</i> <i>b) Security of costs not paid</i> <i>c) Results and date of declaration not indicated in the petition</i>	MCA, Shella Ward 5 Dec 2017
		22. Malindi MCEP 5/2017 Salim Mweni Athman vs IEBC & 2 Others	MCA, Kakuyuni Ward 30 Nov 2017
		23. Migori MCEP 6/2017 Alfred Mdeizi vs IEBC & another	Party List Petition, 8 Dec 2017
		24. Migori MCEP 5/2017 Eric Ouma Opany vs IEBC & 2 Others	Party List Petition, 8 Dec 2017



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		25. Busia MCEP 3/2017 Okoba Johannes Boy vs IEBC & 2 others <i>a. Security of costs not paid</i> <i>b. Petition amended without leave of court</i>	MCA, Bunyala Central Ward 5 Dec 2017
		26. Narok MCEP 7/2017 Samuel Munkasio Ole Lemurt vs ODM, Elvis Kirui & IEBC <i>a) Security of costs not paid</i> <i>b) Petition not served</i>	Party List Petition 19 Dec 2017
		27. Meru MCEP 1/2017 Yussuf Musa Mbaya vs IEBC & 3 others <i>a) Security for costs</i> <i>b) Petition not served</i>	Party List Petition 17 Dec 2017
		28. Eldoret MCEP 1/2017 Regina Chepkemoi Chumba vs Jubilee Party IEBC & 17 Interested Parties <i>a) Security for costs</i> <i>b) Petition not served</i>	Party List Petition 26 Jan 2018
	Petition not served (11)	29. Hamisi MCEP 1/2017 James Shairo Shimanyano vs IEBC & 2 others	MCA, Gisambai Ward 31 Oct 2017
		30. Kitale MCEP 1/2017 B.K.S Lusweti Furaha vs IEBC & 2 others	MCA, Waitaluk Ward 13 Nov 2017
		31. Kitale MCEP 2/2017 Mutuli Sam Buyera vs IEBC & 2 others	MCA, Kaplamai Ward 13 Nov 2017
		32. Kisumu MCEP 3/2017 Joseph Onyango Otiende vs IEBC & 2 others	MCA, South West Kisumu Ward 16 Nov 2017



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Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
		33. Kisumu MCEP 4/2017 Samuel Onyango Ongowo vs IEBC & 2 others	MCA, Masogo Nyangoma Ward 22 Nov 2017
		34. HomaBay MCEP 2/2017 John Ogina Nyabola vs ODM & 2 Others <i>a) Petition not served</i> <i>b) Security of costs not paid</i>	Party List Petition 23 Nov 2017
		35. Marsabit MCEP 3/2017 Zeynab Ally Issack v IEBC & 2 Others <i>a) Petition not served</i> <i>b) Petition not drafted according to the rules</i> <i>c) Lack of jurisdiction</i>	Party List Petition 1 Dec 2017
		36. Webuye MCEP 1/2017 (Formerly Milimani MCEP 11/2017) Eric Soita Patroba vs Sundukwa Grace & Another	MCA, Sitikho Ward 7 Dec 2017
		37. Nanyuki MCEP 2/2017 Emma Nkirote Ntongai & another vs IEBC & Another	Party List Petition, 11 Dec 2017
		38. Isiolo MCEP 1/2017 (Formerly Milimani MCEP 19/2017) Sofia Galgalo vs IEBC & ODM	Party List Petition, 5 Dec 2018
		39. Busia MCEP 7/2017 Paul Odhiambo Okello vs IEBC & 2 Others <i>a. Petition not served</i>	MCA, Amukura Central Ward 23 Jan 2018



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Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
		<i>b. Petition amended un-procedurally with another petition without leave of the Court</i>	
	Petition not drafted according to the Rules (23)	40. Ogembo MCEP 5/2017 Jim Kenyanya vs IEBC & 2 others	MCA, Tabaka Ward 24 Oct 2017
		41. Voi MCEP 2/2017 Gideon Ndambuki Muthiani vs Frank Kiei & 2 Others	MCA, Chawia Ward 19 Oct 2017
		42. Mombasa MCEP 3/2017 Joseph Kimani Kamau vs IEBC & 2 Others	MCA, Majengo/Mwembe Tayari Ward 7 Nov 2017
		43. Kilifi MCEP 6/2017 Jacob Kazungu Kahindi vs IEBC & 2 others <i>a) Petition not drafted according to the Rules</i> <i>b) Lack of service</i>	MCA, Kilifi Ward 10 Nov 2017
		44. Milimani MCEP 9/2017 John Patrick Orioki vs IEBC & 2 others	MCA, Kayole East Ward, 2 Nov 2017
		45. Butali MCEP 2/2017 (Formerly Kakamega MCEP 8/17) Kyadiva Bright Lidagai vs IEBC & 2 Others	MCA, Likuyani Ward 17 Nov 2017
		46. Butere MCEP 1/2017 Mbayi Sayyed Omsiritsa vs Nancy Iyadi & 2 Others	MCA, Marama North Ward 9 Nov 2017
		47. Kitui MCEP 2/2017 Sammy Kitavi vs IEBC & 2 Others	MCA, Kyangwithya Ward 24 Nov 2017



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		48. Kitui MCEP 3/2017 Kithikii Kavindi Allan vs Antony John Wandeo & 2 Others	MCA, Mutha Ward 21 Nov 2017
		49. Voi MCEP 1/2017 Wilson Mwang'ombe & 6 Others vs IEBC & 2 Others	MCA, Mbololo Ward 24 Nov 2017
		50. Kilifi MCEP 5/2017 Abel Kipkulei Kiptoo vs IEBC & 2 others	MCA, Mtepeni Ward 27 Nov 2017
		51. Kilifi MCEP 4/2017 Mufida Mohamed Hamud vs IEBC & 2 others	MCA, Shimo la Tewa Ward 15 Dec 2017
		52. Malindi MCEP 1/2017 Theophilus Kalama Fondo vs Returning Officer Magarini & 2 others	MCA, Garashi Ward 24 Nov 2017
		53. Nakuru MCEP 4/2017 Rose Wangui Kaburu & Another vs IEBC & 2 Others	Party List Petition 4 Nov 2017
		54. Kwale MCEP 2/2017 Samson Mutua Munyao vs IEBC & 3 others	MCA, Kubo South Ward 29 Nov 2017
		55. Mandera MCEP 1/2017 Abdullah Maalim Alio v IEBC & 2 Others	MCA, Derkhale Ward 4 Dec 2017
		56. Mandera MCEP 3/2017 Muktar Bishar Sheikh vs IEBC & 2 Others	MCA, Lagsure Ward 11 Dec 2017
		57. Malindi MCEP 6/2017 Faith Mwendu Kasyoka vs IEBC & 2 Others	MCA, Malindi Town Ward 11 Dec 2017



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Outcome of petitions	Reason	Case particulars	Seats/ Electoral area
		58. Garissa MCEP 2/2017 Jamal Abdi Hassan vs Diriye Bare Abdi & 2 Others	MCA, Damajale Ward 13 Dec 2017
		59. Kwale MCEP 3/2017 Daudi Yusuf Heri vs IEBC & 4 Others	MCA, Tiwi Ward 20 Dec 2017
		60. Nanyuki MCEP 1/2017 Geoffrey Githinji Mwangi & 2 Others vs Jubilee Party & 2 others	Party List Petition 03 Jan 2018
		61. Garissa MCEP 3/2017 Ibrahim Mohammed Therar vs IEBC & 2 Others	MCA, Fafi Ward 16 Jan 2018
		62. Kakamega HCEP 15/2017 Elvis Anyimbo Sichenga vs ODM & 4 Others <i>a) Petition not accompanied by affidavit contrary to the Rules</i> <i>b) Lack of Service</i>	Party List Petition
		63. Kwale MCEP 6/2017 Bakari Hamisi Shee v IEBC, Mtaya Madzungu & Mugutta Nassoro Bikari	MCA, Pongwe Kikoneni Ward 20 Dec 2017
	Want of prosecution (2)	64. Nakuru MCEP 6/2017 James Ouko Oginga vs IEBC & 2 others	Party list Petition, 24 Oct 2017
	65. Migori MCEP 7/2017 Clinton Mugesi Werema v ODM & 3 Others	Party List Petition, 30 Nov 2017	



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	Lack of jurisdiction (4)	66. Siaya MCEP 1/2017 as consolidated with Siaya MCEP 2/2017 Judith Akinyi Ajwala & Another vs Siaya County People with Disability Network & Another	Party List Petition, 15 Nov 2017
		67. Siaya MCEP 2/2017 Mauray Asewe Ouko vs IEBC & 3 others	Party List Petition, 15 Nov 2017
		68. Milimani Commercial MCEP 14/2017 Alhad Adam Ahmed vs Solomon Odanga Magembe and 4 Others	MCA, Makina Ward 24 Nov 2017
		69. Kapenguria HCEP Const. Pet. 2/2017 Agnes Chepkorir Ndege v. IEBC & Clerk West Pokot	Party List Petition 7 December 2017
	Non-attendance (2)	70. Kehancha MCEP 4/2017 (Formerly Migori MCEP 4/17) Peter Odhiambo Ollimo vs IEBC & 2 others	MCA, Macalder Kanyaruanda Ward 08 Nov 2017
		71. Wajir MCEP 4/2017 Sahal Mugow Mohamed vs Adan Bunow Hussein & 2 Others	MCA, Dadaja Bulla Ward 15 Nov 2017
	Late filing of supporting affidavit and late deposit of security for costs (1)	72. Nyahururu MCEP 2/2017 Monica Githae & Another vs IEBC & 5 Others	Party List Petition 6 Dec 2017
	Petition filed out of time (2)	73. Marsabit MCEP 2/2017 Abdia Mohamed Oshow vs IEBC & 3 others	Party list Petition 19 Dec 2017
		74. Milimani MCEP 25/2017 Suleiman Yusuf Hajee vs IEBC & another	Party List Petition 19 Jan 2018



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			75. Malindi MCEP 2/2017 Gerald Iha Thoya vs Chiriba Daniel Chai	MCA, Jilore Ward 20 Dec 2017
B.	Petitions Withdrawn (15)	Application by the Petitioner to withdraw the petition allowed (15)	76. Siaya Magistrates Case No. 95/2017 Siaya County Disabled Persons Network (SCDPN) vs ODM and 3 others <i>Petition wrongly filed as a plaint</i>	Party List Petition, Withdrawn as per letter dated 16 Nov 2017
			77. MCEP 5/2017 David Lochuch Imana vs Jackson Lowoi Ikai & 2 others	MCA, Loima Ward 15 Nov 2017
			78. Makueni MCEP 1/2017 Ahmed Mohamed Ibrahim vs Wiper Democratic Movement and Another	Party List Petition, 29 Nov 2017
			79. Nakuru MCEP 1/2017 Harun Kipkoech Tanui vs Irene Chebichi Cheruiyot & 2 others	Party List Petition, 13 Oct 2017
			80. Milimani Commercial MCEP 13/2017 Susan Wachuka v. IEBC & 2 others	Party List Petition, 10 Nov 2017
			81. Wajir MCEP 2/2017 Abdullahi Kahiye Dore vs Abdullahi Issack Mohamed & 2 others	MCA, Elnur/Tula-tula Ward 1 Dec 2017
			82. Narok MCEP 5/2017 Kitaei Metiang' Ngoiboini vs Salankat Memusi & 2 others	MCA, Mosiro Ward 4 Dec 2017
			83. Wajir MCEP 1/2017 Mohammed Hassan Hussein vs Abdulahi Mohamed Abikar & 3 Others	MCA, Barwaqo Ward 15 Dec 2017
			84. Narok MCEP 1/2017 Naomi N. Ntiwuas v. ODM & 3 Others	Party List Petition, 11 Jan 2018



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			85. Kakamega MCEP 2/2017 Dennis Duncan Muhanda vs IEBC & 2 Others	MCA, Mahiakalo Ward 25 Jan 2018
			86. Kisii MCEP 4/2017 Abel Onchari Onindo vs IEBC & 2 Others	MCA, Keumbu Ward 19 Jan 2018
			87. Kitale MCEP 3/2017 Kefa Wafula Karori vs IEBC & 18 Others	Party List Petition, 7 Dec 2017
			88. Milimani MCEP Misc 4/2017 Halima Daud Diriye v. IEBC & 2 others	Party List Petition 8 Dec 2018
			89. Kisii MCEP 2/2017 Joash Nyaribo Orora vs IEBC & 2 others	MCA, Masimba Ward 17 Nov 2017
			90. Tigania MCEP 1/2017 Gitonga Kubai v. Gabriel Njenjere Chokera & 2 Others	MCA, Mikinduri Ward 22 Jan 2018
C.	Petition abated (1)	Terminated by death of Respondent whose election had been challenged(1)	91. Karatina MCEP No. 1 of 2017 Macharia James Ndegwa v. IEBC & another	MCA, Ruguru Ward 5 th January, 2018



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JUDGMENTS DELIVERED		
Court's Decision	Case Details	Seat/ Electoral Area
High Court		
Petitions Dismissed (30)	1. Kisumu HCEP 3/2017 Jackton Nyangumo Ranguma vs IEBC & 2 Others	Governor, Kisumu County 3 Jan 2018
	2. Kakamega HCEP 11/2017 Hamzah Musuri Kevogo vs IEBC & 3 Others	Governor, Vihiga County 18 Dec 2017
	3. Migori HCEP 2/2017 Fredrick Kagosh Ogenga vs IEBC & 2 others	MNA, Nyatike Constituency 10 Jan 2018
	4. Garsen HCEP 1/2017 Mohamed Dado Hatu vs Dhadho Gaddae Godhana & 3 Others	Governor, Tana River County 05 Jan 2018
	5. Milimani HCEP 5/2017 Elizabeth Ongoro Amollo vs Kajwang Tom Joseph & 2 others	MNA, Ruaraka Constituency 16 Jan 2018
	6. Machakos HCEP 2/2017 Francis Mwangangi Kilonzo vs IEBC & 2 Others	MNA, Yatta Constituency 19 Jan 2018
	7. Meru HCEP No. 3/2017 Mohamed Tubi Bidu v. IEBC & 2 others	MNA, Isiolo South Constituency 24 Jan 2018
	8. Kajiado HCEP No. 2/2017 David K. Ole Nkedianye v. Joseph Jama Ole Lenku & 4 others	Governor Kajiado County 25 Jan 2018
	9. Kisumu HCEP 2/2017 Grace Adhiambo Akumu v. IEBC & 3 others	Woman Representative Kisumu County 25 January, 2018
	10. Meru HCEP 1/2017 Silas Muriuki Ruteere vs IEBC and 3 others	MNA, Imenti North 25 Jan 2018
	11. Garsen HCEP 2/2017 Tuneya Hussein Dado vs IEBC and Two Others	Governor, Tana River County 26 Jan 2018
	12. Busia HCEP 3/2017 Mercy Achieng Mola & another vs Raphael Bitta Sauti Wanjala & 2 others	MNA, Budalangi Constituency 30 Jan 2018
	13. Kitui HCEP 2/2017 Kennedy Moki vs Hon. Rachael Kaki Amai & 2 Others	MNA, Kitui South Constituency 24 Jan 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

14. Nanyuki HCEP 2/2017 Sammy Ndung'u Waity vs IEBC & 3 Others	Governor, Laikipia County 31 Jan 2018
15. Kitui HCEP 3/2017 John Munuve Mati vs Returning Officer, Mwingi North Constituency & 2 others	MNA, Mwingi North Constituency 31 Jan 2018
16. Kakamega HCEP 2/2017 Khamisi Butichi Ramadhani vs IEBC & 2 Others	MNA, Ikolomani Constituency 1 Feb 2018
17. Machakos HCEP 4/2017 Kala Jackson Musyoka vs IEBC & Another	Senator, Machakos County 2 Feb 2018
18. Nyeri HCEP 2/2017 Michael Gichuru vs Hon. Rigathi Gachagua & 2 others	MNA, Mathira Constituency 2 Feb 2018
19. Narok HCEP 2/2017 David Keter vs Johana Ng'eno & IEBC	MNA, Emurua Dikir Constituency 7 Feb 2018
20. Kisii HCEP 6/2017 Charles Obera Orito & another vs IEBC & 2 Others	Senator, Kisii County 5 Feb 2018
21. Kakamega HCEP 3/2017 Issac Omungo vs Christopher Aseka Wangaya & 2 others	MNA, Khwisero Constituency 1 Feb 2018
22. Busia HCEP 1/2017 Mary Emaase Otucho vs Geoffrey Omuse & another	MNA, Teso South Constituency 31 Jan 2018
23. Machakos HCEP 1/2017 Wavinya Ndeti vs IEBC & Others	Governor, Machakos County 9 Feb 2018
24. Milimani HCEP 11/2017 Aden Noor Ali vs IEBC & 2 Others	Party List Petition, 19 Dec 2017
25. Milimani HCEP 13/2017 (as consolidated with Milimani HCEP 16/2017) Abdirahman Adan Abdikadir v. IEBC & 2 Others	Senator, Wajir County 31 Jan 2018
26. Milimani HCEP 16/2017 Adow Mohamed Abikar v. Abdulahi Ibrahim Ali & 2 others	Senator, Wajir County 31 Jan 2018
27. Malindi HCEP 8/2017 Albeity Hassan Abdalla vs IBC & 3 Others	Senator, Lamu County 9 Feb 2018
28. Kitui HCEP 1/2017 Millitonic Mwendwa v. IEBC & Others	MNA, Kitui East Constituency 9 Feb 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

	29. Busia HCEP 4/2017 Peter Odima Khasamule vs IEBC & 2 Others	Governor, Busia County 12 Feb 2018
	30. Lodwar HCEP 4/2017 Ebenyo Ekuwam Lynus Nakiporo vs Ekomwa Lomenen James & 2 others	MNA, Turkana South Constituency 9 Feb 2018
	31. Embu HCEP 3/2017 Nyutu Peter Kamau vs IEBC & 2 Others	MNA, Mbeere South Constituency 15 Feb 2018
	32. Kakamega HCEP 6/2017 Apungu Arthur Kibira vs IEBC & 2 Others	MNA, Luanda 16 Feb 2018
	33. Kakamega HCEP 8/2017 Habil Nanjendo Bushuru vs IEBC & 3 others	MNA, Butere Constituency 16 Feb 2018
Petitions allowed (1)	34. Milimani HCEP 14/2017 Ahmed Abdullahi Mohamed & anor vs Hon. Mohamed Abdi Mohamed & 2 others	Governor, Wajir County 12 Jan 2018
Magistrates Courts		
Petitions dismissed (47)	1. Butali MCEP 1/2017 (Formerly Kakamega MCEP 11/17) Walter Shiundu vs IEBC & 2 Others	MCA, Sango Ward 07 Dec 2017
	2. Murang'a MCEP 1/2017 Hellen Ndiko Kigia & 2 others vs IEBC & ANOTHER	Party List Petition, 04 Dec 2017
	3. Marsabit MCEP 1/2017 Zamzam Hussein Omar vs IEBC & 3 Others	Party List Petition, 11 December 2017
	4. Kilifi MCEP 3/2017 Cosmas Foleni Kenga vs IEBC & 2 Others	MCA, Tezo Ward 8 Dec 2017
	5. Milimani MCEP 10/2017 Langat Donnie Kiptoo Arap vs Sukuku Martin Simotwo, Constituency Returning Officer, Langata Constituency and Two Others	MCA, South C Ward 14 Dec 2017
	6. Kerugoya MCEP 1/2017 (appellate Judgment by Justice Gitari) Joseph Kiragu Muthura vs Pius Njogu Kathuri & 2 Others	MCA, Thiba Ward 13 Dec 2017



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

7. Migori MCEP 8/2017 Marthilda Auma Oloo vs IEBC & 2 others	Party List Petition, 4 Jan 2018
8. Mandera MCEP 2/2017 (as consolidated with Mandera MCEP 5 of 2017) Hafid Maalim Ibrahim & another vs Economic Freedom Party & 3 others	Party List Petition, 9 Jan 2018
9. Mandera MCEP 5/ 2017 Mohamed Ali Bashir vs IEBC & 2 Others	Party List Petition, 9 Jan 2018
10. Kangundo MCEP 1/2017 Boniface Musyoki Muisyo Nguli vs IEBC & 2 others	MCA, Tala Ward 9 Jan 2018
11. Kisii MCEP 1/ 2017 Nunda Fred Ndwiga vs Matundura Ismael Bosire & 2 others	MCA, Bogiakumu Ward 22 Dec 2017
12. Milimani Commercial MCEP 4/2017 Peter Muchiri Mwangi vs IEBC & 3 Interested Parties	Party List Petition, 12 Jan 2018
13. Milimani Commercial MCEP 24/2017 Samira Abdirahman Hassan vs IEBC & 7 Others	Party List Petition, 19 Dec 2017
14. Milimani Commercial MCEP 3/2017 Perpetua Mponjiwa vs IEBC & another	Party List Petition 12 Jan 2018
15. Kakamega MCEP 10/2017 Peter Likhabila Ayoyi vs IEBC & 2 Others	MCA, Isukha West Ward 19 Jan 2018
16. Milimani Commercial MCEP 22/ 2017 Hellena Kisiku Kitheka v. IEBC	Party List Petition 19 Jan 2018
17. Githongo MCEP 1/2017 Richard Kathurima Muriungi vs IEBC & 2 Others	MCA, Abothuguchi Central Ward 20 Dec 2017
18. Kapsabet MCEP 2/2017 Shadrack Kirwa Tarus vs Jackson Swadi Kedogo & IEBC	MCA, Kabwareng Ward 03 Jan 2018
19. Githongo MCEP 2/2017 Samson Kinyua Magambo vs IEBC & 2 Others	MCA, Kiagu Ward 22 Jan 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

20. Milimani MCEP No. 6A of 2017 Aziz Kassim Ibrahim v. IEBC & 2 others	MCA, Mukuru Kwa Njenga Ward 24 Jan 2018
21. Kisii MCEP 9 of 2017 Esther Okenyuri Anyieni vs Mokumi Edmond Anthony & 3 others	Party List Petition, 25 Jan 2018
22. Kapenguria MCEP 1/2017 James Apareng Karumet v. IEBC & 2 others	MCA, Kapchok Ward 26 Jan 2018
23. Nkubu MCEP 1/2017 Mwiandi Muchui Paul v. John Paul Kirera Mwombobia & 2 others	MCA, Igoji East Ward 26 Jan 2018
24. Kajiado MCEP 1/2017 Nixon Karaine vs Paul Matuya & 2 Others	MCA, Kitengela Ward 30 Jan 2018
25. Kajiado MCEP 2/2017 Elizabeth Jebet Kobor vs IEBC & 2 Others	Party List Petition, 23 Jan 2018
26. Chuka MCEP 2/2017 Eliphas Nyaga Mbae vs Wilson Nyaga Derebia & 2 Others	MCA, Muthambi Ward 1 Feb 2018
27. Kisumu MCEP 5/2017 John Osumba Olum vs IEBC & 2 Others	MCA, Kolwa East Ward 2 Feb 2018
28. Busia MCEP 6/2017 Lucas Mugaji Osembo vs Felix Opondo Omanyi & 2 Others	MCA, Bunyala Ward 2 Feb 2018
29. Busia MCEP 4/2017 Zakayo Nyongesa Harrison vs IEBC & 2 Others	MCA, Busibwabo Ward 5 Feb 2018
30. Busia MCEP 1/2017 Mpaka Jean Bosco vs IEBC & 3 Others	MCA, Bukhayo Central Ward 31 Jan 2018
31. Busia MCEP 9/2017 Ibrahim Aruna Aramadhani v. Evans Bwire Barasa & IEBC	MCA, Agenga Nangumba 31 Jan 2018
32. Kitui MCEP 4/2017 Mupio Julius Chale v. Musyoka Nelson Kivali & Others	MCA, Kyangwithya Ward 31 Dec 2017
33. Machakos MCEP 1/2017 Felix Nthusa Mumo v. Cosmus Kieti Muia & Others	MCA, Lower Kaewa/Kaani Ward 26 Jan 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

34. Kithimani MCEP 1/2017 Philip Musia Kimeu v. IEBC & Others	MCA, Ekalala Ward 9 Jan 2018
35. Bungoma MCEP 1/2017 Shitandi Edith Were v. Henry Majimbo Okumu & 2 others	MCA, Khalaba Ward 9 Feb 2018
36. Kakamega MCEP 7/2017 Alexander Khamsi Mulimi vs IEBC & Another	MCA, Lurambi Constituency 5 Feb 2018
37. Kapenguria MCEP 2/2017 Wilson Pkerker Chekeruk vs Loporna Pyatich Lonyangatodo & 2 others	MCA, Mosol Ward 14 Feb 2018
38. Kilgoris MCEP 2/2017 Olonana D. Ololtulet vs Munka Nanyokie Julius Ole & 2 Others	MCA, Kilgoris Central Ward 15 Feb 2018
39. Narok MCEP 3/2017 Kapusia Ole Saloni vs James Kipas Langues & 2 Others	MCA, Suswa Ward 15 Feb 2018
40. Kericho MCEP 2/2017 (as consolidated with Kericho MCEP 3/2017) Lorna Chemutai & 2 others vs IEBC & 2 Others	Party List Petition 2018
41. Kericho MCEP 3/2017 Erick Kipygeon Koech and another vs IEBC & 2 Others	Party List Petition 2018
42. Meru MCEP 2/2017 Mohamed Abass Sheikh vs IEBC & 2 Others	Party List Petition 15 Feb 2018
43. Kilgoris MCEP 1/2017 Joseph Kibiego Koech vs Gabriel Mibei & 2 others	MCA, Angata Ward 16 Feb 2018
44. Kakamega MCEP 3/2017 (as consolidated with Kakamega MCEP 5/2017) Joyce Mugasia Khadohi vs IEBC & 2 Others	MCA, Idakho East 16 Feb 2018
45. Kakamega MCEP 5/2017 Shilenji Silas Muyeye vs Benson Manuni Mulinya & 3 others	MCA, Idakho East 16 Feb 2018
46. Murang'a MCEP 2/2017 Charles Njoroge Muthoni & 4 Others vs IEBC & Jubilee Party	Party List Petition 15 Feb 2018
47. Mandera MCEP 4/2017 Feisal Abdinoor Issack vs IEBC & 2 others	MCA, Township Ward 16 Feb 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

	48. Milimani MCEP 8/2017 Asha Abdi Sosso vs IEBC & 2 Others	Party List Petition 9 Feb 2018
Petitions Allowed (15)	1. Migori MCEP 3/2017 Mogesi Agnes Bange & 8 others vs IEBC & 2 Others	Party List Petition, 4 Jan 2018
	2. Milimani Commercial MCEP 20/2017 Mariam Abdi Mohamud vs IEBC & Party of National Unity	Party List Petition, 14 Dec 2017
	3. Lamu MCEP 1/2017 Jane Njeri Kamande vs Anthony Njomo Maina & others	MCA, Bahari Ward 18 Dec 2017
	4. Kilgoris MCEP 3/2017 Tomito Alex Tampushi vs Patrick Sosio Lekakeny & 3 others	MCA, Shankoe Ward 18 Jan 2018
	5. Milimani MCEP 23/2017 Hamdia Yaroi Shek Nuri vs IEBC & 2 others	Party List Petition 19 Jan 2018
	6. Kisumu MCEP 1/ 2017 Julius Ochieng Omoro v. IEBC & 3 others	MCA, East Kano Wawidhi Ward 26 Jan 2018
	7. Kitui MCEP 1/2017 Musee Mati v. Baridi Felix Mbevo & Others	MCA, Mutonguni ward 31 Jan 2018
	8. Wajir MCEP 3/2017 Hassan Jimal Abdi vs Ibrahim Noor Hussein & 2 Others	MCA, Batalu Ward 2 Feb 2018
	9. Nyeri MCEP 1/2017 Omari Esha Wanjiku vs IEBC & 2 Others	Party List Petition 31 Jan 2018
	10. Nyeri MCEP 2/2017 Margaret Nyathogora & 5 Others vs IEBC & 14 Others	Party List Petition 31 Jan 2018
	11. Kisumu MCEP 2/2017 Peter Bado Okal vs IEBC & 2 Others	MCA, Central Nyakach Ward 5 Feb 2018
	12. Kwale MCEP 1/2017 Omar Hamisi Mohamed v. IEBC & 2 Others	MCA, Kinondo Ward 19 December 2017
	13. Makueni MCEP 2/2017 Lukas Mulinge Wambua v. IEBC & 3 others	Party List Petition 14 Feb 2018



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

	14. Milimani MCEP 16/2017 Bishop John Nduati vs IEBC	Party List Petition 16 Feb 2018
	15. Kakamega MCEP 12/2017 Annah Ngima Mwathi vs Amani National Congress and IEBC	Party List Petition 16 Feb 2018

Breakdown on 388 Election Petitions and Party List Petitions filed in 2017

POSITION	NUMBER	TOTAL
Governor	35	160
Senator	15	
Women Representatives	12	
Member of National Assembly	98	
Member County Assembly	139	139
Party List Petitions		89
a) Filed in High Court	9	
b) Filed in Magistrates Courts	80	

Quick summary of 244 petitions finalised: as at 16th Feb 2018

POSITION	NUMBER	TOTAL
Petitions allowed (15)		15
1. Upon Judgment	15	
2. Upon Ruling	None	
Petitions dismissed (199)		199
1. Upon Judgment	82	
2. Upon Ruling	117	
Petitions withdrawn	29	29
Petition abated (death of Respondent elect)	1	1
Petitions pending determination		144



SUMMARY OF FINALISED ELECTION PETITIONS 2017 & PARTY LIST PETITIONS 2017 AS AT 16th FEB 2018

Type	Outcome of Petitions	High Court	Electoral Seat	Magistrates Court	Electoral Seat	Total
Rulings delivered	Dismissed	42	MNA 19 Senator 3 Women Rep 7 Party List 5 Governor 8	75	MCA 47 Party List 28	117
	Withdrawn	14	Governor 4 MNA 5 Women Rep 2 Senator 2 Party List 1	15	MCA 8 Party List 7	29
	Petition abated	0	N/A	1	MCA 1	1
Judgements Delivered	Petitions dismissed	33	Governor 8 MNA 18 Women Rep 1 Senator 5 Party List 1	49	MCA 32 Party List 17	82
	Petitions allowed	1	Governor 1	14	Party List 7 MCA 7	15
	Total	90		154		244