

REPUBLIC OF KENYA
IN THE SUPREME COURT OF KENYA
PETITION NO.E009 OF 2022

BETWEEN

REUBEN KIGAME LICHETE.....PETITIONER

VERSUS

THE INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION.....1ST RESPONDENT

THE CHAIRPERSON INDEPENDENT ELECTORAL & BOUNDARIES COMMISSION.....2ND RESPONDENT

AND

ODINGA RAILA.....1ST INTERESTED PARTY

RUTO WILLIA SAMOEL.....2ND INTERESTED PARTY

WAIHIGA DAVID MWAURE.....3RD INTERESTED PARTY

WAJACKOYAH GEORGE LUCHIRI.....4TH INTERESTED PARTY

FREE KENYA INITIATIVE (MOVEMENT).....5TH INTERESTED PARTY

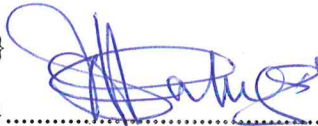
AFFIDAVIT OF 3RD INTERESTED PARTY

I, DAVID MWAURE WAIHIGA, a Resident of Nairobi, in the Republic of Kenya and of Post Office Number 75642-00200 Nairobi, **MAKE OATH** and **STATE** as follows:

1. **THAT** I am the Third Interested Party in this petition.
2. **THAT** I am also Presidential candidate in this petition
3. **THAT** I wish to leave this matter to the decision of the court because, I am not privy to most of the matters being canvassed in this petition save that, I know that the Petitioner was not cleared. I also know that during his first appearance before the IEBC for nominations, he did not have the requisite 48,000 signatures and copies of identity cards of supporters. This I know because he did communicate that issue to me by text message. What happened in subsequent appearances, I am not privy to but I make the observation that annulling the whole election process will be rather disruptive and have grave consequences.
4. **THAT** the facts I have deponed to above are correct to the best of my knowledge save where otherwise stated.

SWORN by the said

DAVID MWAURE WAIHIGA

} 
}.....
} **DEPONENT**

At Nairobi this 26th day of August 2022 }

Before me
NABWIRE WANYAMA
ADVOCATE & COMMISSIONER FOR OATHS
P. O. Box 65713 - 00607,
COMMISSIONER FOR OATHS
NAIROBI

Drawn & Filed by
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6. PROF. ABDI YAKUB GULIYE,
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