

Sentencing Over the Period 2002 - 2003

Categories:

- 1) Offences Involving Violence to the Person/Part V Penal Code/ Offences Against the Person.
- 2) Offences Involving Firearms/Firearms Law
- 3) Sexual Offences/Part V (B) Penal Code/ Offences Against Morality
- 4) Drug Offences/Misuse of Drugs Law (1995 Revision)
- 5) Offences of Dishonesty/ Part VII Penal Code/Offences Relating to Property
- 6) Traffic Offences Involving Death/Traffic Law (2001 Revision)
- 7) Attempts and Conspiracies to Commit Crimes and Accessories after the Fact/ Part IX Penal Code.

OFFENCES AGAINST THE PERSON

MANSLAUGHTER
ASSAULT CAUSING GBH
ASSAULT CAUSING ABH

**STATEMENT ON TARRIFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 –SMELLIE,C.J.**

As regards ASSAULT CAUSING GBH under Section 201 of the Penal Code:

While the legislation has laid down a maximum penalty of life imprisonment for this offence, the circumstances under which it may be committed vary infinitely and the sentences handed down by this Court since 1998, have necessarily ranged from terms of probation to 12 years immediate imprisonment.

We are obliged to note that this provision of the Penal Code needs to be modernized as it could not be the modern legislative intent to regard the very wide range of circumstances under which offences of grievous bodily harm might be committed as being all amenable to the maximum penalty of life imprisonment.

We recommend that the Code be amended to create two categories of offence. The first being the offence of causing grievous bodily harm with intent carrying the maximum penalty now prescribed. The other, unlawfully causing grievous bodily *simpliciter* and not being an offence of specific intent to do grievous bodily harm, carrying a maximum penalty of 5 years. This recommendation is in keeping with the state of the law in the United Kingdom, Jamaica and other Commonwealth jurisdictions.

Manslaughter:

Section 181 Penal Code – Maximum Penalty of Life Imprisonment

Year 2002

R v Yannick and Oscar Solomon IND# 15/01.GC Session Sept/Oct 2001. CICA 45/01, Heard July 2002.

Charge: 0972/01 Count 1 – Murder
Plea: Not Guilty to Murder.
Guilty to Manslaughter by reason of Provocation.
Age: 18 and 20 respectively.
Summary Court: N/A.
Grand Court: Yannick
10 years.
Oscar
8 years.
CICA: Appeal by **Oscar Solomon** in July 2002 dismissed. Sentence affirmed. CICA commented that the 8 year prison sentence was a bit “low” for this type of offence.

Year 2003

R v Orn Kenneth Moncrieff IND# 69/01.GC Session Jan/Feb 2003.
(Sanderson J.) CICA 3/03 – Heard August 2003.

Charge: 5901/01:Count 1 – Murder
Plea: Not Guilty to Murder.
Age: 42 years old.
Summary Court: N/A.
Grand Court: Guilty of Manslaughter by reason of Diminished responsibility. Sentence of Life in Prison.
CICA: Sentence affirmed. Reasons delivered 5 December 2003

Assault Causing GBH:

Section 201 Penal Code – Maximum Penalty of Life Imprisonment. “A” Offence.

YEAR 2002

R v Richard Wesley Ebanks IND# 51/01 GCS Nov/Dec 2001. CICA 49/01 - Heard April 2002.

Charges: Case # 3522/01(1): Count 1: Attempted Murder
Case # 3522/01(01): Count 2: GBH
Case # 3522/01(2): Count 3: Assault-ABH

Plea: Count 1: Not Guilty
Count 2: Guilty
Count 3: Not Put

Previous Convictions: None

Age: 35 years

Summary Court: N/A

Grand Court: 6 years imprisonment.

CICA: Sentence appeal allowed. Sentence of 4 years substituted.

R v Herman A. Byrd IND# 21/01; 25/01/22/01 and 35/01. GCS March/April 2002, CICA 5/02
(See also ABH and Burglary)

Charges: Case # 0788/01(2): Count 1: Attempted Robbery.
Ind#21/01:Case # 6310/00(2): Count 2: GBH
Ind#25/01: Case # 5914/00(4): Count 3 – Robbery
Ind#22/01:Case # 6310/00(2): Count 6 – Assault Occasioning ABH.
Ind#35/01: Case # 1974/01: Count 1 – Burglary

Plea: Ind#35/01-Burglary-Guilty
Ind#21/01- Counts 1 – Not Guilty
Ind#21/01 – Count 2 – Guilty
Ind#25/01 – Count 3 _ Not Guilty

Previous Convictions:

Age:

Summary Court:

Grand Court:

Ind#22/01 – Count 6 - Guilty

Unknown

32 years old

N/A

Ind#35/01 - Count 1- 12 months

Ind#21/01 - Count 2 – 4 ½ years (GBH)

Ind#22/01 - Count 6 – 2 years (ABH)

Time in prison not to count. Sentences to run concurrently.

CICA:

R v Fabian Mark Powell IND# 45/01 & 65/01.GCS March/April 2002

(See Possession of Unlicensed Firearm)

Charges:

Ind# 45/01 Count 1 – GBH

Ind# 65/01 Count 1 – Possession of Unlicensed Firearm

Plea:

Guilty to both Counts

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

N/A

Grand Court:

Ind#45/01: Count 1: 18 months

consecutive to IND#65/01

Ind# 65/01 – 6 months consecutive to

IND#45/01

CICA:

R v Albert Frank Ebanks IND# 49/01; GCS May/June 2002

(See ABH)

Charges:

Case # 190/00: Count 1: GBH.

Case # 190/00: Count 2: ABH.

Plea:

Guilty.

Age:

16 years old

Summary Court:

N/A

Grand Court:

Community Service Order of 200 hours.

Costs of \$300.00 to the prosecution.

Quarterly reports to be produced from

Community Service Order Organiser.

R v Ryan Alija Ebanks IND# 16/02; GCS July/August 2002

(See ABH)

Charges:

Case # 190/00: Count 1: GBH.

Plea:

Not Guilty.

Age: 24 years old
Summary Court: N/A
Grand Court: **3 years imprisonment. Time served to count.**

R v Ron O'Neil Gauntlett IND# 67/01; GCS May/June 2002; CICA 12/02 Heard July 2002

Charges: **Case # 5793/01: Count 1: GBH.**
Plea: **Not Guilty. Verdict: Guilty**
Previous Convictions: Unknown
Age: 23 years old
Summary Court: N/A
Grand Court: 3 years.
CICA: **Appeal withdrawn. Conviction and sentence affirmed**

R v William N. Fredrick IND# 28/02. Heard November 2002 CICA 35/02 – Not Yet Heard. Appeal heard December 2003

Charge: Assault causing GBH
Plea: **Not Guilty**
Previous Convictions: **Unknown**
Age: 21 years old.
Summary Court: N/A.
Grand Court: **3 years**
CICA: **Appeal dismissed. Conviction and sentence affirmed.**

R v Ryan Alija Ebanks IND # 16/02. CICA 23/02 – Heard November 2002

Charges: GBH.
Amount: N/A
Plea: Unknown
Previous Convictions: Unknown.
Age: Unknown.
Summary Court: N/A
Grand Court: **3 years.**
CICA: **Appeal allowed. Conviction quashed. New trial ordered. Accused on bail pending re-trial.**

YEAR 2003

R v Ian George Duffell IND#44A/02 Case #s 3868/02, 4665/02(2) and 465/02(1)GC
Session Jan/Feb.2003.
(See ABH)).

Charges: Ind# 44A/02:
Counts 1: GBH
Count 2: ABH
Count 3: ABH
Ind# 44/02
Plea: Count 1, 2 &3 on Ind 44A/02: Guilty Plea.
Count1 on 44/02: Guilty Plea.

Previous Conviction:
Age: 32 years old
Summary Court:
Grand Court: Ind# 44A/02
Counts 1: 12 months.
Count 2: 6 months concurrent
Count 3: 6 months concurrent.
Ind# 44/02
Count 1 : 6 months consecutive to Count 1
on Ind#44A/02.
Total of 18 months.

R v George McFarlane IND# 43/02.GC Session March/April 2003.

Charge: **Count 1:GBH**
(58/02- 5886/02)

Plea: **Not Guilty to 58/02**
Guilty

Age: 20 years old.

Summary Court: N/A.

Grand Court: **3 years imprisonment.**

R v Ryan Alija Ebanks IND# 16/02. Case # 0913/02; GC Session May/June 2003.
(Henderson J. with Jury)

Charge: **Count 1:GBH**

Plea: **Not Guilty**
Guilty

Age: 24 years old.

Summary Court: N/A.

Grand Court:

2 years imprisonment. Time served not to be taken into account.

R v Leon Clarke GC Session May/June 2003. IND# 14/03.CICA 8/04 Not yet heard
(See Robbery & Firearm Offences) (Levers J.)

Charges:

Case # 1026/02

Count 1 – Robbery

Count 2 – Attempted Murder

Count 3 - GBH

Count 4 - GBH

Count 5 - Possession of Firearm w/intent to commit an indictable offence.

Count 6 - Possession of an Unlicensed Firearm

Plea:

Guilty to Counts 1,3,4 & 5

Not Guilty to Counts 2 & 6.

Grand Court:

Count 1 – 10 years.

Count 2 - To lie on File

Count 3 - 6 years imprisonment.

Count 4 - 6 years imprisonment.

Count 5 - 7 years imprisonment.

All sentences to run concurrently.

R v Linberg Crawford Tatum IND# 48/03 GCR Session September/October 2003
(See ABH) (Hibbert J.)

Charges:

Case # 034/02(1):Count 1:GBH.

Case #034/02(2):Count 2: ABH

Plea:

Guilty

Previous Convictions:

Not Known

Age:

47 years.

Summary Court:

N/A

Grand Court:

Count 1: 2 years imprisonment.

Count 2: 9 months concurrent.

Defendant to undergo Psychiatric treatment whilst in Custody.

R v Annie Mae (Betty) Ebanks IND# GCR Session September/October 2003
(Henderson J. with Jury)

Charges:

Case#9079/02:Count 1:GBH.

Plea:

Not Guilty

Previous Convictions:
Age:
Summary Court:
Grand Court:

Defence of Self- defence

None
41 years(23.8.62)
N/A

Count 1: Probation for 18 months with Conditions:

\$100 per month for 18 months.
House arrest - Ebanks top remain at her residence at all times unless permitted to leave by terms of Court Order. 1 hr. once per week for Church; 2 hours once per week for grocery shopping. Police to make impromptu visits to see that the Defendant obeys order.

Facts:

Stabbed Complainant with knife. Significant provocation on night of stabbing. General provocation over a period of months if not years.

R v Ricky Rankine IND#14/03 GCR November/December 2003. Coram Levers J. with jury. (See ABH, Robbery, Possession of Firearm) CICA 25/03. Heard August 2004.

Charges:

Case # 10267/02:Count 1: Robbery.
Case # 0109/03(1): Count 2 :Attempted Murder.
Case# 0109/03(2): **Count 3 GBH**
Count 4 ABH
Case #0109/03(3):Count 5:Possession of Firearm
Case#0109/03(4): Count 6: Possession of Unlicenced Firearm.

Amount:

N/A

Plea:

13/6/03: Not Guilty to all 6 Counts.
26/11/03: Guilty to Counts 5&6.

Previous Convictions:

Unknown

Age:

34 years old

Summary Court:

N/A

Grand Court:

Count 1: 18 years.
Count 3: 6 years.
Count 4: 8 years.
Count 5 : 5 years.
Count 6: Subsumed in Count 5.
Sentence on Counts 3,4,5 and 6 to run concurrently.

CICA:

**Appeal against convictions
dismissed. Convictions affirmed.**

Appeal against sentence for Count 1

allowed. Sentence of 18 years for

Count 1 vacated. Sentence of 15

years substituted. Sentence with

regard to Counts 3,4,5 & 6

affirmed.

Assault Causing Actual Bodily Harm:

Section 214 Penal Code – Maximum Penalty of 5 years. “B” Offence.

YEAR 2002

R v Roy Wilson IND# 64/01 GCR Session March/April 2002

Charges: Case # 3853/01(1):Count #1 Assault
Occasioning GBH
Case 3853/01(2) Count 2 : Assault
Occasioning ABH

Plea: Not Guilty to Count 1; Guilty to Count 2.
Plea accepted by Crown.

Previous Convictions: Not Known

Age: 37 years.

Summary Court: N/A

Grand Court: Compensation Order of \$ 1,200.00
Court expenses of \$200.00. 1 month in
default of any one payment.
2 years suspended sentence.
Conditional Discharge.

R v Huane Roy Frame IND# 38/01 GCS March/April 2002

Charges: Case # 1618/01: Count 1: Assault
Occasioning ABH.

Plea: Guilty

Previous Convictions: Unknown

Age: 26 years old

Summary Court: N/A

Grand Court: 100 hours community service to be
completed within 6 months.
Payment of \$1000.00 towards the
complainant's hospital expenses.

CICA:

R v Herman A. Byrd IND# 21/01; 25/01/22/01 and 35/01 GCS March/April 2002
(See also GBH, Burglary)

Charges: Case # 0788/01(2): Count 1: Attempted

Robbery.
Ind#21/01:Case # 6310/00(2): Count 2:
GBH
Ind#25/01: Case # 5914/00(4): Count 3 –
Robbery
**Ind#22/01:Case # 6310/00(2): Count 6 –
Assault Occasioning ABH.**

Plea:

Ind#35/01: Case # 1974/01: Count 1 –
Burglary
Ind#35/01-Burglary-Guilty
Ind#21/01- Counts 1 – Not Guilty
Ind#21/01 – Count 2 – Guilty
Ind#25/01 – Count 3 _ Not Guilty
Ind#22/01 – Count 6 - Guilty

Previous Convictions:

Unknown

Age:

32 years old

Summary Court:

N/A

Grand Court:

Ind. #35/01 - Count 1- 12 months
Ind. #21/01 - Count 2 – 4 ½ years(GBH)
Ind. # 22/01 - **Count 6 – 2 years(ABH).**
**Time in prison not to count. Sentences to
run concurrently.**

CICA:

R v Albert Frank Ebanks IND# 49/01; GCS May/June 2002

(See GBH)

Charges:

Case # 190/00: Count 1: GBH.
Case # 190/00: Count 2: ABH.

Plea:

Guilty.

Age:

16 years old

Summary Court:

N/A

Grand Court:

**Community Service Order of 200 hours.
Costs of \$300.00 to the prosecution.
Quarterly reports to be produced from
Community Service Order Organiser.**

R v Tyroll Irvin Powell IND# 70/01; GCS July/August 2002

Charges:

Case # 4036/01: Count 1: GBH.

Plea:

Not Guilty to GBH but **Guilty to ABH.**
Plea acceptable to Crown.

Age:

29 years old

Summary Court:

N/A

Grand Court:

**2 years imprisonment. Time served to
count.**

R v Joseph Anthony Betty IND# 49/02. SCA September 2002

Charges: Case # 2669/02:ABH.
Plea: Guilty
Age: Unknown
Summary Court: N/A
Grand Court: 3 years imprisonment. Time served to

R v John Lucas Bernard IND#43/00; CICA 27/02. Heard December 2003
(See Attempted Murder)

Charges: Count 1 - ABH,
Count 2 - GBH
Count 3 - Attempted murder.
Contempt of Court.
Plea: Not Guilty
Previous Convictions: None
Age: Unknown
Summary Court: N/A
Grand Court: Count 1 - 3 months concurrent to Count 3.
Count 2 - 3 months concurrent to Count 3.
Count 3 - Attempted Murder - 14 years.
3 months consecutive for ABH.
CICA: . Appeal dismissed.
Conviction and Sentences affirmed.
Appeal adjourned With respect to
Contempt of Court.

R v Belinda Thompson SCA# 21/02; Heard October 2002.

Charges: Case # 6495/01: Assault causing ABH.
Plea: Not Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: 18 months. Compensation Order made.
Defendant to pay \$1500.00 to victim. Has 3
months after release to do so.
Grand Court: Sentence Appeal allowed. Sentence varied
to time served. Time to pay compensation
extended to 6 months.

R v Errollyn Thompson SCA# 21/02; Heard October 2002.

Charges: Case # 6496/01(1): Damage to Property.
Case # 6496/01(2): Assault causing ABH.

Plea: Not Guilty

Previous Convictions: Unknown

Age: Unknown

Summary Court: 6496/01(1): 6 months. Compensation of \$979.60 to be paid to victim.
6496/01(2): 2 years concurrent.
Compensation Order made.
Defendant to pay \$2000.00 to victim. Has 3 months after release to do so.

Grand Court: **Sentence Appeal allowed. Sentence varied to 2 years with the 2nd year suspended for 2 years. Time to pay compensation extended to 6 months.**

YEAR 2003

R v Lyndon Ivan Banks IND# 58-59/02.GC Session March/April 2003.
(See Aggravated Burglary) (Kellock J.). CICA 9/03: Heard August 2004.

Charge: **Count 1:Aggravated Burglary (58/02- 5907/02)**
Count 2: Assault Occasioning ABH (59/02 - 7121/02(1))

Plea: **Not Guilty to 58/02**
Guilty to 59/02

Age: 40 years old.

Summary Court: N/A.

Grand Court: **Ind #58/02: 4 years consecutive to 59/02**
Ind#59/02: 12 months imprisonment.
Appeal against conviction allowed.
Conviction for Aggravated burglary quashed. Sentence set aside. Conviction for burglary substituted.
Appeal against sentence allowed.
Sentence of 3 years for Ind.58/02 (burglary) imposed, consecutive to Ind 59/

CICA

(12 months). Total sentence of 4 years.

R v Joel Jason Smith SCA#16/03 - Heard August 2003

(See Cocaine, Ganja).

Charges:

Case# 9190/02(1) - Threatening Violence
Case#9190/02(2) -Assault causing ABH
Case#9190/02(3) - Carrying an offensive
Weapon
Case#0368/03 - Failing to Surrender to
Custody
Case#9071/02(1) - Possession of Cocaine
Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug
Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)
Case#9246/02 Failing to Surrender to
Custody
Case#9603/02 - Failing to Surrender to
Custody

Plea:

Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case# 9190/02(1) - Threatening Violence
9 months imprisonment
Case#9190/02(2) -Assault causing ABH
9 months concurrent
Case#9190/02(3) - Carrying an offensive
Weapon
9 months concurrent
Case#0368/03 - Failing to Surrender to
Custody
30 days
Case#9071/02(1) - Possession of Cocaine
3 months consecutive
Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug
3 months concurrent
Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)
3 months concurrent
Case#9246/02 Failing to Surrender to
Custody
30 days concurrent
Case#9603/02 - Failing to Surrender to
Custody
30 days concurrent

Grand Court:

Dismissed for want of Prosecution-1/8/03

R v Eric Andrew Douglas GC Session May/June 2003. IND# 22/02. CICA 13/03 Heard December 2003.

Charges:

Case # 6659/01(1) Count 1 – GBH

Count 2 – ABH

Plea:

Count 1: Not Guilty.

Count 2: Guilty.

Age

23 years old

Summary Court

N/A

Grand Court:

Count 1 – Left on File

Count 2: 3 years imprisonment.

To attend anger management.

CICA

Appeal allowed against sentence.

Sentence of 2 years substituted.

R v Ian George Duffell IND#44A/02 Case #s 3868/02, 4665/02(2) and 465/02(1)GC Session Jan/Feb.2003.
(See GBH).

Charges:

Ind# 44A/02:

Counts 1: GBH

Count 2: ABH

Count 3: ABH

Ind# 44/02

Plea:

Count 1, 2 &3 on Ind 44A/02: Guilty Plea.

Count1 on 44/02: Guilty Plea.

Previous Conviction:

Age:

32 years old

Summary Court:

Grand Court:

Ind# 44A/02

Count 1: 12 months.

Count 2: 6 months concurrent

Count 3: 6 months concurrent.

Ind# 44/02

Count 1 : 6 months consecutive to Count 1 on Ind#44A/02.

Total of 18 months.

R v George Roy Connolly IND#29/02 Case #s 1318/02(2), 1857/02(1); 1857/02(2). GC
Session Jan/Feb.2003.
(See Defilement)

Charges: Counts 1: Defilement
Count 2: Interfering with a witness
Count 3: ABH

Plea: Counts 1& 3: Guilty Plea
Count 2: Not Guilty

Previous Conviction:

Age: **29 years old**

Summary Court:

Grand Court: Count 1: 6 months.
Count 2: No evidence offered. Defendant
Acquitted.
Count 3: 6 months consecutive
Total of 12 months.

R v Dwayne Stephen Seymour and Rex Allen McLaughlin IND# 57/01 GCS
March/April 2002 CICA 1/03 Appeal heard April 2003 for Seymour re remand time.

Charges: **Seymour**
Case # 0116/01(2): Count 1: Abduction
Case # 0118/01: Count 2: Abduction
**Case # 0119/01: Count 3 – Assault
occasioning ABH.**

McLaughlin
01187/01: Count 2: Abduction.

Plea: **Seymour**
Counts 1-3: Guilty
McLaughlin
Count 2- Guilty.

Previous Convictions: **Unknown**

Age: Seymour: 25 years old
McLaughlin: Unknown

Summary Court: N/A

Grand Court: **Seymour**
Count 1: 2 years
Count 2: 2 years
Count 3: 3 months.
Time spent in Custody not to Count.
Sentences to run concurrently.

McLaughlin

Count 2 : 18 months suspended for 2 years.
No order as to costs.

CICA:

Appeal on grant of remand time under s.32 (1) (b) Prisons Law. Appeal granted. Sentence now to commence 19th February 2002.

R v Salvador Carasana IND# 52/02 GCR Session May/June 2003
(Henderson J. with Jury)

Charges:

Case # 4867/02(3):Count #1 Assault Occasioning ABH

Case 4867/02(5) Count 2 : Threatening violence

Plea:

Not Guilty to Counts 1 & 2.

Previous Convictions:

Not Known

Age:

24 years.

Summary Court:

N/A

Grand Court:

Probation Order for 1 year.

Conditions:

- 1. Anger Management Counselling**
- 2. 50 Hours of Community Service supervised by Probation Officer.**
- 3. Not come within 100 feet of Bar or nightclub.**

R v Vanburen Walton Welds IND# 15/03 GCR Session May/June 2003
(Sanderson J.)

Charges:

Case # 0449/03(3):Count #1 Assault Occasioning ABH.

Plea:

Guilty

Previous Convictions:

Not Known

Age:

40 years.

Summary Court:

N/A

Grand Court:

9 months imprisonment.

Compensation Order in amount equal to expenses for Medical Treatment not to exceed \$15,000.00.

R v Carson Nelson Christian GC Session July/August 2003. IND# 38/03; Case # 3860/02(1); 3860/02(3); 3860/02(2); 3258/02;3509/02(2). (Downs J.)

Charges: **Case # 1026/02**
Count 1 – ABH
Count 2 – GBH
Count 3 - ABH
Count 4 - ABH
Count 5 - ABH (Guilty to Common Assault)

Plea: **Not Guilty to Counts 1 & 3,**
Guilty to Count 4 and Guilty to
Common Assault

Grand Court: 1 year suspended. 1 year Probation.
Compensation Order of 4300.00. 30 days to
pay. Default, 1 month. Pay costs of \$550.00.
90 days to pay. Default, 1 month. Liberty to
apply for extension of time on compensation
and costs.

R v Jason James Dixon IND# 53/02 GCR Session July/August 2003
(Sanderson J.)

Charges: Case # 8024/02(2):Count 1-Robbery
Case 8024/02(1) Count 2 Assault ABH

Plea: **Not Guilty to Count 1**
Late Guilty Plea to Count 2.

Previous Convictions: Not Known

Age: 36 years.

Summary Court: N/A

Grand Court: **Count 2: 18 months to run consecutive to**
9 months sentence for possession of Ganja
w/intent to Supply.

R v Rupert Junior Spence IND# 18/03 GCR Session July/August 2003
(Sanderson J.)

Charges: **Case # 9958/02(1):Count #1 Assault**
Occasioning ABH.

Plea: **Guilty**

Previous Convictions: Not Known

Age: 17 years.

Summary Court: N/A

Grand Court: **Count 1: 3 months imprisonment for**
assault.
3 months for breach of Probation on Ind#
41/01, 43/01 & 44/01.

Sentences to run consecutively. Time served to count.

R v David Manderson SCA#21/03 - Sentenced October 2002. Appeal withdrawn 25/9/03

Charges: Case#4780/02 - Assault causing ABH
Plea: Guilty
Amount: N/A
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#4780/02 - 12 months.
Grand Court: Appeal withdrawn 25/9/03.

R v Linberg Crawford Tatum IND# 48/03 GCR Session September/October 2003
(See ABH) (Hibbert J.)

Charges: Case # 034/02(1):Count 1:GBH.
Case #034/02(2):Count 2: ABH
Plea: Guilty
Previous Convictions: Not Known
Age: 47 years.
Summary Court: N/A
Grand Court: Count 1: 2 years imprisonment.
Count 2: 9 months concurrent.
Defendant to undergo Psychiatric treatment whilst in Custody.

R v Leonard Ransdale Webb SCA 27/03 Heard October 2003
(See ABH) (Henderson J.)

Charges: Case#100010/02-ABH.
Plea: Guilty
Previous Convictions: Not Known
Age: 46 years.
Summary Court: Domestic violence. Struck wife in head with handle of fishing knife; struck her head against a wooden partition; struck her with the flat side of his fishing knife in her back and using his finger to poke her under her right eye.
6 months imprisonment.
Grand Court: Appeal allowed. Sentence varied to 41/2

months imprisonment; suspended for 2 years.

R v Eladio Chesley Brown SCA 29/03 Heard October 2003
(Henderson J.)

Charges:

3503/03(1): ABH.

3503/03(2): Damage to Property

3503/03(3): Threatening Violence

3503/03(4): Threatening Violence

0829/03: ABH

9195/02(1) - Threatening Violence

9195/02(2) - Resisting Arrest

9195/03(3) - Assaulting Police

Plea:

Guilty to 3503/03(1), 3503/03(2) and 0829/03

Not Guilty to 3503/03(4), 0829/03,

9195/02(02) and 9195/02(3).

Previous Convictions:

35 convictions from 1988 to 2001, including common assault, disorderly conduct and ABH.

Age:

33 years.

Summary Court:

Domestic violence situation. History of violence in the family. Grabbed wife by the throat. Sustained bruises and small cuts.

3503/03(1) - 2 months consecutive to 0829/03.

0829/03 - 1 month imprisonment.

3503/03(2) - 2 weeks imprisonment concurrent with charge (1). Order to pay compensation of \$75.00 or 5 days.

9195/02(2) - 1 month concurrent with 3503/03 charge (1),(2),(3) & 4 and all other charges.

9195/02(3) - 1 month concurrent with 3503/03(1),(3) & (4) and all other charges.

Grand Court:

17-10-03 Appeal by AG on sentence struck off with liberty to re-list.]

26/3/04 - Crown Appeal allowed on File#9195/02 of Threatening Violence.

A sentence of 4 months on each count concurrent with each other is substituted; balance of appeal dismissed.

R v Mardo Winston Bush SCA 33/03 Appeal heard December 2003. CICA 26/03 Heard April 2004.

Charges: Case#3218/03(1) - Threatening Violence.
Case#3218/03(2) - Assault Causing ABH.
Case#3218/03(3) - Carrying an offensive
Weapon

Plea: **Guilty**

Previous Convictions: Not Known

Age: Not Known

Summary Court: Case#3218/03(1) - 2 years concurrent with
charge(2).
Case#3218/03(2) - 4 years.
Case#3218/03(3) - Left on File.

Grand Court: **Appeal dismissed.**

CICA **Sentence reduced to 3 years.**

R v Ricky Rankine IND#14/03 GCR November/December 2003. Coram Levers J. with jury. (See GBH, Robbery, Possession of Firearm). CICA 25/03. Heard August 2004.

Charges: Case # 10267/02:Count 1: Robbery.
Case # 0109/03(1): Count 2 :Attempted
Murder.
Case# 0109/03(2): Count 3 GBH
Count 4 ABH
Case #0109/03(3):Count 5:Possession of
Firearm
Case#0109/03(4): Count 6: Possession of
Unlicenced Firearm.

Amount: N/A

Plea: **13/6/03: Not Guilty to all 6 Counts.**
26/11/03: Guilty to Counts 5&6.

Previous Convictions: Unknown

Age: 34 years old

Summary Court:

Grand Court: Count 1: 18 years.
Count 3: 6 years.
Count 4: 8 years.
Count 5 : 5 years.
Count 6: Subsumed in Count 5.
Sentence on Counts 3,4,5 and 6 to run
concurrently.

CICA: **Appeal against convictions**
dismissed. Convictions affirmed.
Appeal against sentence for Count 1

**allowed. Sentence of 18 years for
Count 1 vacated. Sentence of 15
years substituted. Sentence with
regard to Counts 3,4,5 & 6
affirmed.**

FIREARM OFFENCES

**STATEMENT ON TARRIFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 – SMELLIE C.J.**

As regards **FIREARM OFFENCES** contrary to the Firearms Law:

The legislation is quite clear that the possession or use of any **unlicensed lethal barrel firearm** is an extremely serious offence. Under the Firearms Law the maximum penalty for possession of an unlicensed firearm is 20 years and a fine of CI\$100,000. The tariff for that offence unless there are very mitigating circumstances will be 10 years. If on the other hand aggravating circumstances exist, for instance, the use of the firearm for the commission of a serious offence, the tariff will be in keeping with decided cases and will be significantly higher.

FIREARM OFFENCES:

Section 15 – Firearms Law (1995 Revision). Liable on conviction to a fine of CI\$100,000.00 and to imprisonment for 20 years.

YEAR 2002

R v Fabian Mark Powell IND# 45/01 & 65/01.GCS March/April 2002
(See GBH)

Charges: Ind# 45/01 Count 1 – GBH
Ind# 65/01 Count 1 – Possession of Unlicensed Firearm
Plea: **Guilty to both Counts**
Previous Convictions: Unknown
Age: Unknown
Summary Court: N/A
Grand Court: Ind#45/01: Count 1: 18 months consecutive to IND#65/01
Ind# 65/01 – 6 months consecutive to IND#45/01

CICA:

R v Clive Dacres IND#4/01 GC Session Nov.2001. Graham J.
(See Attempted GBH). CICA 46/01 – Heard April 2002.

Charges: Counts 1 & 2: - Attempted Murder.
Counts 3 & 4 – Attempted infliction of GBH.
Count 5 – Possession of a Firearm with intent to commit an offence, namely an assault.
Count 6 – Possession of an unlicensed firearm

Plea: Not Guilty. (Judge alone).
Previous Conviction:
Age:
Summary Court:
Grand Court: Counts 1 & 2 – Acquitted.
Counts 3 & 4- 12 years on each count.
Count 5 – 8 years.
Count 6 – 5 years.
All sentences to run concurrent.

CICA: Conviction appeal dismissed. Sentence appeal allowed to the extent that the sentence on Counts 3 & 4 are varied to 9 years concurrent.

R v Barton Elsworth Rivers SCA 25/02. Appeal abandoned May 2002.

Charges: Case # 6629/01(1) Importation of a Firearm w/out a Permit.
6629/01(2): Possession of an Unlicensed Firearm with intent to Commit an Offence.
6629/01(3): Possession of Unlicensed Firearm.
6629/01(4-5): Threatening Violence.

Plea: Guilty

Previous Convictions: **Unknown.**

Age: Unknown

Summary Court: Case # 6629/01(1): 9 months concurrent to 6629/01(2), 6 months of which are suspended for 2 years.
6629/01(2): 18 months imprisonment, 12 months of which are suspended for 2 years.
6629/01(3): No separate penalty.
6629/01(4-5): To Lie on File.

Grand Court: **Appeal against sentence abandoned by notice dated 7/5/02.**

R v Rupert Junior Spence IND# 41/01;43/01 and 44/01. GCS July/August 2002

Charges: **Case # 68/01: Count 1: Possession of Unlicensed Firearm.**
Ind#43/01 Case# 109/01: Count 2: Possession of Imitation Firearm.
Ind#43/01 Case 108/01: Count 3: Attempted Robbery.
Ind#44/01 Case # 107/01: Count 4: Possession of Imitation Firearm with intent to Commit an Offence.

Plea: Guilty o Counts 1 and 4. Not Guilty to Counts 2 and 3.
On Count 3 – Not Guilty by Direction.

Age: 16 years old

Summary Court: N/A

Grand Court: **Probation Order for 2 years. Curfew in**

Place. To Obey lawful Orders of the Social Services and the Gov't Psychiatrist. 6 monthly report on progress required by Court.

R v Harrington Rivers IND# 62/00.GC Session Sept/Oct. 2000.
CICA 4/02 July 2002. (See Robbery)

Charge:	Case # 4786/00(1) – Count 1 – Robbery. Case # 4786/00(2) – Count 2 – Possession of Imitation firearm.
Plea:	Pleaded Guilty to Counts 1 & 2.
Previous Conviction:	Unknown
Age:	Unknown
Summary Court:	N/A.
Grand Court:	Count 1 – 4 years. Count 2 – 4 years to run concurrent to Count 1.
CICA:	Sentence appeal dismissed.

YEAR 2003

R v Gary Hurlston Ind#44/01CICA 40/01. Heard April 2003.

Charge:	Possession of Unlicensed Firearm
Amount:	N/A
Plea:	Not Guilty.
Previous Convictions:	Unknown.
Age:	Unknown.
Summary Court:	N/A
Grand Court:	2 years consecutive.
CICA:	Leave to Appeal conviction and sentence Granted in July 2002. Appeal dismissed. Sentences affirmed. Time spent in remand not to be taken into account. Remand time was never raised to the sentencing judge. Appellant may seek clemency from Executive Council.

R v George Anthony General IND# 61/01 GCS March/ April 2002,CICA 6/02 - Heard April 2003

Charges: **Case # 3563/01** Count 1: **Possession of Unlicensed Firearm**
Plea: **Not Guilty. Convicted 26/4/2002**
Previous Convictions: None in this Jurisdiction.
Age: 18 years old.
Summary Court: N/A
Grand Court: **8 years imprisonment.**
CICA: **Not impressed by the statement that appellatant was a boy and that the sentence was excessive. Appeal against sentence dismissed. Sentence affirmed.**

R v Leon Clarke GC Session May/June 2003. IND# 14/03. CICA 8/04 Not yet Heard (See Robbery & GBH) (Levers J.)

Charges: **Case # 1026/02**
Count 1 – Robbery
Count 2 – Attempted Murder
Count 3 - GBH
Count 4 - GBH
Count 5 - Possession of Firearm w/intent to commit an indictable offence.
Count 6 - Possession of an Unlicensed Firearm
Plea: **Guilty to Counts 1,3,4 & 5**
Not Guilty to Counts 2 & 6.
Grand Court: Count 1 – 10 years.
Count 2 - To lie on File
Count 3 - 6 years imprisonment.
Count 4 - 6 years imprisonment.
Count 5 - 7 years imprisonment.
All sentences to run concurrently.

R v Ricky Rankine IND#14/03 GCR November/December 2003. Coram Levers J. with jury. (See ABH, GBH and Robbery). **CICA 25/03. Heard August 2003.**

Charges: Case # 10267/02:Count 1: Robbery.
Case # 0109/03(1): Count 2 :Attempted Murder.
Case# 0109/03(2): Count 3 GBH
Count 4 ABH
Case #0109/03(3):Count 5:Possession of Firearm
Case#0109/03(4): Count 6: Possession of

Amount: Unlicensed Firearm.
Plea: N/A
13/6/03: Not Guilty to all 6 Counts.
26/11/03: Guilty to Counts 5&6.
Previous Convictions: Unknown
Age: 34 years old
N/A
Grand Court: Count 1: 18 years.
Count 3: 6 years.
Count 4: 8 years.
Count 5 : 5 years.
Count 6: Subsumed in Count 5.
Sentence on Counts 3,4,5 and 6 to run concurrently.
CICA: Appeal against convictions dismissed. Convictions affirmed.
Appeal against sentence for Count 1 allowed. Sentence of 18 years for Count 1 vacated. Sentence of 15 years substituted. Sentence with regard to Counts 3,4,5 & 6 affirmed.

OFFENCES AGAINST MORALITY/SEXUAL OFFENCES

RAPE

DEFILEMENT – GIRL UNDER 12 YEARS

DEFILEMENT – GIRL OVER 12 BUT UNDER 16 YEARS OLD

INDECENT ASSAULT

**STATEMENT ON TARIFFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 – SMELLIE C.J.**

As regards **SEXUAL OFFENCES**:

*For RAPE, which has become alarmingly prevalent, an offender can expect a tariff of between 10 and 12 years imprisonment.

*For DEFILEMENT OF A GIRL UNDER 12 YEARS a similar tariff of between 10 and 12 years will be applied.

*If the victim is over 12 but under 16 years of age, the Law prescribes a maximum penalty of 7 years. The Courts regard all sexual offences as very serious and all too prevalent. While the actual age of the girl within each category and the circumstances of the offence will always be important considerations, the basic tariff here will be 5 years where the offender had no reasonable cause to believe or did not in fact believe that the girl was of or above the age of 16 years.

RAPE:

Section 126 Penal Code – Maximum Penalty – Life Imprisonment. “A”
Offence.

YEAR 2002

DEFILEMENT OF A GIRL UNDER 12 YEARS:

Section 132(1) Penal Code – Maximum Penalty of 14 years.

YEAR 2003

R v George Roy Connolly IND#29/02 Case #s 1318/02(2), 1857/02(1); 1857/02(2). GC Session Jan/Feb.2003.
(See ABH)

Charges:

Counts 1: Defilement

Count 2: Interfering with a witness

Count 3: ABH

Counts 1 & 3: Guilty Plea

Plea:

Previous Conviction:

29 years old

Age:

Summary Court:

Count 1: 6 months.

Grand Court:

Count 2: No evidence offered. Defendant Acquitted.

Count 3: 6 months consecutive

Total of 12 months.

R v Jonathan Karl Campbell IND# 50/02.6651/01(1) & 6651/01(2) GC Session May/June 2003. (Levers J. with jury)

Charge:

Count 1: Incest

Count 2: Defilement of a Girl under 12 years of age.

Count 3: Indecent Assault

Count 4: Incest.

Count 5: Defilement of Girl under 12 years of Age

Count 6: Indecent Assault

Plea:

Not Guilty to all counts

Age:	40 years old.
Summary Court:	N/A.
Grand Court:	On Counts 4-6: Not Guilty by Direction Count 1: 14 years imprisonment Count 2: 14 years imprisonment concurrent to Count 1. Count 3: Subsumed in Count 1.

DEFILEMENT OF A GIRL OVER 12 BUT UNDER 16 YEARS:
Section 132(3) – Maximum Penalty of 7 years.

YEAR 2002

R v Eluno G. Liking IND# 30/02 GCS October 2002
(See GBH)

Charges:	Ind# 30/02 – Count 1 Defilement Count 2: Defilement Count #:Defilement
Plea:	Guilty to all Counts
Previous Convictions:	None
Age:	19 years
Summary Court:	N/A
Grand Court:	2 years probation with conditions as follows: Counselling for Mr. Liking and family Continued support of child in an amount of not less than \$75.00 per week

YEAR 2003

R v Allan Richard Moore IND# 49/02; Case #5612/02(1-2) GCS Jan/Feb 2003

Charges:	Count 1: Defilement Count 2: Defilement Count 3: Defilement
Plea:	Guilty to Counts 2&3 Not Guilty to Count 1
Previous Convictions:	None
Age:	20 years
Summary Court:	N/A
Grand Court:	12 months Probation Order. 100 Hours Community Service. Costs of \$500.00 - 2 months to pay.

R v Gary Steven Oliver IND# 20/03; Case # 0338/03 GCS May/June 2003
(Sanderson J.)

Charges: Count 1: Defilement
Plea: **Guilty**
Previous Convictions: **None**
Age: 18 years
Summary Court: N/A
Grand Court: **1 year Probation Order. 100 Hours
Community Service. Pay \$450.00 per
month to Kimberly Ebanks**

R v Jose Guadeloupe Sanchez GC Session July/August 2003. IND# 33/03.
(Henderson J.)

Charges: **Case # 64/03**
Count 1 – Defilement of Girl under 16 years
Count 2 – Defilement of Girl under 16 years
Count 3 - Defilement of Girl under 16 years.
Plea: **Guilty to all Counts.**
Age **15 years old**
Grand Court: **Probation Order made for 1 year with
following conditions:
That he find employment and attend
Daily;
Curfew between 9pm-6:30 am -
Weekdays;
Counselling for anger management;
Continuation of Drug counselling; and
40 hours of Community service.**

R v Bruce Lee Coulson GC Session July/August 2003. IND# 23/03.
(Henderson J.)

Charges: **Case # 3216/03(1)** Count 1 – Defilement of
Girl under 16 years
Case # 3216/03(2) - Count 2 – Defilement
of Girl under 16 years
Case # 3216/03(3) Count 3 - Defilement of
Girl under 16 years.
Plea: **Guilty to all Counts.**
Age **19 years old**
Grand Court: **Probation Order made for 1 year on each**

Count.
50 hours of Community service.

INDECENT ASSAULT:

Section 130(1) Penal Code – Maximum Penalty of 7 years.

YEAR 2002

R v Eric Andrew Douglas IND# 50/01; GCS July/ August 2002.

Charges: Case # 1977/01(1): Count 1:Defilement of Girl under 16 years.
Case # 1977/01(2): Count 2: Defilement of a Girl under 16 years of age.
Case# 1977/01(3) Count 3 – Indecent Assault.

Plea: **No evidence on Count 1 and 2. Plea of Guilty on Count 3.**

Age: 22 years old

Summary Court: N/A

Grand Court: **6 months imprisonment.**

YEAR 2003

R v Pablo Andrade Bush IND#41/02 GC Session January 2003. Case # 7277/02

Charges: Counts 1: Attempted Defilement
Count 2: Indecent Assault

Plea: Count 1: Not Guilty
Count 2: Guilty

Previous Conviction:

Age: **32 years old**

Summary Court: N/A

Grand Court: Counts 1: To Lie on File.
Counts 2: 2 years imprisonment

R v Chad Jonathan Anglin IND# 33A//00 and 64/00
GC Session March/April 2001. CICA 34/02 – Heard April 2003

Charge: Case#4697/00(1-6) and Case#2082/00.

Plea:

Previous Convictions:

Age:

Summary Court:

Grand Court:

CICA:

Count – 1 – Defilement.

Count – 2- Indecent Assault.

Count – 3 – Defilement.

Count – 4, 5 AND 6 – Indecent Assault.

Count - 7 – ABH.

Count 8 – Indecent Assault.

Count 9 – Threatening Violence at night.

Count 10 – Rape

Count 11 – Defilement.

Count 12 – Indecent Assault.

Guilty to Counts 2, 4, 5, 6 and 8.

No evidence offered on others.

Unknown

21 years old.

N/A.

Count 2 – 18 months.

Count 4 – 18 months.

Count 5 – 18 months.

Count 6 – 18 months.

Count 8 – 18 months.

Sentences to run concurrently but are to commence at the expiration of the sentence now being served.

Appeal dismissed. Sentence affirmed. Court said that the appellant was very fortunate that he only got 18 months, even though the girl was of some "experience"

R v Manuel Ramirez Carter IND# 8/03 GCR Session September/October 2003
(See Burglary) (Henderson J.) CICA 22/2003 Heard December 2003

Charges:

Case # 7724/02(1):Count 1:Indecent Assault

Case #1052/03:Count 2: Burglary

Case# 0901/0(1): Count 3: Burglary

Count 4: Indecent Assault

Guilty to Counts 1, 2 & 3

Plea:

Previous Convictions:

Age:

Summary Court:

Grand Court:

Not Known

22 years.

N/A

Count 1: 4 years imprisonment.

Count 2: 2 years and 8 months consecutive to Count 1.

Count 3: 4 years consecutive to Counts 1 &

2. Recommended for thorough psychiatric assessment before consideration is given for parole.

Appeal against sentence dismissed.

CICA

R v Yobanny Lopez Castillo SCA#13/03

(See ABH)

Charges:

Case#8233/02: Indecent Assault

Plea:

Not Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Fined \$750.00 or 4 months in default.

Time of 2 weeks to pay.

Grand Court:

Appeal withdrawn 22/5/03.

OFFENCES RELATED TO HARD DRUGS:

Sentencing relating to offences contrary to Section 4(1) Misuse of Drugs Law which relate to a controlled drug which is a Hard Drug.

Second Schedule Part B:

Buying, consuming, possessing, assisting or being concerned in, attempting: 2 ounces or more: Maximum Penalty of 15 years and a fine without limit as to the amount: First Conviction.

2nd or subsequent conviction: 15 years + a fine without limit as to the amount.

Offences of Selling, Dealing in, Distributing, Supplying, Dispensing, Storing, Issuing a Prescription for, Administering, Possessing with intent to supply, Importing, Exporting, Producing, Assisting or being concerned in, Attempting: Less than 2 ounces: Maximum Penalty – 15 years + fine without limit – First Conviction.

2nd or subsequent conviction: 20 years + fine without limit as to the amount.

Offences same as above. 2 ounces or more: - Maximum penalty – 20 years + fine without limit as to amount.

2nd or subsequent conviction: 30 years + a fine without limit as to amount.

**STATEMENT ON TARIFFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 – SMELLIE C.J.**

As regards **DRUG OFFENCES** under the Misuse of Drugs Law and in particular those related to the widespread problem with cocaine abuse in these Islands, the following tariffs are now confirmed:

For simple possession, the Court will always do what it properly can to steer an offender along the path of rehabilitation using such resources as are available. Over the past year, 6 charges of simple possession were brought in conjunction with other charges involving possession with intent to supply or importation. In those circumstances, and if the latter charges are proved, the Court has typically allowed the sentence to reflect the more serious offence and might properly see no need to impose a separate penalty for the possession offence.

Where the offence is possession *simpliciter* with no related element of dealing or importation but an apparent addiction, the new approach to sentence recognises that the emphasis should be upon rehabilitation. This is the category of offence for which the Drug Court regime will be primarily established. The intention there will be to ensure compliance with counselling, physical and psychological therapy and random drug testing. The length of the regime will be determined by the needs of the addict.

Nevertheless, there will be offenders who are in possession not linked to trafficking but who are not yet shown to be addicted and in respect of whom a sentence of deterrence might be appropriate. In such cases a tariff for amounts ranging from 1 gram to 10 grams has for many years been and will continue to be 9 to 12 months imprisonment and a fine of up to CI\$1,000.00 for a first offence. For a second or subsequent offence – 1 ½ years and a fine of up to CI\$2000.00.

At the other end of the scale of gravity, that is to say, trafficking in hard drugs in any quantity as defined in the Misuse of Drugs Law, the maximum penalty prescribed for offences involving 2 ounces or more is 20 years for the first offence and 30 years for a second or subsequent offence with an unlimited fine in each case. That of course is the maximum – the sentence for the worse possible offence by the worse possible offender.

The tariff for a first such offence, involving less than 2 ounces of cocaine or less than 4 grams of cocaine base without mitigating circumstances, will be 8 years.

For offences involving 2 ounces or more or 4 grams or more of cocaine base without mitigating circumstances the tariff will be 10 to 12 years. 15 years or more will be imposed where such an offence involves substantial importation or dealing in anyway either in powder or crack cocaine. We would define ‘substantial importation or dealing’ as any transaction involving several ounces or kilo quantities.

The Courts recognise that many of the people caught are couriers or intermediaries and that the worse offenders in the chain of distribution often remain concealed. Therefore there will be a substantial discount on sentence for those offenders who are prepared to co-operate with the police in their enquiries.

COCAINE RELATED CASES
IMPORTATION
POSSESSION WITH INTENT TO SUPPLY
SUPPLYING/SELLING
BEING CONCERNED IN THE IMPORTATION OF COCAINE
BEING CONCERNEN IN THE POSSESSION OF COCAINE WITH
INTENT TO SUPPLY
CONSUMPTION
SIMPLE POSSESSION

COCAINE RELATED CASES:

YEAR 2002

R v Heron Elton Francis SCA# 13/02; Sentenced February 2002.

Charges:	Case # 6582/00(1): Possession of Cocaine
Amount:	Unknown.
Plea:	Guilty
Previous Convictions:	Unknown
Age:	Unknown
Summary Court:	9 years.
Grand Court:	Not yet heard.

R v Dwayne Miguel Evans SCA# 16/02; Sentenced February 2002 and June 2002. Application to appeal out of Time refused 12/04/02. (See Burglary, Attempted Theft, Theft and Ganja).

Charges:	Case # 4907/01: Burglary. Case # 4906/01: Attempted Theft. Case # 4404/01(1): Possession of a Utensil Used in the Consumption of a Controlled Drug. Case # 4404/01(3): Consuming Cocaine. Case # 4404/01(4): Being Concerned in namely Cocaine. Case#6806/01(1): Consumption of Cocaine. Case # 6806/01(2): Consumption of Ganja. Case # 6806/01(3): Possession of Cocaine. Case # 0021/01: Theft. Case # 0128/01(1): Burglary. Case # 0128/01(2): Damage to Property. Case # 0128/01(3): Threatening Violence. Case # 0128/01(4): Carrying an Offensive Weapon. Case # 0128/01(5): Resisting Arrest
Amount:	Unknown.
Plea:	Guilty
Previous Convictions:	Unknown

Age: Unknown
Summary Court: Case # 4907/01: 2 ½ years consecutive to sentence of 18 months suspended on 12/06/01.
Case # 4906/01: 9 months consecutive.
Case # 4404/01(1): 6 months consecutive.
Case # 4404/01(3): 6 months concurrent.
Case # 4404/01(4): 6 months concurrent.
Case#6806/01(1): 6 months concurrent.
Case # 6806/01(2): 6 months concurrent.
Case # 6806/01(3): 6 months concurrent.
Case # 0021/01: 6 months concurrent.
Case # 0128/01(1): 2 years. 18 months suspended for 2 years.
Case # 0128/01(2): 2 years Probation.
Case # 0128/01(3): 6 months concurrent.
Case # 0128/01(4): Probation Order of 2 years made concurrent
Case # 0128/01(5): 7 days
Grand Court: **Leave to Appeal out of Time Refused.**

R v Osbourne Wilfred Douglas SCA# 27/02; Sentenced March 2002. (Youth Court)

Charges: Case # 232/01: Possession of Cocaine WITS.
Case # 233/01: Possession of Cocaine subsumed in 232/01
Amount: Unknown.
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: **3 years.**
Grand Court: Application to appeal out of time refused 13/5/02

R v Richard Nelson Ebanks SCA# 12/02; Application to appeal out of Time refused March 2002.

Charges: Case # 1975/01(1): Possession of Cocaine WITS.
Case # 0801/02(3): Possession of Cocaine.
Case # 1975/01(3): Consumption of Cocaine.
Amount: Unknown

Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: **1975/01(1) – 18 months.**
1975/01(2) – Charge Not Put.
1975/01(3) – 1 month concurrent to
1975/01(1).
Drug destroyed. Money confiscated.
Grand Court: **Application to appeal out of Time refused**
15/03/02.

R v Vernon Denville Gunter SCA# 36/02; Sentenced March 2002. SCA heard June 2003. CICA No.12/2003. Heard December 2003

Charges: **Case # 1375/02(3): Importation of Cocaine.**
Case # 1375/02(1): Possession of Cocaine.
Left on File.
Case # 1375/02(2): Possession of Cocaine
WITS.
Left on File.
Amount: 383.3 grams.
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: **Case # 1375/02(3): 10 years. Time spent in custody on Remand to be deducted.**
CICA Appeal against sentence dismissed. Sentence affirmed.

R v Duncan Wright Sentenced April 2002.SCA# 23/02 – Adjourned in Feb 2003 generally to allow for appointment of lawyer. Legal aid granted.
(See Ganja)

Charges: **Case # 5680/01(2): Possession of Cocaine WITS.**
Case #5680/01(3) Possession of Ganja
Case # 5680/01(4)/01 Consumption of Ganja.
Amount: 1.208 grams or 0.045 ozs of Cocaine.
0.508g (0.017 oz.) ganja
Plea: Guilty
Previous Convictions: **20 previous.** Includes possession of controlled drugs (ganja and cocaine)

Age:
Summary Court:

WITS
38 years old.
5680/01(2): 5 years.
5680/01(3): 9 months concurrent to
5680/01(2).
5680/01(4): 6 months concurrent to
**20 previous offences including burglary,
robbery consumption of ganja and
cocaine, possession w/intent to supply.**
Offence committed while defendant on
probation. Said to be 2nd offence of dealing
in a controlled drug and a persistent
offender.

Grand Court:

**Adjourned generally to allow for
appointment of lawyer.**

R v Robert Kevin Ebanks SCA# 24/02; Sentenced April 2002. SCA Not Yet Heard.
(See Ganja)

Charges:

Case #0031/02(1) Consuming Ganja
**Case # 0031/02(2)/01 Permitting Premises
to be used for the Purpose of
Consumption of a Controlled Drug,
Namely, Cocaine.**
4438/01(1): Possession of Cocaine.
4438/01(2): Consuming Cocaine
4438/01(3): Resisting Arrest.
3196/00(1): Consuming Cocaine.
3196/00(2): Consuming Ganja.
3196/00(3): Possession of Cocaine
5436/01(1): Abstracting Electricity
5436/01(2): Criminal Trespass
0604/02: Escaping Lawful Custody.
3079/01: Failing to Surrender to bail
Conditions.
5598/01: Failing to Surrender to Custody.
4864/01: Failing to Surrender to Custody
Unknown
Guilty
Unknown
Unknown
Case #0031/02(1): 12 months concurrent.
**Case # 0031/02(2)/01: 12 months
concurrent.**
4438/01(1): 12 months concurrent.

Amount:
Plea:
Previous Convictions:
Age:
Summary Court:

4438/01(2): 12 months concurrent.

4438/01(3): Left on File.

3196/00(1):12 months.

3196/00(2): 12 months concurrent.

3196/00(3): Left on File.

5436/01(1): 6 months.

5436/01(2): 30 Days consecutive.

0604/02:30 days consecutive.

3079/01: 30 days consecutive.

5598/01: 30 days consecutive.

4864/01: 30 days consecutive.

Total of 23 months.

Grand Court:

R v Joe Al Martino Bush SCA 35/01 - Appeal heard April 2002.

Sentencing in S.C. – July 2001. CICA 8/02:Refused leave to Appeal to CICA out of time.

Charges:

*Case # 0129/01(1) - Possession of Cocaine

Case#0129/01(2) – Possession of Cocaine
with intent to supply.

Amount:

0.253 grams or 0.0008 ounces.

Plea:

Guilty.

Previous Convictions:

Unknown.

Age:

Unknown.

Summary Court:

*0129/01(1) – Subsumed in 0129/01(2).

0129/01(2) – 5 years.

Grand Court:

Appeal dismissed.

CICA:

**Refused leave to appeal out of time to
CICA.**

R v Anthony James Connor SCA 59/01 – Heard May 2002.

Charges:

Case # 0358/01(1)Being concerned in the
Importation of Cocaine with intent to
Supply.

Amount:

5.975 grams

Plea:

Unknown

Previous Convictions:

Unknown.

Age:

Unknown.

Summary Court:

5 years

Grand Court:

10/6/02- Appeal dismissed

R v Errol Trowers Sentenced in S.C. Sept. 2001. SCA 50/01
Heard 10/05/02. CICA 9/02 Heard July 2002

Charges: Case # 2507/01(1) – Being concerned in the Importation of Cocaine.
Case # 2730/01 – Being concerned in the importation of Cocaine.

Amount: 12.66 ounces and 15.95 ounces.

Plea: Guilty. Initial NG plea.

Previous Convictions: None

Age: 36 years old

Summary Court: 2507/01(1) - 8 years.
2730/01 – 7 years consecutive to 2507/01(1). Total of 15 years.
Jamaican organiser of courier ring. Sent Fearon and Edwards to *Zeta Forrester with cocaine. Travelled to Cayman to collect his money.

Grand Court: 2507/01(1) – Reduced from 8 to 6 years.
2730/01(1) – Reduced from 7 to 6 years.
Sentences to run consecutively. Total sentence reduced from 15 to 12 years.
Judge found that there was an element of encouragement by crown agent. Man of previous good character.

CICA: **Appeal dismissed. Sentence affirmed. No written reasons**

R v Derrick George Edwards Sentenced in S.C. – Sept. 2001.SCA 52/01
Heard 10/05/02. CICA 11/02 July 2002. (See Errol Trowers and Devon Feron))

Charge: Case # 2504/01(1) – Importation of Cocaine.

Amount: **15.95 ounces**

Plea: Guilty.

Previous Convictions: Unknown.(Jamaican national)

Age: 36 years old.

Summary Court: 2504/01(1) – 6 ½ years.
Assisted customs and willing to give evidence against Trowers who had pleaded not guilty initially and trial date set. Starting

*No appeal. 41.65 ounces of cocaine. 6 years imprisonment. Guilty Plea. Described as exceptional case by Magistrate. Assistance led to the arrest of Edwards, Fearon and Trowers. But she also had a substantial amount of cocaine for herself. Was 44 years old at time of offence.

Grand Court:

point of 12 years. Received greatest reduction for willingness to testify
Appeal dismissed (10/05/02). Was one of two couriers.

CICA:

Appeal dismissed. Sentence affirmed. No written reasons.

R v Devon Lee Feron Sentenced in S.C. – Sept. 2001.SCA 51/01; CICA 10/02. Heard July 2002. (See Errol Trowers and Derrick Edwards)

Charge:

Case # 2505/01(2) – Importation of Cocaine.

Amount:

12.66 ounces.

Plea:

Guilty.

Previous Convictions:

Unknown.(Jamaican national)

Age:

32 years old

Summary Court:

2505/01(2) – 6 ½ years.

Assisted customs and willing to give evidence against Trowers who had pleaded guilty and trial date set. Received 1/3 discount for early plea. Starting point of 12 years.

Grand Court:

Appeal dismissed (10/05/02). Was one of two couriers.

CICA:

Appeal dismissed. Sentence affirmed. No written reasons.

R v Rush George Nico SCA 56/01 – Heard 14/6/02

Sentenced in S.C. – Oct. 2001.CICA 16/02 – Heard July 2002. (See Anthony Edun and Hyman Mullins)

Charges:

Case # 0445/01(1) – Importation of Cocaine.

*Case # 0445/01(2) – Possession of Cocaine with intent to Supply.

*Case # 0445/01(3) – Possession of Cocaine.

Amount:

49 Pellets (10 ounces)or 307.7 grams of crack cocaine.

Plea:

Guilty.

Previous Convictions:

Unknown.(Jamaican national)

Age:

27 years old.

Summary Court:

0445/01(1) – 7 years.

*0445/01(2) – Subsumed in 0445/01(1).

*0445/01(3) – Subsumed in 0445/01(1).

Substantial discount for very early guilty

plea and full cooperation in the face of threats on his family. Court adopted Harre CJ's starting point of 15 years.

Gave evidence for Crown.

Grand Court:

CICA:

Appeal against sentence dismissed.

Appeal allowed against sentence. Sentence of 7 years vacated. **5 years substituted.**

Assistance to Police led to the arrest of Anthony Edun. The Court emphasised that there was nothing in itself wrong with the sentence but special circumstances justified a reduction, namely, testifying at two trials in the face of threats.

R v Sydney Ricardo Levy SCA# 5/02; Heard July 2002.CICA 22/02

(See Ganja)

Charges:

Case # 5968/00(3): Possession of Cocaine WITS.

Case#5968/00(2): Consumption of a Controlled Drug, namely Ganja.

Case#5968/00(4): Consumption of a Controlled Drug, namely Cocaine.

Case#2691/01(1-2): Breach of a Probation Order.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case #5968/00(3) – 5 years

Case # 5968/00(2) – 6 months concurrent.

Case # 5968/00(4) – 6 months concurrent.

Case # 2691/01(1 - 2): 90 days. To run consecutive to sentences being served i.e Ganja and Cocaine sentences.

Grand Court:

Appeal against sentence dismissed.

CICA:

Appeal pending.

R v Leon Percival Stobbs SCA 12/01. Sentenced in S.C. – March.2001.

CICA 1 /02 – Heard July 02 (See Elizabeth Wood)

Charges:

Case # 0747/01(3) – Supplying a Controlled Drug (Cocaine).

*Case # 0747/01(2) – Possession of

Amount:

Plea:

Previous Convictions:

Age:

Summary Court:

Cocaine.

Case # 0747/01(1) – Possession of Cocaine with intent to supply.

8 ounces/ 224 grams.

Guilty.

None. On work permit.

37 years old.

0747/01(3) - 8 years.

Recommended for Deportation. Admitted having received approx. 8 ounces about 1 month before and selling it. He did not know Wood was coming. Starting point of 12 years. Total discount of 4 years to reflect frankness and cooperation with authorities and guilty plea.

*0747/01(2) – To Lie on File.

0747/01(1) – No separate penalty ordered.

Appeal dismissed 11/01/02.

Appeal against sentence dismissed.

Sentence affirmed. No written reasons.

Grand Court:

CICA:

R v Elizabeth Ann Wood SCA 14/01. Sentencing in S.C. – March 2001.

CICA 2 /02 – Heard July 2002.(See Leon Stobbs)

Charges:

*Case # 7233/00(2) - Possession of Cocaine with intent to supply.

Case # 7233/00(1) – Importation of Cocaine.

Amount:

254.14 grams or approx. 10 ounces.

Plea:

Guilty.

Previous Convictions:

Unknown.(American citizen)

Age:

39 years old.

Summary Court:

*7233/00(2) – To Lie on File.

7233/00(1) – 6 ½ years.

Recommended for Deportation. US Citizen travelling from JA. Her co-operation led to the arrest of Stobbs. Starting point should have been 12 years. Discount of 3 years for guilty plea and 2 ½ years to reflect co-operation

Grand Court:

Appeal dismissed 16/08/02. Sentence confirmed.

CICA:

Appeal against sentence affirmed. No written reasons.

R v Alen Montesino SCA 18/01- Heard July 2001. CICA 3 /02 Heard July 2002.

Charge: Case # 0184/01(1) – Possession of Cocaine with intent to supply.
Case # 0184/01(2) – Possession of Cocaine.
Case # 0184/01(3) – Failing to give a urine Specimen.

Amount: 56.04 grams or 1.976 oz.

Plea: Guilty

Previous Convictions: None

Age: 25 years old.

Summary Court: **0184/01(1) -7 years.**
0184/01(2) – Subsumed in 0184/01(1).
0184/01(3) – 6 months concurrent.
Used Harre CJ guidelines of 12 years for 2 ounces or more. Court had regard to sentencing precedents, the circumstances of the offence and the offender and the guilty plea.

Grand Court: **Appeal dismissed.**

CICA: **Appeal dismissed. Sentence affirmed. No written reasons.**

R v Dwayne S. Seymour SCA# 9/02; Appeal Heard October 2002.
(See Ganja also)

Charges: Case # 0806/02: Damage to Property.
Case # 2722/00: Damage to Property
Case # 0316/01(1): Damage to Property
Case # 5027/01: Possession of Prohibited Weapon.
Case # 5564/01(1): Disorderly conduct at Liquor Premises.
Case # 5564/01(2): Criminal Trespass.
Case # 5564/01(3) Assault Causing ABH.
Case # 0490/01(1): Consumption of Ganja.
Case # 0490/01(2): Consumption of Cocaine.

Plea: Guilty

Previous Convictions: Unknown

Age: Unknown

Summary Court: Case # 0806/02: 12 months consecutive.
Case # 2722/00: 30 days consecutive.

Case # 0316/01(1): 9 months consecutive.
Case # 5027/01: 30 days consecutive.
Case # 5564/01(1): 14 days consecutive.
Case # 5564/01(2): 7 days concurrent.
Case # 5564/01(3) Left on File
Case # 0490/01(1): 6 months concurrent.
Case # 0490/01(2): 6 months concurrent.
Sentence appeal dismissed.

Grand Court:

R v Asfa Ijah Webster SCA# 22/02; Heard October 2002.

(See Ganja)

Charges:

Case # 259/01: Being concerned in the Supplying of Cocaine.

Case # 260/01 Consumption of Cocaine.

Case # 261/01 Consumption of Ganja.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

259/01: 12 months.

260/01: 3months concurrent.

261/01: 3 months concurrent.

Grand Court:

Sentence Appeal dismissed 4/10/02.

R v Anthony Michael Edun SCA 57/01 – Heard 26/6/02.

Sentenced in S.C. – Oct. 2001. (See Attempts) CICA 19/02 Heard **November 2002.**

Charges:

Case # 0443/01(3) – Being concerned in the Importation of Cocaine.

Case # 0443/01(2) – Attempted Possession of Cocaine with intent to Supply.

Amount:

10.8 ounces of crack cocaine

Plea:

Not Guilty.

Previous Convictions:

None.

Age:

25 years old

Summary Court:

0443/01(3) – 14 years.

0443/01(2) – 14 years concurrent.

“..the good character of the importer or person dealing with importation is seldom of any weight” per Lord Lane R v

Martinez(1984) 6 Cr. App. R.(S.) 364

Grand Court:

26/6/02- Appeal against conviction dismissed. Written reasons given.

Appeal against sentence rejected.

CICA:

Appeal dismissed. Sentence affirmed. No

written reasons.

R v Lynden Dwayne Walton SC Sentenced October 2002; SCA# 55/02
Heard 25/9/03 (Henderson J.)(See Ganja). CICA 24/03.

Charges:	Case # 4128/01(3): Possession of Cocaine WITS. 4128/01(1): Consuming Ganja 4128/01(2) – Possession of Cocaine
Plea:	Guilty to 4128/01(1) Not Guilty to 4128/01(3).
Amount:	Not Known
Previous Convictions:	Not Known
Age:	Not Known
Summary Court:	Case # 4128/01(3): 7 years. Case # 4128/01(1) – 3 months concurrent. Case # 4128/01(2) – No separate penalty. Subsumed in 4128/01(3).
Grand Court:	Appeal against conviction and sentence Dismissed.
CICA:	Leave to appeal to CICA refused.

R v Allan Dolan Barnett SCA 21/01. Sentencing in S.C. – April 2001.
CICA 20/02 Heard **November 2002.**

Charges:	Case # 1339/01(1) - Possession of Cocaine with intent to supply. *Case #1339/01(2) – Possession of Cocaine
Amount:	4.146 ounces of which 1.8 ounces take the form of crack cocaine.
Plea:	Guilty.
Previous Convictions:	Persistent offender with 98 previous convictions, the majority of which are against the Misuse of Drugs Law with 8, in particular for possession with intent to supply a controlled drug.
Age:	48 years old.
Summary Court:	1339/01(1) – 15 years. *1339/01(2) – Subsumed in 1339/01(1). Defendant said to be of thoroughly bad character (no potential for change),notwithstanding co-operation or guilty plea. Starting point of 12 years.

Grand Court: **Appeal against sentence allowed 19/07/02.
*12 years substituted for the sentence of
15 years.**

CICA: **Sentence appeal dismissed. Sentence
affirmed. No written reasons.**

R v Peter Salathiel Austin Sentenced April 2002. SCA# 28/02; SCA Heard August 2002. **CICA 24/02 – Heard November 2002.** (See Rohan Simmonds and Owen White)

Charges: Case # 6911/01(1): Being Concerned in
the Possession of Cocaine.
6911/01(2): Being Concerned in the
Possession of Cocaine WITS.
**6911/01(3): Being Concerned in the
Importation of Cocaine.**
Amount: 1,135.8 grams.
Plea: Guilty
Previous Convictions: None.
Age: 32 years old.
Summary Court: 6911/01(1): To be Left on File.
6911/01(2): To Lie on File.
**6911/01(3): 11 years.
Starting point of 15 years. 1/3 reduction
for plea of guilty and further 1/3 for
assistance.** Was the organiser. Substantial
quantity of cocaine.

Grand Court: **Appeal dismissed 16/8/02. Sentence
confirmed.**

CICA: **Appeal allowed against sentence.
Sentence of 9 years substituted. No
written reasons.**

R v Rohan Anthony Simmonds SCA# 31/02; Appeal Heard August 2002
CICA 25/02 **Heard November 2002** (See Peter Austin and Owen White)

Charges: Case # 6916/01(1): Possession of Cocaine
Left on File.
Case # 6916/01(2): Being Concerned in the
Possession of Cocaine.
Left on File
Case # 6916/01(4): Being Concerned in the
Possession of Cocaine WITS.
To Lie on File.
6916/01(5): Possession of Cocaine WITS.

To Lie on File.
6916/01(3): Being Concerned in the Importation of Cocaine.
Amount: 1,135.8 grams.
Plea: Guilty
Previous Convictions: None.
Age: 25 years old.
Summary Court: **6916/01(3): 13 years.** Seen as key agent in the distribution chain. Starting point of 17 years. Reduction of 4 years to reflect guilty plea.
Grand Court: **Appeal dismissed 16/08/02.**
CICA: **Appeal allowed. Sentence reduced to 11 years.** No written reasons.

R v Owen Howard White SCA# 28/02; SCA Heard August 2002.**CICA 26/02 Heard November 2002.**

Charges: **Case # 6913/01(1): Importation of Cocaine.**
6913/01(2): Possession of Cocaine.
To Lie on File.
6913/01(3): Possession of Cocaine WITS.
To Lie on File.
Amount: 1,135.8 grams.
Plea: Guilty.
Previous Convictions: Unknown
Age: 25 years old.
Summary Court: **6913/01(1): 7 years.**
Drugs and Funds forfeited. Guilty plea (4 years discount)and co-operation (4 years discount) considered. Lowest person on chain of offenders.
Grand Court: **Appeal dismissed 16/8/02 Sentence affirmed.**
CICA: **Appeal dismissed. Sentence affirmed.**
No written reasons.

R v Royston John Nelson SCA 28/00 – Heard October 2002.Sentenced by SC July 2000.(See Deron Lewis co-accused below).**CICA 30/02 – Heard November 2002**

Charges: Case # 2093/00(1) - Importation of Cocaine.
Case # 2093/00(2) – Possession of Cocaine with intent to supply.

Amount: 2.933 kilograms.
Plea: Guilty.
Previous Convictions: Unknown. (Dominican national)
Age: 31 years old.
Summary Court: 2093/00(1) - 11 years imprisonment.
2093/00(2) – 7 years concurrent.
Played significant role in recovery of Cocaine.
Grand Court: **SCA against sentence dismissed**
CICA: **Appeal allowed. Sentence of 9 years substituted.** No written reasons.

R v Donald King Knight SC Sentenced November 2002; SCA# 57/02 Not yet Heard

Charges: **Case # 1786/02(3): Being concerned in the importation of cocaine.**
1786/02(1): Being concerned with possession of cocaine WITS.- No separate penalty.
1786/02(2) Being concerned in the Possession of cocaine. No separate penalty.
2577/02(3) – Interference with witness
2577/02(1) – Doing an act tending to pervert the course of public justice. Left on File.
2577/02(2) – Being concerned in the importation of cocaine. **Withdrawn.**
Plea: **Not Guilty**
Amount: **776 grams**
Previous Convictions: **Previous in JA for m/slaughter and Burglary.**
Age:
Summary Court: **Case # 1786/02(3): 15 years.**
Case # 2577/02(3) – 6 months consecutive to 1786/02(3)

R v Clarissa Zelaya De Acosta SC Sentenced 2002; SCA# 61/02 Not yet Heard

Charges: **4435/02(1) – Possession of Cocaine. No penalty ordered. Subsumed in 4435/02.**
4435/02(2) – Importation of Cocaine.
4435/03(3) – Possession of Cocaine WITS.
Plea: **Not Guilty to 4435/02(2)**
Amount: **5,329 grams**
Previous Convictions:

Age:
Summary Court: 4435/02(1) – Possession of Cocaine. No penalty ordered. Subsumed in 4435/02.
4435/02(2) – 14 years.
4435/03(3) – Subsumed in 4435/02(2).

YEAR 2003

R v Brian Percival Rankine SCA# 35/02; Sentenced May 2002. SCA # 35/02 – Heard January 2003.(See Ganja Burglary and Theft)

Charges: Case # 2725/02: Burglary.
2698/02: Burglary.
2564/02: Burglary.
2101/02(1): Consumption of Cocaine.
2101/02(2): Consumption of Ganja.
2101/02(3): Theft.

Plea: Guilty.

Previous Convictions: 62 previous including theft, consumption, Burglary starting in 1987.

Age: 33 years old.

Summary Court: **2725/02: 3 years.**
2698/02: 2 years consecutive to 2725/02.
2564/02: 3 years concurrent with 2725/02.
2101/02(1): 12 months concurrent with 2725/02
2101/02(2): 12 months concurrent with 2725/02
2101/02(3): 12 months concurrent with 2725/02.

Grand Court: **Appeal dismissed as withdrawal. Order that Rankine enter a drug rehabilitation programme.**

R v Kurtney S. Johnson SC Sentenced June 2002; SCA# 39/02 Heard January 2003

Charges: Case # **6221/00(1): Possession WITS.**
Count 2: Possession of Cocaine,
Count 3 – Refusing to Supply Urine Sample

Plea: Guilty.

Amount: 74 cocaine rocks weighing 7.709 grams.
Previous Convictions: 2 previous convictions including possession of a controlled drug (ganja) with intent.
Age: 25 years old.
Summary Court: Case # 6221/00(1): 7 years.
Count 2 subsumed in Count 1.
Count 3 – 10 days concurrent.
Grand Court: **Appeal denied.**

R v Dougmore Leroy Wright Sentenced March 2002. SCA #19/02-Heard February 2003; CICA 2/03;(See Ganja)

Charges: **Case # 1434/01(1): Possession of Cocaine WITS.**
Case # 1434/01(2): Possession of Cocaine.
Case # 1434/01(3): Consumption of Ganja.
Amount: **Cocaine - 0.040 ozs or 1.139 grams (15 rocks wrapped separately)**
Plea: Not Guilty
Previous Convictions: 1 previous conviction for possession of cocaine WITS. 8 other convictions for possession and consumption of a controlled drug.
Age: **28 years old.**
Summary Court: **Case#1434/01(1): 5 years.**
Case # 1434/01(2): Left on File.
Case # 1434/01(3): 1 year concurrent with 1434/01(1).
Grand Court: **Appeal against conviction and sentence dismissed.**
CICA: **Appeal against sentence and conviction dismissed. Sentences affirmed.**

R v Rupert Alexander Bloomfield Sentenced January 2003. SCA #1/03-Leave to Appeal out of Time denied.

Charges: **Case # 10119/02(1): Importation of Cocaine.**
Case # 10119/02(2): Possession of Cocaine WITS.
Case # 10119/02(3) Possession of Cocaine.
Amount: **Unknown**
Plea: Guilty

Previous Convictions: Unknown
Age: **Unknown**
Summary Court: **Case#10119/02(1): 8 years imprisonment. Case # 1434/01(2) and Case # 10119/02(3), Subsumed in 10119/02(1).**
Grand Court: **Leave to Appeal out of Time denied.**
R v Dougmore Leroy Wright Sentenced January 2003. SCA #2/03-Pending

Charges: **Case # 6330/02(2): Possession of Cocaine WITS.**
Amount: **Unknown**
Plea: Not Guilty
Previous Convictions: 1 previous conviction for possession of cocaine WITS. 8 other convictions for possession and consumption of a controlled drug.
Age: **28 years old.**
Summary Court: **Case#6330/02(2): 4 years consecutive to sentence now being served.**

R v Rodcliffe Naine Sentenced January 2003. SCA #03/03-Pending

Charges: Case # 9572/02: Importation of Cocaine
Case#9909/02(3): Importation of Cocaine.
Case # 9909/02(1&5): Possession of Cocaine.
Case# 9909/02(2&4) - Possession of Cocaine WITS.
Amount: Unknown
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case#9572/02: 9 years. To pay costs of CI\$450.00 or 1 month imprisonment.
Case # 9909/02(3): 8 years concurrent with 9572/02
Case # 9909/02(1&5): Left on File
Case#9909/02(2&41): Left on File
Grand Court: **Still Pending.**

R v Deron Lewis Sentenced by SC July 2000. SCA 28/00 – Heard April 2003.
(Co- accused Royston Nelson above).

Charges: Case# 3351/00(2) – Being concerned in the

Amount: Importation of Cocaine with intent to supply.
Plea: Case# 2092/00(2) – Being concerned in the Possession of Cocaine with intent to supply. 2.933 kilograms
Previous Convictions: **Not Guilty.**
Age: None.
Summary Court: **27 years old.**
3351/00(2) - 13 years imprisonment.
Sentence to run concurrent to 2092/00(2).
2092/00(2) – 9 years.
No assistance given to the police.
Grand Court: Conviction quashed. Interpretation of s.73 & s.74 CPC.

R v Marva Graham SC Sentenced August 2002; SCA # 11/02 Heard February 2003.
CICA 6/2003 - Heard April 2003

Charges: Case # 0801/02: Possession of Cocaine WITS. Left on File.
Case # 0801/02(3): Possession of Cocaine. Left on File
Case # 0801/02(2): Importation of Cocaine
Amount: 488.8 grams or 18 ounces (cocaine ingested)
Plea: Guilty
Previous Convictions: None
Age: 35 years old.
Summary Court: **11 years. Credit for guilty plea and minimal cooperation.**
Grand Court: **Sentence appeal allowed. Sentence reduced to 9 years.**
Court satisfied that 18 ounces qualifies as "substantial". The starting point is 15 years both under Harre CJ guidelines and Smellie CJ guidelines. Some credit for guilty plea though not treated as significant because of the circumstances. Range of 5 1/2 to 11 years in CICA.
Likely to be reduced in CICA
CICA: **Court not impressed with the argument that she was a mother of three. Sentence not manifestly excessive. Appeal dismissed. Sentence affirmed.**

R v Tracy Maria Woodman SCA# 44/02; SCA Heard August 2002. CICA 5/03 - Heard April 2003.

Charges: Case # 5177/01: Possession of Cocaine WITS.
Amount: 10.69 grams or 0.37 oz.
Plea: Not Guilty.
Previous Convictions: Unknown
Age: 23 years old.
Summary Court: 5177/01: 8 years. Vehicle forfeited to Crown.
Grand Court: **Appeal granted. Appellant convicted of simple possession. Sentence reduced to 4 years.**
CICA: Sentence way outside the guidelines. Court urged that the guidelines far as simple possession was concerned should be revisited.
Appeal allowed. Sentence of 12 months substituted.

R v Christopher Stephen Connolly SCA# 7/02; Sentence date February 02. SCA Heard April 2003 (Levers J.). CICA 7/03 Heard August 2004.

Charges: Case # 2671/01(1): Resisting Arrest.
Case#2671/01(2): Possession of Cocaine WITS.
Case# 2671/01(3): Possession of Cocaine. Subsumed in (2).
Case#2697/01(4): Failure to Give Urine Specimen.
Plea: Not Guilty.
Amount: **16.02 grams or 0.565 ozs.**
Previous Convictions: 22 previous convictions mostly disorderly conduct, resisting arrest and assault. Only one in 1993 for possession of cocaine when a juvenile
Age: 26 years.
Summary Court: Case # 2671/01(1) – 3 months concurrent to 2671/01(2).
Case # 2671/01(2): 10 years. Drug and money forfeited.
Case # 2671/01(3) – No further penalty.
Case #2671/01(4): 1 month concurrent to

2671/01(1)
Grand Court: **Appeal against sentence and conviction Dismissed.**
CICA: **Appeals against conviction and sentence dismissed. Both affirmed.**

R v Garfield Hugh L. Silburn SCA# 8/02; Sentenced February 2002. Appeal Heard April 2003. (See Ganja also).

Charges: **Case # 5997/01(1): Possession of Cocaine WITS.**
Case#5997/01(2): Possession of a Controlled Drug, namely Ganja.
Case#5997/01(3): Consumption of a Controlled Drug, namely Cocaine.
Case # 5997/01(4): Possession of Cocaine Not Guilty.
Plea: **9 rocks or 1.004 grams of cocaine**
Amount: **2 previous convictions for possession WITS**
Previous Convictions: **34 years old**
Age: **Case # 5997/01(1) – 5 years. Drugs and Vehicle forfeited.**
Summary Court: **Case # 5997/01(2) – 6 months concurrent.**
Grand Court: **Case # 5997/01(3) – 6 months concurrent.**
Appeal granted. Defendant discharged. Written reasons.
Case # 5997/01(4) – No verdict returned. Subsumed in (1).
Sentence meant to demonstrate the seriousness of repeat offending.

R v Delmore Hartwell Ebanks Sentenced June 2002; SCA # 43/02 Heard April 2003. (Levers J). CICA 7/03

Charges: **Case # 5797/02(01): Possession of Cocaine**
Case # 5797/02(2): Possession of Cocaine WITS.
Case # 5797/02(3): Being concerned in the possession of a controlled drug WITS.
Case # 5797/02(4): Being concerned in the possession of a Controlled Drug namely cocaine.
Plea: **Not Guilty**
Amount: **1.657 grams or 0.058 oz.**
5.012 g or 0.176 oz.

Previous Convictions:

21 prior convictions including possession and consumption of cocaine and ganja and possession of cocaine w/intent to supply.

Age:

33 years old.

Summary Court:

Case # 5797/02(01): No separate penalty.

Case # 5797/02(2): 7 years.

Case # 5797/02(3): Found not guilty. Case dismissed.

Case # 5797/02(4): Found not Guilty. Case dismissed.

Tariff for dealing in small amounts of crack is 5 years on a plea. Second conviction for this offence. Not entitled to any discount as he went to trial.

Grand Court:

Appeal dismissed. Court could not say that the sentence was manifestly excessive.

CICA

September 2003: Notice of Abandonment.

R v Betsy Matilda Watler SCA#15/03 - Sentenced April 2003. Appeal Heard 20/2/04.CICA 2/04 Heard April 2004

(See Ganja)

Charges:

Case # 2526/03(1) - Failure to surrender to bail conditions

Case#2526/03(2) - Possession of Cocaine w/intent to supply

Case#2526/03(4) - Consumption of Ganja Guilty

Plea:

3.867 grams/0.136 ozs.

Amount

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case# 2526/03(1) - 30 days

Case#2526/03(2) - 4 years, 3 months concurrent

Case#2526/03(4) - 30 days concurrent Defendant to have drug counselling.

Grand Court:

Appeal against Sentence dismissed.

CICA:

Appeal against sentence dismissed.

Sentence affirmed.

R v George Wesley Jefferson Sentenced May 2003. SCA#18/03 -. Appeal dismissed (Henderson J.). CICA 10/04.

Charges:

Case#9660/02(2) - Possession of Cocaine w/intent to supply

Plea: Not Guilty
Amount: 2 kilos
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#9660/02(2) - 14 years.
Grand Court: Appeal dismissed.
CICA: Appeal heard 25/11/04. Appeal against conviction and sentence dismissed and affirmed

R v Debra Jefferson SCA#18/03 - Sentenced May 2003. Appeal pending

Charges: Case#9618/02 - Possession of Cocaine w/intent to supply
Plea: Not Guilty
Amount: 2 kilos
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#9618/02 - 5 years.
Grand Court: Appeal withdrawn.

R v Patrick Shannon Ebanks SCA#24/03 - Sentenced May 2003. Appeal pending

Charges: Case#9659/02(1) - Possession of Cocaine
Case#9659/02(2) - Possession of Cocaine w/intent to supply
Plea: Not Guilty
Amount: 2 kilos
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#9659/02(1) - Subsumed in (2)
Case#9659/02(2) - 9 years
Grand Court: Appeal pending.

R v Thomas Robert Owen Bush SCA#30/03 - Sentenced Dec 1995. Appeal 25/7/03

Charges: Case#9659/02(1) - Possession of Cocaine
Case#9659/02(2) - Possession of Cocaine w/intent to supply
Plea: Not Guilty
Amount: 2 kilos
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#9659/02(1) - Subsumed in (2)

Grand Court:

**Case#9659/02(2) - 9 years
Appeal pending.**

R v Thomas Robert Owen Bush SCA#30/03 - Sentenced Dec 1995. Appeal 25/7/03
(See Ganja)

Charges:

**Case#9659/02(1) - Possession of Cocaine
Case#9659/02(2) - Possession of Cocaine
w/intent to supply**

4800/95 - Possession of Cocaine

4802/95 - Consumption of Ganja

9187/02(1) - Taking a Conveyance w/out
Authority

9187/02(2) - Driving w/out being Licensed

9187/02(3) - Driving w/out insurance

Not Guilty

2 kilos

Unknown

Unknown

Plea:

Amount:

Previous Conviction:

Age:

Summary Court:

Case#9659/02(1) - Subsumed in (2)

Case#9659/02(2) - 9 years.

**4800/95 - Fined \$500 or 2 months in
default of payment.**

4802/95 - Fined \$250 or 1 month.

Pay all fines within 3 months of release from
prison.

9187/02(1) - \$150 or 1 month

9187/02(2) - \$150 or 1 month.

9187/02(3) - \$150 or 1 month. Disqualified
for 12 months. Total fines for 9187 series
\$450.00. 6 weeks to pay.

Grand Court:

**Appeal allowed.3 months to pay fine
starting from 25/7/03**

R v Joel Jason Smith SCA#16/03 - Heard August 2003
(See ABH, Ganja)

Charges:

Case# 9190/02(1) - Threatening Violence

Case#9190/02(2) -Assault causing ABH

Case#9190/02(3) - Carrying an offensive
Weapon

Case#0368/03 - Failing to Surrender to
Custody

Case#9071/02(1) - Possession of Cocaine

Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug

Plea:
Previous Conviction:
Age:
Summary Court:

Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)
Case#9246/02 Failing to Surrender to
Custody
Case#9603/02 - Failing to Surrender to
Custody
Guilty
Unknown
Unknown
Case# 9190/02(1) - Threatening Violence
9 months imprisonment
Case#9190/02(2) -Assault causing ABH
9 months concurrent
Case#9190/02(3) - Carrying an offensive
Weapon
9 months concurrent
Case#0368/03 - Failing to Surrender to
Custody
30 days
**Case#9071/02(1) - Possession of Cocaine
3 months consecutive**
Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug
3 months concurrent
Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)
3 months concurrent
Case#9246/02 Failing to Surrender to
Custody
30 days concurrent
Case#9603/02 - Failing to Surrender to
Custody
30 days concurrent
Dismissed for want of Prosecution-1/8/03

Grand Court:

R v Donovan George Beacher SCA#36/03 - Sentenced 18/08/03.
(Mag. Hall)

Charges:

**Case#1789/02(3) - Being Concerned in the
Importation of Cocaine**
Not Guilty

Plea:

Amount:

Previous Conviction:

Age:

Unknown

Unknown

Summary Court:
Grand Court:

Case#1789/02(3) - 15 years.
Appeal pending

R v Lilly McLean SCA#45/03 - Sentenced November 2003.

Charges:

Case#2558/02(1) - Conspiracy to Import
Controlled Drugs. (Cocaine)
Case#2558/02(2) - Conspiracy to deal in
Controlled Drugs

Plea:

Not Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case#2558/02(1) - 3 years.

Case#2558/02(2) - 3 years concurrent with
charge(1).

Grand Court:

Appeal pending.

R v Diann Watson SCA#48/03 - Sentenced November 2003. SCA heard August 2004
(Levers J.)CICA 14/04. Appeal Pending.

Charges:

Case#6674/03(1) - Possession of Cocaine.
Case#6674/03(2) - Importation of Cocaine.

Plea:

Guilty

Amount

283.4 grams/9.995 ozs.

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case#6674/03(1) - Subsumed in (2).

Case#2558/02(2) - 9 years.

Grand Court:

Appeal dismissed.

CICA:

Appeal Pending.

R v Sidney Lewis McField SCA#49/03 - Sentenced November 2003.

Charges:

Case#1492/03(1) - Possession of Cocaine.
Case#1492/03(2) - Consumption of Cocaine.

Plea:

Guilty

Amount

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case#1492/03(1) - 12 months.

Case#1492/03(2) - 12 months concurrent to
1492/03(1).

Grand Court:

Appeal withdrawn on 24/12/03.

R v Leo Ashton Bush SCA#52/03 - Sentenced December 2003.
(See Ganja)

Charges: **Case#6191/02(1) - Possession of Cocaine.**
Case#6191/02(2) - Possession of Cocaine WITS.
Case#6191/02(3) - Possession of Ganja.
Case#6191/02(4) - Possession of Ganja WITS.
Case#6191/02(5) - Consumption of Ganja.
Case#6191/02(6) - Consumption of Cocaine.

Plea: Unknown.
Amount: Unknown
Previous Conviction: Unknown
Age: Unknown
Summary Court: **Case#6191/02(1) - No separate penalty.**
Case#6191/02(2) - 5 years. Money forfeited to the Crown.
Case#6191/02(3) - No separate penalty.
Case#6191/02(4) - 9 months concurrent
Case#6191/02(5) - 3 months concurrent.
Case#6191/02(6) - 3 months concurrent.

Grand Court: **Appeal pending.**

R v April Lee Manderson SCA#18/03 - Sentenced April 2003. Appeal Heard 22/08/03
CICA 17/03 Heard December 2003.

Charges: **Case#0904/03 - Possession of Cocaine w/intent to supply**

Plea: Guilty
Amount: 644.7 grams
Previous Conviction: Unknown
Age: Unknown
Summary Court: **Case#0904/03 - 9 years.**
Grand Court: **Appeal dismissed.**
CICA **Appeal against sentence dismissed.**
Sentence affirmed.

R v Samara Natasha Ebanks SCA#18/03 - Sentenced April 2003. Appeal Heard 22/8/03. CICA 18/03 Heard December 2003

Charges: **Case#0903/03 - Possession of Cocaine**

Plea: w/intent to supply
Amount: Guilty
644.7 grams
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#0903/03 - 9 years.
Grand Court: Appeal dismissed.
CICA Appeal against sentence dismissed.

R v Keith Delroy Minzett SCA# 4/03; Sentenced Jan. 2003. Appeal Heard August 2003.
(See ganja) CICA 19/2003 Heard December 2003.

Charges: Case # 5583/01(2): Possession of Cocaine
WITS. 2.255 grams
Case#6721/01(1):Selling Cocaine. 0.123
grams.
Case#6721/01(3): Consuming Ganja
Case#6721/01(4): Consuming Cocaine.
Plea: Not Guilty to 5583/01(1)
Guilty to 6721/01(1, 3 & 4).
Amount: See above.
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case # 5583/01(2) – 3 1/2 years.
Case # 6721/01(1,3,4) – 5 years
concurrent.
Grand Court: Appeal dismissed.
CICA Appeal against sentence dismissed.

GANJA RELATED CASES

A: Importation

B: Possession with intent to supply

C: Supplying

D: Being Concerned in the Importation of Cocaine

**E: Being Concerned in the Possession of Cocaine with intent to Supply
Consumption**

Simple Possession

GANJA RELATED CASES

YEAR 2002

R v Clifford Rex Ebanks SCA# 47/02. Sentenced February 2002.
(See Attempts)

Charges: Case # 2256/01(1): Possession of Ganja.
Subsumed in 2256/01(2)
Case # 2256/01(2): Possession of Ganja
WITS.
Case # 2256/01(3): Consuming Ganja.

Amount: Unkown

Plea: Guilty.

Previous Convictions: Unknown

Age: Unknown

Summary Court: **2256/01(2): 24 months.**
2256/01(3): 3 months concurrent to
2265/01(2).

Grand Court:

R v Garfield Hugh L. Silburn SC Sentenced February 2002. SCA 8/02Appeal No Yet
Heard. (See Cocaine also) Appeal Adjourned generally in Feb 2003. Legal aid granted.

Charges: Case # 5997/01(1): Possession of Cocaine
WITS.
**Case#5997/01(2):Possession of a
Controlled Drug, namely Ganja.**
Case#5997/01(3): Consumption of a
Controlled Drug, namely Cocaine.
Case # 5997/01(4): Possession of Cocaine
9 rocks or 1.004 grams of cocaine

Amount: 9 rocks or 1.004 grams of cocaine

Plea: **Not Guilty**

Previous Convictions: 2 previous convictions for possession WITS

Age: 34 years old.

Summary Court: Case # 5997/01(1) – 5 years. Drugs and
Vehicle forfeited.
Case # 5997/01(2) – 6 months concurrent.
Case # 5997/01(3) – 6 months concurrent.
Case # 5997/01(4) – No verdict returned.

Subsumed in (1).
Sentence meant to demonstrate the
seriousness of repeat offending.
Appeal adjourned until February 2003.

Grand Court:

R v Dwayne Miguel Evans SCA# 16/02; Sentenced February 2002 and June 2002.
Application to appeal out if Time refused 12/04/02. (See Burglary, Attempted Theft,
Theft and Cocaine).

Charges:

Case # 4907/01: Burglary.
Case # 4906/01: Attempted Theft.
Case # 4404/01(1): Possession of a Utensil
Used in the Consumption of a Controlled
Drug.
Case # 4404/01(3): Consuming Cocaine.
Case # 4404/01(4): Being Concerned in
namely Cocaine.
Case#6806/01(1): Consumption of
Cocaine.
**Case # 6806/01(2): Consumption of
Ganja.**
Case # 6806/01(3): Possession of Cocaine.
Case # 0021/01: Theft.
Case # 0128/01(1): Burglary.
Case # 0128/01(2): Damage to Property.
Case # 0128/01(3): Threatening Violence.
Case # 0128/01(4): Carrying an Offensive
Weapon.
Case # 0128/01(5): Resisting Arrest
Unknown.
Guilty
Unknown
Unknown
Case # 4907/01: 2 ½ years consecutive to
sentence of 18 months suspended on
12/06/01.
Case # 4906/01: 9 months consecutive.
Case # 4404/01(1): 6 months consecutive.
Case # 4404/01(3): 6 months concurrent.
Case # 4404/01(4): 6 months concurrent.
Case#6806/01(1): 6 months concurrent.
Case # 6806/01(2): 6 months concurrent.
Case # 6806/01(3): 6 months concurrent.
Case # 0021/01: 6 months concurrent.
Case # 0128/01(1): 2 years. 18 months

Amount:

Plea:

Previous Convictions:

Age:

Summary Court:

suspended for 2 years.
Case # 0128/01(2): 2 years Probation.
Case # 0128/01(3): 6 months concurrent.
Case # 0128/01(4): Probation Order of 2
years made concurrent
Case # 0128/01(5): 7 days
Leave to Appeal out of Time Refused.

Grand Court:

R v Duncan Wright SC Sentenced April 2002. SCA# 23/02
(See Cocaine)

Charges: Case # 5680/01: Possession of Cocaine
WITS.
Case #5680/01(3) Possession of Ganja
Case # 5680/01(4)/01 Consumption of
Ganja.
Amount: **1.208 grams or 0.045 ozs. of Ganja.**
Plea: Guilty
Previous Convictions: 20 previous. Includes possession of cocaine
and ganja.
Age: 38 years old.
Summary Court: 5680/01(2): 5 years.
5680/01(3): 9months concurrent to
5680/01(2).
5680/01(4): 6 months concurrent to
5680/01(2).
Offence committed whilst defendant was on
Probation. Second offence of dealing in a
controlled drug. Defendant labelled a
“persistent offender”
Grand Court: **Adjourned until May2003. Legal Aid**
granted.

R v Robert Kevin Ebanks SCA# 24/02; Sentenced April 2002. SCA Not Yet Heard.
(See Cocaine)

Charges: **Case #0031/02(1) Consuming Ganja**
Case # 0031/02(2)/01 Permitting Premises
to be used for the Purpose of
Consumption of a Controlled Drug,
Namely, Cocaine.

Amount:

Plea:

Previous Convictions:

Age:

Summary Court:

4438/01(1): Possession of Cocaine.

4438/01(2): Consuming Cocaine

4438/01(3): Resisting Arrest.

3196/00(1): Consuming Cocaine.

3196/00(2): Consuming Ganja.

3196/00(3): Possession of Cocaine.

5436/01(1): Abstracting Electricity

5436/01(2): Criminal Trespass

0604/02: Escaping Lawful Custody.

3079/01: Failing to Surrender to bail
Conditions.

5598/01: Failing to Surrender to Custody.

4864/01: Failing to Surrender to Custody

Unknown

Guilty

Unknown

Unknown

Case #0031/02(1): 12 months concurrent.

Case # 0031/02(2)/01: 12 months
concurrent.

4438/01(1): 12 months concurrent.

4438/01(2): 12 months concurrent.

4438/01(3): Left on File.

3196/00(1): 12 months.

3196/00(2): 12 months concurrent.

3196/00(3): Left on File.

5436/01(1): 6 months.

5436/01(2): 30 Days consecutive.

0604/02: 30 days consecutive.

3079/01: 30 days consecutive.

5598/01: 30 days consecutive.

4864/01: 30 days consecutive.

Total of 23 months.

Grand Court:

R v Dougmore Leroy Wright SCA# 120/02. Heard May 2002.

Charges:

Case # 6796/00(1): Possession of Ganja.

Case # 6796/00(2): Failing to Provide a
Specimen of Urine.

Amount:

Ganja – 4.617 grams.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case#6796/00(1): 5 months

Case # 6796/0(2): 5 months concurrent to 6796/00(1).

Grand Court:

Appeal dismissed 17/5/02.

R v Mike Burke Bush Sentenced May 2002; SCA 32/02 Not Yet Heard.

Charges:

Case # 0879/01(1): Being Concerned in the Importation of Ganja.

0879/01(2): Possession of Ganja WITS. 1400lbs (Importation)

Amount:

245.46 pounds (Possession)

Plea:

Not Guilty to 0879/01(1)

Guilty to 0879/01(2)

Previous Convictions:

20 previous including 2 for possession and consumption of ganja. No previous for dealing in drugs.

Age:

35 years.

Summary Court:

Case # 0879/01(1): Dismissed.

0879/01(2): 3 years.

Grand Court:

Adjourned to May 2003.

R v Crafton James Ebanks SCA# 17/02; Heard June 2002

Charges:

Case # 1776/02(1): Importation of Ganja.

Amount:

Unknown.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

3 years. Boat and ganja forfeited to Crown.

Grand Court:

Appeal against sentence rejected.

R v Mario Miguel Manderson SCA# 26/02; Heard June 2002

Charges:

Case # 4608/01(1): Possession of Utensil used in the Preparation of a Controlled Drug, namely, Ganja

Amount:

Unknown.

Plea:

Guilty

Previous Convictions:

Unknown

Age: Unknown
Summary Court: 9 months consecutive to term presently being served.
Grand Court: **Appeal allowed. Sentence of 9 months consecutive reduced to 3 months consecutive.**

R v Sydney Ricardo Levy SCA# 5/02; Heard July 2002
(See Ganja)

Charges: Case # 5968/00(3): Possession of Cocaine WITS.
Case#5968/00(2): Consumption of a Controlled Drug, namely Ganja.
Case#5968(4): Consumption of a Controlled Drug, namely Cocaine.
Case#2691/01(1-2): Breach of a Probation Order.
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case 5968/00(3) – 5 years
Case5968/00(2) – 6 months concurrent.
Case 5968(4) – 6 months concurrent.
Case 2691/01(1 - 2): 90 days. To run consecutive to sentences being served i.e Ganja and Cocaine sentences.
Grand Court: **Appeal against sentence dismissed.**

R v Mitchell Chean Ebanks SCA# 3/02; Heard August 2002

Charges: Case # 0878/01: Importation of Controlled Drug namely ganja
Amount: **1400 pounds.**
Plea: Not Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: **8 years.**
Grand Court: **Appeal dismissed. Sentence confirmed**

R v Devon Anthony Blake SCA# 10/02; Heard August 2002

Charges: Case # 0636/01: Importation of Controlled

Amount: Drug namely ganja.
1400 pounds.
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: **5 years.**
Grand Court: **Appeal dismissed. Sentence confirmed**

R v Andy S. Gibson SCA# 45/02; SCA Heard August 2002.
(See Attempts)

Charges: **Case # 7198/02(1): Possession of Ganja.**
Case # 7198/02(2): Possession of Ganja WITS.
Case # 7198/02(3): Attempting to Export Ganja.
Amount: 7.115 kilo grams or 15.68 lbs.
Plea: Guilty.
Previous Convictions: Unknown
Age: Unknown
Summary Court: **7198/02(1): To lie on File.**
7198/02(2): 15 months.
7198/02(3): 15 months concurrent to 7198/02(2).
Grand Court:

R v Anna Pauline Maleine Skoog SCA# 30/02; Heard September 2002. CICA 28/02 heard April 2003

Charges: Case # 5604/01: Permitting Premises to be used for the Distribution of a Controlled Drug, namely Ganja.
4339/01: Possession of Ganja WITS.
Amount: 1,092.4 lbs.
Plea: **Not Guilty.**
Previous Convictions: None.
Age: 26 years old.
Summary Court: 5604/01: 2 years.
4339/01: 3 years concurrent.
Grand Court: **Appeal Allowed. Convictions set aside.**
Written reasons given.
CICA: Appeal allowed. Conviction and sentences Restored. Reasons released August 1, 2003.

R v Dwayne S. Seymour SCA# 9/02; Appeal Heard October 2002.

(See Cocaine also)

Charges:

Case # 0806/02: Damage to Property.
Case # 2722/00: Damage to Property
Case # 0316/01(1): Damage to Property
Case # 5027/01: Possession of Prohibited
Weapon.
Case # 5564/01(1): Disorderly conduct at
Liquor Premises.
Case # 5564/01(2): Criminal Trespass.
Case # 5564/01(3) Assault Causing ABH.
**Case # 0490/01(1): Consumption of
Ganja.**

Case # 0490/01(2): Consumption of
Cocaine.

Amount:

Unknown.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case # 0806/02: 12 months consecutive.
Case # 2722/00: 30 days consecutive.
Case # 0316/01(1): 9 months consecutive.
Case # 5027/01: 30 days consecutive.
Case # 5564/01(1): 14 days consecutive.
Case # 5564/01(2): 7 days concurrent.
Case # 5564/01(3) Left on File
Case # 0490/01(1): 6 months concurrent.
Case # 0490/01(2): 6 months concurrent.
Sentence appeal dismissed.

Grand Court:

R v Lynden Dwayne Walton SC Sentenced October 2002; SCA# 55/02

Heard 25/09/03 (Henderson J.). CICA 24/03.

(See Cocaine)

Charges:

Case # 4128/01(3): Possession of Cocaine
WITS.

4128/01(1): Consuming Ganja

4128/01(2) – Possession of Cocaine

4128/01(3) - Not Guilty

Plea:

Amount:

4128/01(1) - Guilty

Previous Convictions: Unknown
Age: Unknown
Summary Court: Case # 4128/01(3): 7 years.
Case # 4128/01(1) – 3 months concurrent.
Case # 4128/01(2) – No separate penalty.
Subsumed in **4128/01(3).**
Grand Court: **Appeal against conviction and sentence dismissed.**
CICA: **Leave to Appeal to CICA refused.**

R v Asfa Ijah Webster SCA# 22/02; Heard October 2002.

(See Cocaine)

Charges: Case # 259/01: Being concerned in the Supplying of Cocaine.
Case # 260/01 Consumption of Cocaine.
Case # 261/01 Consumption of Ganja.
Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: 259/01: 12 months.
260/01: 3months concurrent.
261/01: 3 months concurrent.
Grand Court: **Sentence Appeal dismissed 4/10/02.**

R v Jude Anthony McField SC Sentenced November 2002; SCA# 58/02 Not yet Heard
(Handling Stolen Goods)

Charges: **4718/02(1) – Consumption of Ganja.**
4718/02(2): - Possession of Ganja
5473/02(1) – Handling Stolen Goods.
5473/02(2) – Possession of a prohibited weapon.
5473/02(3) – Selling Ganja.
5473/02(4) – Possession of Utensil used in the Preparation of a controlled drug.
5473/02(5) – Consumption of Ganja.
5473/03(6) – Possession of Ganja
Plea: Guilty
Amount:
Previous Convictions:
Age: **26 years old.**
Summary Court: **4718/02(1) – 30 days consecutive.**
4718/02(2): - 30 days concurrent.
5473/02(1) – 6 months.

5473/02(2) – 30 days concurrent.
5473/02(3) – 1 year consecutive.
5473/02(4) – 30 days concurrent.
5473/02(5) – 30 days concurrent.
5473/03(6) – Dismissed.
Adjourned to 16th May 2003.

Grand Court:

YEAR 2003

R v Brian Percival Rankine SC Sentenced May 2002. SCA # 35/02 – Heard January 2003.(See Cocaine, Burglary and Theft)

Charges:

Case # 2725/02: Burglary.
2698/02: Burglary.
2564/02: Burglary.
2101/02(1): Consumption of Cocaine.
2101/02(2): Consumption of Ganja.
2101/02(3): Theft.

Plea:

Guilty.

Previous Convictions:

62 previous including theft, consumption, Burglary starting in 1987.

Age:

33 years old.

Summary Court:

2725/02: 3 years.
2698/02: 2 years consecutive to 2725/02.
2564/02: 3 years concurrent with 2725/02.
2101/02(1): 12 months concurrent with 2725/02
2101/02(2): 12 months concurrent with 2725/02
2101/02(3): 12 months concurrent with 2725/02.

Grand Court:

Appeal dismissed as withdrawal. Order that Rankine enter a drug rehabilitation programme and take advantage of any drug programme that are offered or are available.

R v Salina Rita Parry SC Sentenced July 2002. SCA 48/02 – Heard January 2003.
(See Attempts) (Co-accused Cunningham)

Charges:

Case # 6307/02(1): Possession of Ganja.

Amount:
Plea:
Previous Convictions:
Age:
Summary Court:

WITS.
Case # 6307/02(2): Attempting to export

Ganja
38.43 lb.

Guilty.

None

20 years

6307/02(1): 15 months.

6307/02(2): 15 months concurrent to
6307/02(1).

Grand Court:

**Appeals allowed. Sentence reduced from
15 months to 12 ½ months. Matters
transpiring after sentence – Customs able
to set up sting operation from information
supplied by defendants.**

R v Stephanie H. Cunningham SC Sentenced February 2002. SCA#48 – Heard
January 2003. (Co-accused – Parry)
(See Attempts)

Charges:

**Case # 6308/02(1): Possession of Ganja.
WITS.**

Case # 6308/02(2): Attempting to export
Ganja.

38.43 lb.

Guilty.

None

21 years old

6308/02(1): 15 months.

2256/02(2): 15 months concurrent to
2265/01(2).

Amount:
Plea:
Previous Convictions:
Age:
Summary Court:

Grand Court

**Appeals allowed. Sentences reduced from
15 to 12 ½ months. Matters transpiring
after sentence- Customs able to set up
sting operation from information given by
defendants.**

R v Thad K. Boddan . Sentenced in S.C. May 2001. SCA 29/01- Heard January 2003
(See Handling Stolen Goods)

Charges:

Case # 7077/00 – Handling Stolen Goods.

Case # 0211/01 – Handling Stolen Goods.

*Case # 7190/00(1) – Handling Stolen

Goods.

Plea:

Previous Convictions:

Age:

Summary Court:

Grand Court:

R v Dougmore Leroy Wright Sentenced March 2002. SCA# 19/02. Heard February 2003. (See Cocaine)

Charges:

Case # 7190/00(6) – Possession of Obscene Publication.

Case # 7190/00(7) – Possession of Obscene Publication.

Case # 7190/00(2) – Handling Stolen Goods.

Case # 7190/00(3) – Consumption of Ganja.

Case # 7190/00(4) – Possession of Ganja.

Case # 7190/00(5) – Possession of Ganja.

Guilty to 7077/00 and 7190/00(3) and (4)

Not Guilty to 211/01 and 7190/00.

Other charges not put.

Unknown.

24 years.

7077/00 – 12 months.

Items stolen ordered returned to victim.

0211/01 – 18 months consecutive to

7077/00.

*7190/00(1) – To Remain on File.

7190/00(6) – To Remain on File.

7190/00(7) – To Remain on File.

Case # 7190/00(2) – 6 months consecutive to 211/01.

7190/00(3) – 6 months concurrent to 0211/00.

7190/00(4) – 6 months concurrent to 0211/00.

7190/00(5) – No separate Penalty.

Subsumed in 7190/00(4).

Sentences on 7077/00, 0211/01 and

7190/00(1-7) to commence 30/5/00- except that time spent in custody between

12/12/00 and 2/3/2001 to be deducted from sentence.

Appeal Denied.

Case # 1434/01(1): Possession of Cocaine WITS.

Case # 1434/01(2): Possession of Cocaine.

Case # 1434/01(3): Consumption of Ganja.

Amount: Cocaine - 0.040 ozs or 1.139 grams(15 rocks).
Plea: Not Guilty
Previous Convictions: 16 previous convictions including 7 related to possession and consumption of a controlled drug.
Age: 28 years.
Summary Court: Case#1434/01(1): 5 years.
Case # 1434/01(2): Left on File.
Case # 1434/01(3): 1 year concurrent with 1434/01(1).
Grand Court: Appeal against conviction and sentence dismissed. Conviction and sentence affirmed.

R v Betsy Matilda Watler SCA#15/03 - Sentenced April 2003.CICA 2/04 Heard April 04

(See Cocaine)

Charges: Case# 2526/03(1) - Failure to surrender to bail conditions
Case#2526/03(2) - Possession of Cocaine w/intent to supply
Case#2526/03(4) - Consumption of Ganja
Plea: Guilty
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case# 2526/03(1) - 30 days
Case#2526/03(2) - 4 years, 3 months concurrent
Case#2526/03(4) - 30 days concurrent
Defendant to have drug counselling.
Grand Court: **Appeal against sentence dismissed 20/02/04**
CICA: **Appeal against sentence dismissed. Sentence affirmed.**

R v Seymour Patrick Ramsey SCA#19/03 - Sentenced May 2003.Appeal withdrawn on 16/5/03

Charges: **Case#2240/03(1) - Consumption of Ganja**
Case#2240/03(2) - Possession of Ganja
Plea: Guilty
Amount: Unknown

Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#2240/03(1) - 6 months concurrent.
Case#2240/03(2) - 6 months concurrent.
Grand Court: Appeal withdrawn on 16/5/03.

R v Thomas Robert Owen Bush SCA#30/03 - Sentenced Dec 1995. Appeal 25/7/03
(See Cocaine)

Charges: Case#9659/02(1) - Possession of Cocaine
Case#9659/02(2) - Possession of Cocaine
w/intent to supply
4800/95 - Possession of Cocaine
4802/95 - Consumption of Ganja
9187/02(1) - Taking a Conveyance w/out
Authority
9187/02(2) - Driving w/out being Licensed
9187/02(3) - Driving w/out insurance

Plea: Not Guilty
Amount: 2 kilos
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case#9659/02(1) - Subsumed in (2)
Case#9659/02(2) - 9 years.
4800/95 - Fined \$500 or 2 months in
default of payment.
4802/95 - Fined \$250 or 1 month.
**Pay all fines within 3 months of release
from prison.**
9187/02(1) - \$150 or 1 month
9187/02(2) - \$150 or 1 month.
9187/02(3) - \$150 or 1 month. Disqualified
for 12 months. Total fines for 9187 series
\$450.00. 6 weeks to pay.

Grand Court: Appeal allowed.3 months to pay fine
starting from 25/7/03

R v Joel Jason Smith SCA#16/03 - Heard August 2003
(See Cocaine, ABH)

Charges: Case# 9190/02(1) - Threatening Violence
Case#9190/02(2) -Assault causing ABH
Case#9190/02(3) - Carrying an offensive
Weapon
Case#0368/03 - Failing to Surrender to
Custody

Plea:
Previous Conviction:
Age:
Summary Court:

Case#9071/02(1) - Possession of Cocaine
Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug

**Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)**

Case#9246/02 Failing to Surrender to
Custody

Case#9603/02 - Failing to Surrender to
Custody

Guilty

Unknown

Unknown

Case# 9190/02(1) - Threatening Violence
9 months imprisonment

Case#9190/02(2) -Assault causing ABH
9 months concurrent

Case#9190/02(3) - Carrying an offensive
Weapon

9 months concurrent

Case#0368/03 - Failing to Surrender to
Custody

30 days

Case#9071/02(1) - Possession of Cocaine
3 months consecutive

Case # 9071/02(2) Possession of Utensil
used in the consumption of a controlled drug

3 months concurrent

**Case#9701/02(3) Consumption of a
Controlled Drug (Ganja)**

3 months concurrent

Case#9246/02 Failing to Surrender to
Custody

30 days concurrent

Case#9603/02 - Failing to Surrender to
Custody

30 days concurrent

Grand Court:

Dismissed for want of Prosecution-1/8/03

R v James Christopher Bush SCA#32/03 - Sentenced August 2003.
(See Theft and Handling Stolen Goods)

Charges:

Case# 3647/94 - Assault

Case#4199/94 - Consumption of Ganja

Case#3200/95 - Failing to give Urine
Specimen.

Plea:
Previous Conviction:
Age:
Summary Court:

Case#361-66/96 - Handling Stolen Goods.
Case#367/96 - Refusing to Provide a Urine Specimen
Case#368-69/96 - Handling Stolen Goods.
Case#370/96 - Theft
Not Guilty
Unknown
Unknown
Case# 3647/94 - \$500 or 2 months.
Case#4199/94 - \$250 or 1 month.
Case#3200/95 - \$400 or 30 days - 3 months to pay.
361-66/96 - Fined \$200 or 30 days on each charge. 1 year imprisonment suspended for 2 years on each. Defendant given 3 months to pay. \$500.00 per month.
367/96 - Fined \$200 or 30 days. Defendant given 3 months to pay.
368-369/96 -Fined \$200.00 or 30 days on each charge.
370/96 - \$200 or 30 days. Given 3 months to pay.

R v Shyam Ebanks SCA#40/03 - Sentenced September 2003.

Charges:

Case#0450/03 - Being Concerned in the Attempt to Export Ganja

Plea:

Guilty

Amount:

Unknown

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case#0450/03 - Motor Vehicle forfeited under s. 25 Misuse of Drugs Law.

Grand Court:

Appeal Pending.

R v Omar Duval Sentenced October 2003. SCA#46/03(Panton J.). CICA 9/04 Heard August 2004.

Charges:

Case#2562/03(1) - Possession of Ganja WITS.

Case#2562/03(2) - Consumption of Ganja

Case#2562/03(3) - Possession of Utensil used in the consumption of controlled drug.

Case#2562/03(4) - Possession of Ganja

Plea: Guilty
Amount: Unknown
Previous Conviction: Unknown
Age: Unknown
Summary Court:
Case#2562/03(2) - Consumption of Ganja
Case#2562/03(3) - Possession of Utensil used in the consumption of controlled drug.
Case#2562/03(4) - Possession of Ganja
Grand Court: Appeal dismissed.
CICA: Remitted for Trial to Magistrate. Reasons to be put in writing.

R v Oscar George Solomon SCA#38/03 - Sentenced August 2003. Appeal dismissed as abandoned 17/10/03

Charges: **Case#4477/03(1) - Possession w/intent to Supply**
Case# 4477/03(2) - Possession of a Controlled Drug (Ganja).
Plea: Guilty
Amount:
Previous Conviction: Unknown
Age: Unknown
Summary Court: **Case#4477/03(1) - 12 months.**
Case#4477/03(2) - No verdict entered.
Grand Court: **Appeal dismissed as abandoned.**

R v Jeffery Copley SCA#25/03 - Sentenced June 2003. Dec. 2003 Appeal Dismissed 5/12/03

Charges: Case# 2957/03(1) - Importation of Ganja
Case#2957/03(2) - Possession of Ganja
Plea: **Not Guilty**
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case# 2957/03(1) - \$1500 or 30 days
Case#2957/03(2) - Subsumed in (1). No separate penalty ordered. Ganja forfeited to the Crown and ordered to be destroyed pursuant to s.23of the Misuse of Drugs Law. The vessel Endurance to the Crown.
Grand Court: **Appeal dismissed 5/12/03**

R v Carlos Eugene Minzette SCA#31/03 - Sentenced July 2003. Dec. 2003 Appeal allowed 5/12/03

Charges: Case # 3569/03(2) - Possession with intent supply
Case#3569/03(1) - Possession of Ganja
Plea: Guilty
Amount: **78.75 grams**
Previous Conviction: Unknown
Age: Unknown
Summary Court: Case # 3569/03(2) - 9 months consecutive to present term
Case#3569/03(1) - No separate penalty ordered.
Grand Court: **Appeal allowed 5/12/03. Reduce the sentence to 6 months.**

R v Keith Delroy Minzett SCA# 4/03; Sentenced Jan. 2003. Appeal Heard August 2003. (See Cocaine) CICA 19/2003 Heard December 2003.

Charges: Case # 5583/01(2): Possession of Cocaine WITS. 2.255 grams
Case#6721/01(1):Selling Cocaine. 0.123 grams.
Case#6721/01(3): Consuming Ganja.
Case#6721/01(4): Consuming Cocaine.
Plea: **Not Guilty** to 5583/01(1)
Guilty to 6721/01(1, 3 & 4).
Amount: **See above.**
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case # 5583/01(2) – 3 1/2 years.
Case # 6721/01(1,3,4) – 5 years concurrent.
Grand Court: **Appeal dismissed.**
CICA **Appeal against sentence dismissed.**

R v Leo Ashton Bush SCA#52/03 - Sentenced December 2003. (See Cocaine)

Charges: Case#6191/02(1) - Possession of Cocaine.
Case#6191/02(2) - Possession of Cocaine WITS.
Case#6191/02(3) - Possession of Ganja.

Plea:
Amount
Previous Conviction:
Age:
Summary Court:

Case#6191/02(4) - Possession of Ganja WITS.

Case#6191/02(5) - Consumption of Ganja.

Case#6191/02(6) - Consumption of Cocaine.

Unknown.

Unknown

Unknown

Case#6191/02(1) - No separate penalty.

Case#6191/02(2) - 5 years. Money
forfeited to the Crown.

Case#6191/02(3) - No separate penalty.

Case#6191/02(4) - 9 months concurrent

Case#6191/02(5) - 3 months concurrent.

Case#6191/02(6) - 3 months concurrent.

Grand Court:

Appeal pending.

OTHER CONTROLLED DRUGS

YEAR 2002

R v Jeffery Allen Montgomery Sentenced March 2002. SCA# 18/02; SCA by the Crown Not Yet Heard.

Charges:	Case # 2220//02(2): Importation of MDMA or Ecstasy Case # 2220/02(1): Possession of MDMA.
Amount:	Unknown.
Plea:	Guilty
Previous Convictions:	Unknown
Age:	Unknown
Summary Court:	2220/02(2): Fined \$7.500 or 6 months suspended for 2 years. 2220/02(1): Left on File.
Grand Court:	Court advised Feb 2003 that Crown will no longer appeal matter.

**OFFENCES OF DISHONESTY/OFFENCES RELATING TO
PROPERTY**

**AGGRAVATED BURGLARY
BURGLARY
ROBBERY
THEFT
HANDLING STOLEN GOODS
OBTAINING PROPERTY BY DECEPTION
OBTAINING A PECUNIARY ADVANTAGE BY DECEPTION**

STATEMENT ON TARIFFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 – SMELLIE C.J.

“As regards **OFFENCES OF DISHONESTY:**

*For ROBBERY, a first offence involving the use of a firearm could attract a tariff of 14 years.

Otherwise for a first offence of an aggravated nature, 8 years will be imposed.

For aggravated offences of BURGLARY, a first offence will attract a tariff of 4-6 years.

For BURGLARY, without aggravating circumstances, a second or subsequent offence will attract a tariff of 3-4 years.

It should be emphasised however that we consider home invasions whether by night or by day very serious offences and any such offence is likely to be discouraged by appropriate prison sentences.

For offences of THEFT or related offences, depending on the value of the property stolen and any other aggravating factors, particularly where there is a breach of trust in the context of a relationship of employment, an immediate term of imprisonment ranging from 1 to 4 years for a first offence, and an order for repayment, will likely be imposed. The tariff could be higher still depending on the seriousness of the offence.

For HANDLING STOLEN GOODS, the tariff will be 2 to 3 years immediate imprisonment for serious offences in this category and the tariff may be higher if there are previous convictions relating to dishonesty.”

AGGRAVATED BURGLARY:

Section 232(1) Penal Code – Maximum Punishment Life Imprisonment

YEAR 2003

R v Lyndon Ivan Banks IND# 58-59/02.GC Session March/April 2003.

(See ABH) (Kellock J.). CICA 9/03: Heard August 2004.

Charge: **Count 1:Aggravated Burglary (58/02- 5907/02)**
Count 2: Assault Occasioning ABH (59/02 - 7121/02(1))

Plea: **Not Guilty to 58/02**
Guilty to 59/02

Age: 40 years old.

Summary Court: N/A.

Grand Court: **Ind #58/02: 4 years consecutive to 59/02**
Ind#59/02: 12 months imprisonment.

CICA **Appeal against conviction allowed.**
Conviction for Aggravated burglary quashed. Sentence set aside. Conviction for burglary substituted.
Appeal against sentence allowed.
Sentence of 3 years for Ind.58/02 (burglary) imposed, consecutive to Ind 59/ (12 months). Total sentence of 4 years.

R v Samuel Jerome Bodden and Gary Ivan Ebanks- Both Young Persons GCR

November/December 2003. Ind # 13/03

Charges: Case # 0386/03 Count 1: Aggravated Burglary
Count 2: Aggravated Burglary
Count 3: Possession of Imitation Firearm
Count 4: Threatening Violence.

Amount: N/A

Plea: 7/5/03: Both defendants not guilty to all 4 charges
13/10/03: Guilty to Counts 2 &4.
Pleas acceptable to Crown. Counts 1 &3
Left on File

Previous Convictions: Unknown

Age: 19 and 18 respectively.

Summary Court:
Grand Court:

N/A.

Bodden

Count 2: 2 years Probation. 1 year of House arrest 7pm-6:30am.

Count 4: 200 Hours of Community Service ordered.

Ebanks

Count 2: 1 year imprisonment suspended for 2 years.

Count 4: Probation Order of 2 years.

Mandatory drug counselling for 1 year.

Curfew 9pm to 6am.

BURGLARY OF A DWELLING HOUSE:

Section 231(1) Penal Code – Maximum Penalty of 14 years. “B” Offence.

YEAR 2002

R v Dwayne Miguel Evans SCA# 16/02; Sentenced February 2002 and June 2002. Application to appeal out if Time refused 12/04/02. (See Attempted Theft, Theft, Cocaine and Ganja).

Charges:

Case # 4907/01: Burglary.

Case # 4906/01: Attempted Theft.

Case # 4404/01(1): Possession of a Utensil Used in the Consumption of a Controlled Drug.

Case # 4404/01(3): Consuming Cocaine.

Case # 4404/01(4): Being Concerned in namely Cocaine.

Case#6806/01(1): Consumption of Cocaine.

Case # 6806/01(2): Consumption of Ganja.

Case # 6806/01(3): Possession of Cocaine.

Case # 0021/01: Theft.

Case # 0128/01(1): Burglary.

Case # 0128/01(2): Damage to Property.

Case # 0128/01(3): Threatening Violence.

Case # 0128/01(4): Carrying an Offensive Weapon.

Case # 0128/01(5): Resisting Arrest

Unknown.

Guilty

Unknown

Unknown

Amount:

Plea:

Previous Convictions:

Age:

Summary Court:

Case # 4907/01: 2 ½ years consecutive to sentence of 18 months on 0128/01(1) suspended on 12/06/01.

Case # 4906/01: 9 months consecutive.

Case # 4404/01(1): 6 months consecutive.

Case # 4404/01(3): 6 months concurrent.

Case # 4404/01(4): 6 months concurrent.

Case#6806/01(1): 6 months concurrent.

Case # 6806/01(2): 6 months concurrent.

Case # 6806/01(3): 6 months concurrent.

Case # 0021/01: 6 months concurrent.

Case # 0128/01(1): 2 years. 18 months suspended for 2 years.

Case # 0128/01(2): 2 years Probation.

Case # 0128/01(3): 6 months concurrent.

Case # 0128/01(4): Probation Order of 2 years made concurrent

Case # 0128/01(5): 7 days.

Grand Court:

Leave to Appeal out of Time Refused.

R v Herman A. Byrd IND# 21/01; 25/01/22/01 and 35/01 GCS March/April 2002

(See also GBH and ABH)

Charges:

Case # 0788/01(2): Count 1: Attempted Robbery.

Ind#21/01:Case # 6310/00(2): Count 2: GBH

Ind#25/01: Case # 5914/00(4): Count 3 – Robbery

Ind#22/01:Case # 6310/00(2): Count 6 – Assault Occasioning ABH.

Ind#35/01: Case # 1974/01: Count 1 – Burglary

Plea:

Ind#35/01-Burglary-Guilty

Ind#21/01- Counts 1 – Not Guilty

Ind#21/01 – Count 2 – Guilty

Ind#25/01 – Count 3 _ Not Guilty

Ind#22/01 – Count 6 - Guilty

Previous Convictions:

Unknown

Age:

32 years old

Summary Court:

N/A

Grand Court:

Ind#35/01 - Count 1- 12 months

Ind# 21/01 - Count 2 – 4 ½ years(GBH)

Ind#22/02 - Count 6 – 2 years.(ABH)

Time in prison not to count. Sentences to run concurrently.

CICA:

R v Jonathan Stanley McLean Sentenced May 2002; SCA# 37/02- Appeal w/drawn in April 2003.

Charges:

Case # 4606/01: Burglary.

Case # 0301/02: Burglary.

Case # 0300/02: Burglary.

Case # 6898/01: Burglary.

Plea:
Previous Convictions:
Age:
Summary Court:

Case # 5168/01: Burglary.
Case # 6897/01: Burglary.
Guilty
Previous conviction for dishonesty.
20 years old.
Case # 4606/01: 2 years.
Case # 0301/02: 2 years concurrent
Case # 0300/02: 2 years concurrent.
Case # 6898/01: 2 years concurrent.
Case # 6208/01(1): 2 years concurrent.
Appeal against sentence withdrawn April 2003.
Conviction and Sentence Affirmed

Grand Court:

CICA

R v Neil E. Thomas Sentenced May 2002. SCA# 37/02 Withdrawn by consent February 2003. (See Handling Stolen Goods)

Charges:

Case # 4960/01: Burglary.
Case # 1370/02: Burglary.
Case # 6664/01(1): Burglary.
Case # 4606/01: Burglary.
Case # 6208/01(1): Burglary.
Case # 6208/01(2 &3): Burglary.
Left on File.
Case # 1371/02: Handling Stolen Goods.
Case # 4961/01: Burglary.
Case # 5167/01: Burglary.
Case # 6282/01: Burglary.
Case # 4962/01: Burglary.

Plea:
Previous Convictions:

Guilty
15 prior convictions covering offences of dishonesty, possession and consumption of controlled drugs.

Age:
Summary Court:

26 years old.
Case # 4960/01: 3 years consecutive to 6664/01
Case # 1370/02: 3 years consecutive to 6664/01 but concurrent with 4960/01.
Case # 6664/01(1): 3 years concurrent.
Case # 4606/01: 3 years.
Case # 6208/01(1): 2 years concurrent.
Case # 1371/02: 9 months imprisonment concurrent with 4960/01.
Case # 4961/01: 3 years concurrent with 4960/01.
Case # 5167/01: 3 years concurrent.

Grand Court:

**Case # 6282/01: 2 years concurrent.
Case # 4962/01: 3 years concurrent.
Appeal withdrawn with consent of the
Crown.**

R v Joseph Edmond Hydes SCA # 37/02 Sentenced May 2002

Charges:

Case # 6898/01: Burglary
Case # 0301/02: Burglary.
Case # 6897/01: Burglary

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case # 6898/01: 12 months concurrent.
Case # 0301/02: 12 months. To pay
compensation of \$2,500 or 6 months.
Case # 6897/01: 12 months. Compensation
of \$500.00 or 6 months. Compensation
payable , 6 months after release.

R v Gary Steven Oliver SCA # 37/02 Sentenced May 2002

Charges:

Case # 0300/02: Burglary.
Case # 0301/02: Burglary.
Case # 6898/01: Burglary.
Case # 6897/01: Burglary.

Plea:

Guilty

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case # 6898/01: 12 months concurrent.
Compensation of \$2500.00 or 6 months.
Payable, 6 months after release.
Case # 0301/02: 12 months. To pay
compensation of \$2,500 or 6 months.
Case # 6898/01: 12 months concurrent.
Case # 6897/01: 12 months. Compensation
of \$500.00 or 6 months. Compensation
payable 6 months after release.

Grand Court:

Appeal withdrawn 4/7/02.

R v Armando Adolpho Gomez SCA # 2/02 Heard May 2002

Charges:

Case # 6991/01: Burglary

Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: 3 ½ years consecutive to sentence presently being served
Grand Court: Appeal allowed. Sentence of 24 months imposed instead of 3 ½ years.

R v David C. Ebanks and Phillip Glennon Ebanks SCA # 06/02 Heard June 2002
CICA: July 2002

Charges: Case # 5896 &97 /01: Escaping Lawful Custody
Case # 6023/01: Burglary
Case # 6021/01: Burglary
Case # 6022/01: Burglary
Case # 6024/01: Burglary
Case # 6020/01: Burglary

Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case # 5896 &97/01: Escaping Lawful Custody.
18 months imprisonment.
Case # 6023/01: Burglary
12 months consecutive for each defendant.
Case # 6021/01: Burglary
15 months consecutive for each defendant.
Case # 6022/01: Burglary
15 months consecutive for each defendant.
Case # 6024/01: Burglary
15 months consecutive for each defendant
Case # 6020/01: Burglary
15 months consecutive for each defendant
Total of 7 ½ years for each defendant.

Grand Court: **David C Ebanks:**
Appeal allowed. Sentence of 7 ½ years reduced to 6 years as sentence for escape from lawful custody ordered to be served concurrent to the sentences for burglary.
Phillip G. Ebanks:
Appeal dismissed. Sentence of 7 ½ years

CICA: affirmed.
CICA 15/02 – Philip Ebanks- Sentence appeal dismissed.
CICA 18/02 – David C. Ebanks – Sentence appeal dismissed.

R v Norma Jean Ebanks IND#13/01;GC Session Sept/Oct 2001. CICA 13/02
Heard July 2002

Charges: **IND# 13/01**
Case # 7237/00 Count 1 – Burglary.
Plea: Guilty.
Previous Convictions: Unknown
Age: Unknown
Summary Court: N/A
Grand Court: 7237/00 – Probation Order for 3 years.
Court to have report every 6 months as to progress. No order as to costs.
CICA: Appeal against sentence withdrawn. Sentence of 9 months for breach of Probation vacated. In all other respects, sentence affirmed i.e. 9 months for burglary.

R v George Roy Pearson IND#32/01. GC Session July/Aug. 2001; CICA 14/02- Heard July 2002

Charges: Case # 0016/01(1) Count 1 – Burglary.
Case # 0843/01 Count 2 – Burglary.
Case # 1553/01 Count 3 – Burglary.
Plea: Guilty.
Previous Convictions: Unknown.
Age: Unknown.
Summary Court: Unknown.
Grand Court: Count 1 – 4 years.
Count 2 – 3 years concurrent.
Count 3 – 1 year consecutive.
Total time: 5 years.
CICA: Sentence Appeal dismissed. Sentence affirmed.

R v Orlando Ashburn Knight SCA# 51/02; Sentenced September 2002.

Charges: Case # 063/02: Burglary.
062/02(1&2):Burglary.
043/02: Burglary.
047/02(1, 2 &3): Burglary
047/02(4&5): Burglary. **Left on File.**
028/02: Burglary.
029/02: Burglary.

Plea: Guilty.

Previous Convictions: Unknown

Age: Unknown

Summary Court: Case # 063/02: Burglary.
062/02(1&2):Burglary.
043/02: Burglary.
047/02(1, 2 &3): 3 years. Drug counselling
whilst in custody.
047/02(4&5): Burglary. **Left on File.**
028/02: 1 year concurrent to 043/02, 063/02,
047/02(1.2 &3) and 062/02(1&2).
029/02: 9 months concurrent to 028/02.

Grand Court:

R v Eloise Veda Brown-Tajah SC Sentenced October 2002; SCA# 56/02 Not yet Heard

Charges: Case # 5624/02 - Burglary

Plea: **Guilty**

Amount: N/A

Previous Convictions:

Age:

Summary Court: **5624/02 – 18 months. Defendant to be receive drug counselling and to be seen by Mental Health on a monthly basis.**

YEAR 2003

R v Brian Percival Rankine SCA# 35/02; Sentenced May 2002. SCA # 35/02 – Heard January 2003.
(See Cocaine, Ganja and Theft)

Charges: Case # 2725/02: Burglary.
2698/02:Burglary.
2564/02: Burglary.

2101/02(1): Consumption of Cocaine.
2101/02(2): Consumption of Ganja.
2101/02(3): Theft.
Plea: Guilty.
Previous Convictions: 62 previous including theft, consumption, Burglary starting in 1987.
Age: 33 years old.
Summary Court: **2725/02: 3 years.**
2698/02: 2 years consecutive to 2725/02.
2564/02: 3 years concurrent with 2725/02.
2101/02(1): 12 months concurrent with 2725/02
2101/02(2): 12 months concurrent with 2725/02
2101/02(3): 12 months concurrent with 2725/02.
Grand Court: **Appeal dismissed as withdrawal. Order that Rankine enter a drug rehabilitation programme.**

R v Norman C. McLaughlin Sentenced October 2002. SCA # 54/02 Heard April 2003

Charges: Case # 8018/02(1): Burglary
8012/02(1): Burglary Left on File.
7758/02: Burglary
Plea: Guilty.
Previous Convictions: 18 previous convictions including 7 for burglary and two for theft.
Age: 28 years old.
Summary Court: 8018/02(1):30 months imprisonment
7758/02:30 months concurrent.
Aggravating features - residential burglaries at night and involved direct confrontation with the householders. Was on parole.
Grand Court: **Appeal denied on the basis that the sentence was not manifestly excessive or wrong in law.**

R v James Rayburn Ebanks SCA#14/03 - Heard July 2003. CICA 15/03 Heard December 2003

Charges: **Case# 9549/02 - Burglary**
Case#0001/03 - Failing to Surrender to

Plea: Custody
Previous Conviction: Guilty
Age: Unknown
Summary Court: Unknown
Grand Court: **9549/02 - 18months**
CICA: **0001/03 - 30 days concurrent**
Conviction and Sentence appeals dismissed
Appeal against sentence dismissed. Sentence affirmed.

R v Manuel Ramirez Carter IND# 8/03 GCR Session September/October 2003
(See Indecent Assault) (Henderson J.) CICA 22/03 Heard December 2003

Charges: Case # 7724/02(1):Count 1:Indecent Assault
Case #1052/03:Count 2: Burglary
Case # 0901/0(1): Count 3: Burglary
Count 4: Indecent Assault
Plea: **Guilty to Counts 1, 2 & 3**
Previous Convictions: Not Known
Age: 22 years.
Summary Court: N/A
Grand Court: Count 1: 4 years imprisonment.
Count 2: 2 years and 8 months consecutive to Count 1.
Count 3: 4 years consecutive to Counts 1 & 2.
Defendant to undergo thorough Psychiatric Assessment before parole is considered.
CICA: **Appeal against sentence dismissed.**

R v Charles M. Bush SCA #7/03- Heard December 2003
(See Theft; Attempted Theft; Attempted Burglary; Attempting to Obtain Property by Deception)

Charges: **Case # 8228/02(1):Burglary**
Case #0105/03: Damage to Property
Case # 0105/03(2): Attempted Theft
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary
Case#7746/02(2): Attempting to Obtain Property by Deception
Case # 7746/02(3): Obtaining Property by

Plea:
Previous Convictions:
Age:
Summary Court:

Deception
Case#1019/02: Theft
Case#9925/02: Burglary
Case#8399/02(1): Burglary
Case#8399/02: Burglary
Case#7937/02: Burglary
Case#8218/02: Attempted Burglary
Case#10014/02(1-3): Traffic Offences
Guilty
Not Known
Not Known
Case # 8228/02(1): Burglary - 2 years consecutive to 0105/03
Case #0105/03: Damage to Property - 6 months consecutive to 7746/02
Case # 0105/03(2): Attempted Theft - 6 months concurrent
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary- 18 months
Case#7746/02(2): Attempting to Obtain Property by Deception - 18 months concurrent
Case # 7746/02(3): Obtaining Property by Deception - 18 months concurrent
Case#1019/02: Theft - 6 months concurrent
Case#9925/02: Burglary- 2 years concurrent
Case#8399/02(1): Burglary - 2 years concurrent
Case#8399/02: Burglary - Left on File
Case#7937/02: Burglary - 2 years concurrent
Case#8218/02: Attempted Burglary - 2 years concurrent
Case#10014/02(1-3): Traffic Offences
Adjourned sine die.

Grand Court:

R v Eric Lindsey Ebanks SCA#44/03 - Sentenced October 2003. SCA heard March 2004.

(See Theft and Attempting to Obtain Property by Deception)

Charges:

Case#2327/03 - Attempting to Obtain Property by Deception
Case#5720/03(1) - Burglary
Case#5720/03(2) - Resisting Arrest
Case#5469/03(1) - Theft

Plea:
Previous Conviction:
Age:
Summary Court:

Guilty
Unknown
Unknown
Case#2327/03 - 6 months
Case#5720/03(1) - 18 months consecutive to sentence of 2 years, suspended on the 20/8/02 which is now activated.
Case#5720/03(2) - 6 months.
Case#5469/03(1) - 6 months consecutive to c#5720/03.
Case#5469/03(2) - 6 months concurrent.

Grand Court:

Appeal allowed to reduce sentence to 4 Years. C#5720/03, 5469/03(2) and 5720/03(1) to run concurrently

ROBBERY:

Section 230 Penal Code – Maximum Penalty of Life Imprisonment. “A” Offence.

Year 2002

R v Dominique Henry McLaughlin IND# 12/02; GCS March/April 2002

Charges: Case # 5415/01(1): Count 1: Robbery.
Plea: Guilty
Previous Convictions: Unknown
Age: 25 years old
Summary Court: N/A
Grand Court: 2 ½ years.
CICA:

R v Harrington Rivers IND# 62/00.GC Session Sept/Oct. 2000.
CICA 4/02 July 2002. (See Firearm Offences)

Charge: **Case # 4786/00(1) – Count 1 – Robbery.**
Case # 4786/00(2) – Count 2 – Possession
of Imitation firearm.
Plea: Pleaded Guilty to Counts 1 & 2.
Previous Conviction: Unknown
Age: Unknown
Summary Court: N/A.
Grand Court: **Count 1 – 4 years.**
Count 2 – 4 years to run concurrent to
Count 1.
CICA: Appeal dismissed.

Year 2003

R v Leon Clarke GC Session May/June 2003. IND# 14/03. CICA 8/04 Not yet Heard
(See **GBH & Firearm Offences**) (Levers J.)

Charges: **Case # 1026/02**
Count 1 – Robbery

Count 2 – Attempted Murder
Count 3 - GBH
Count 4 - GBH
Count 5 - Possession of Firearm w/intent to
commit an indictable offence.
Count 6 - Possession of an Unlicensed
Firearm

Plea:

**Guilty to Counts 1,3,4 & 5
Not Guilty to Counts 2 & 6.**

Grand Court:

Count 1 – 10 years.
Count 2 - To lie on File
Count 3 - 6 years imprisonment.
Count 4 - 6 years imprisonment.
Count 5 - 7 years imprisonment.
All sentences to run concurrently.

R v Ricky Rankine IND#14/03 GCR November/December 2003. Coram Levers J. with
jury. (See ABH,GBH, Possession of Firearm).CICA 25/03. **Heard August 2004.**

Charges:

Case # 1026/02:Count 1: Robbery.
Case # 0109/03(1): Count 2 :Attempted
Murder.
Case# 0109/03(2): Count 3 GBH
Count 4 ABH
Case #0109/03(3):Count 5:Possession of
Firearm
Case#0109/03(4): Count 6: Possession of
Unlicensed Firearm.

Amount:

N/A

Plea:

13/6/03: Not Guilty to all 6 Counts.
26/11/03: Guilty to Counts 5&6.

Previous Convictions:

Unknown

Age:

34 years old

Summary Court:

N/A

Grand Court:

Count 1: 18 years.
Count 3: 6 years.
Count 4: 8 years.
Count 5 : 5 years.
Count 6: Subsumed in Count 5.
Sentence on Counts 3,4,5 and 6 to run
concurrently.

CICA:

Appeal against convictions
dismissed. Convictions affirmed.
Appeal against sentence for Count 1
allowed. Sentence of 18 years for

Count 1 vacated. Sentence of 15 years substituted. Sentence with regard to Counts 3,4,5 & 6 affirmed.

THEFT:

Section 229 Penal Code – Maximum Penalty of 10 years. “B” Offence.

YEAR 2002

R v Matio Romario Dinnall IND# 59/01 GCS Jan/Feb 2002

Charges: Case # 4390/01(1): Count 1: Robbery
Case # 4390/01(01): Count 2: Theft
Plea: Count 1: Not Guilty: To Lie on File
Count 2: Guilty
Previous Convictions: Unknown.
Age: 18years old
Summary Court: N/A
Grand Court: **12 months.**
CICA:

R v Dwayne Miguel Evans SCA# 16/02; Sentenced February 2002 and June 2002.
Application to appeal out if Time refused 12/04/02. (See Burglary, Attempted Theft,
Cocaine and Ganja).

Charges: Case # 4907/01: Burglary.
Case # 4906/01: Attempted Theft.
Case # 4404/01(1): Possession of a Utensil
Used in the Consumption of a Controlled
Drug.
Case # 4404/01(3): Consuming Cocaine.
Case # 4404/01(4): Being Concerned in
namely Cocaine.
Case#6806/01(1): Consumption of
Cocaine.
Case # 6806/01(2): Consumption of Ganja.
Case # 6806/01(3): Possession of Cocaine.
Case # 0021/01: Theft.
Case # 0128/01(1): Burglary.
Case # 0128/01(2): Damage to Property.
Case # 0128/01(3): Threatening Violence.
Case # 0128/01(4): Carrying an Offensive
Weapon.
Case # 0128/01(5): Resisting Arrest
Amount: Unknown.

Plea: Guilty
Previous Convictions: Unknown
Age: Unknown
Summary Court: Case # 4907/01: 2 ½ years consecutive to sentence of 18 months on 0128/01(1) suspended on 12/06/01.
Case # 4906/01: 9 months consecutive.
Case # 4404/01(1): 6 months consecutive.
Case # 4404/01(3): 6 months concurrent.
Case # 4404/01(4): 6 months concurrent.
Case#6806/01(1): 6 months concurrent.
Case # 6806/01(2): 6 months concurrent.
Case # 6806/01(3): 6 months concurrent.
Case # 0021/01: 6 months concurrent.
Case # 0128/01(1): 2 years. 18 months suspended for 2 years.
Case # 0128/01(2): 2 years Probation.
Case # 0128/01(3): 6 months concurrent.
Case # 0128/01(4): Probation Order of 2 years made concurrent
Case # 0128/01(5): 7 days

R v Roger Dorn Ebanks IND# 49/00 GCS March/April 2002

Charges: Case # 2257-91/99: Counts 1- 28: Theft
Plea: Counts 1-28: Not Guilty. Jury trial.
Previous Convictions: None
Age: Unknown
Summary Court: N/A
Grand Court: Not guilty by Direction on Counts 4,6 & 7
Guilty on Counts 1,2,5,8, 11-28.
Not Guilty on Counts 3,9 &10.
Sentence of 3 years imprisonment.

CICA:

R v Keown Kwane McDonald IND# 7/02 GCS March/April 2002

Charges: Case # 0110/02 Count 1: Robbery
Case # 0821/02 Count 2: Theft
Plea: Not Guilty to Count 1. Guilty to Count 2.
Crown offered no evidence on Count 1.
Previous Convictions: None
Age: 18 years old
Summary Court: N/A

Grand Court:

Count 1 – 15 months. Recommended for Deportation. No order for costs and Compensation. Community service order revoked.

R v Brian Percival Rankine SCA# 35/02; Sentenced May 2002. SCA # 35/02 – Heard January 2003.

(See Cocaine, Ganja and Burglary)

Charges:

Case # 2725/02: Burglary.

2698/02: Burglary.

2564/02: Burglary.

2101/02(1): Consumption of Cocaine.

2101/02(2): Consumption of Ganja.

2101/02(3): Theft.

Plea:

Guilty.

Previous Convictions:

62 previous including theft, consumption, Burglary starting in 1987.

Age:

33 years old.

Summary Court:

2725/02: 3 years.

2698/02: 2 years consecutive to 2725/02.

2564/02: 3 years concurrent with 2725/02.

2101/02(1): 12 months concurrent with 2725/02

2101/02(2): 12 months concurrent with 2725/02

2101/02(3): 12 months concurrent with 2725/02.

Grand Court:

Appeal dismissed as withdrawal. Order that Rankine enter a drug rehabilitation programme.

YEAR 2003

R v Donald Calvin Hooker Sentenced May 2002. SCA # 34/02 Heard January 2003.
(See Obtaining Property by Deception)

Charges:

Case # 4077/01(1-2): Obtaining Property by Deception. Left on File.

4078/01(1): Forgery. Left on File.

4078/01(2): Theft.

3625/01: Failing to Provide Fingerprints.

Plea:
Previous Convictions:
Age:
Summary Court:

4082/01: Obtaining Property by
Deception.
Guilty.
Nature unknown.
Unknown
**4078/01(2):12 months imprisonment
consecutive to present sentence and all
other sentences.**

Grand Court:

4082/01: 18 months consecutive to present
sentence and all other sentences.
**Appeal allowed. Sentence reduced from 3
years to 2 years to run consecutive to
other previous sentences.**

R v Crisdell Sandra Mae Ebanks Sentenced March 2003. SCA # 11/03 & 12/03 Heard
April 2003

Charges:

Case #6290/01(1) - Theft
Case # 6290/01(2-40)-: Theft
6290/01(41-80): False Accounting.

Plea:
Previous Convictions:

Guilty.
**One previous conviction for obtaining
property by deception.**

Age:
Summary Court:

45 years old.
**For each charge (41-80) defendant
sentenced to 12 months concurrent with the
sentence of 12 months on charges (1 and 2-
40), of which 9 months imprisonment
suspended.**

Grand Court:

Ordered to pay compensation to National
Cement Ltd. of CI\$16,000 or 6 months in
default of payment
**Appeal by Crown. Appeal granted on the
basis that the sentence was unduly lenient
especially in a financial jurisdiction. 12
months imprisonment imposed.
Compensation order stands.**

R v Merl Advira Telfia Williams GC Session July/August 2003; Ind# 54/02
(Levers J, with Jury). CICA 16/03. Heard July 2003.

Charges:

Case # 4758/02(1); Count 1 - Theft
4758/02(2); Count 2 - Theft.
4758/02(3); Count 3 - Uttering a False

Plea:
Previous Convictions:
Age:
Summary Court:
Grand Court:

Document
4758/02(4); Count 4 - Uttering a False
Document

Not Guilty to all Counts

Unknown

37 years old.

N/A

Count 1 - 5 years imprisonment

Count 2- 5 years imprisonment

Count 3 - Subsumed in Count 1.

Count 4 - Subsumed in Count 4.

Sentences to run concurrently.

Recommended for Deportation.

CICA:

**Appeal against convictions
dismissed.**

**Appeal against sentence Counts 1 &2
varied to 3 years concurrent. Deportation
Order vacated.**

R v James Christopher Bush SCA#32/03 - Sentenced August 2003.
(See Ganja and Handling Stolen Goods)

Charges:

Case# 3647/94 - Assault

Case#4199/94 - Consumption of Ganja

Case#3200/95 - Failing to give Urine
Specimen.

Case#361-66/96 - Handling Stolen Goods.

Case#367/96 - Refusal to Provide Urine
Specimen.

Case#368-369/96 - Handling Stolen Goods

Case# 370/96 - Theft.

Plea:

Not Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case# 3647/94 - \$500 or 2 months.

Case#4199/94 - \$250 or 1 month.

Case#3200/95 - \$400 or 30 days - 3 months
to pay.

Case#361-66/96 Fined \$200 or 30 days on
each charge. 1 year imprisonment
suspended for 2 years on each. Defendant
given 3 months to pay. \$500.00 per
month.

367/96 - Fined \$200 or 30 days. Defendant
given 3 months to pay.

368-369/96 -Fined \$200.00 or 30 days on each charge.

370/96 - \$200 or 30 days. Given 3 months to pay

R v Charles M. Bush SCA #7/03- Heard December 2003

(See Burglary; Attempted Theft; Attempted Burglary; Attempting to Obtain Property by Deception)

Charges:

Case # 8228/02(1):Burglary
Case #0105/03: Damage to Property
Case # 0105/03(2): Attempted Theft
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary
Case#7746/02(2): Attempting to Obtain Property by Deception
Case # 7746/02(3): Obtaining Property by Deception

Case#1019/02: Theft

Case#9925/02:Burglary
Case#8399/02(1): Burglary
Case#8399/02: Burglary
Case#7937/02: Burglary
Case#8218/02: Attempted Burglary
Case#10014/02(1-3): Traffic Offences

Plea:

Guilty

Previous Convictions:

Not Known

Age:

Not Known

Summary Court:

Case # 8228/02(1):Burglary - 2 years consecutive to 0105/03
Case #0105/03: Damage to Property - 6 months consecutive to 7746/02
Case # 0105/03(2): Attempted Theft - 6 months concurrent
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary- 18 months
Case#7746/02(2): Attempting to Obtain Property by Deception - 18 months concurrent
Case # 7746/02(3): Obtaining Property by Deception - 18 months concurrent
Case#1019/02: Theft - 6 months concurrent
Case#9925/02:Burglary- 2 years

concurrent
Case#8399/02(1): Burglary - 2 years
concurrent
Case#8399/02: Burglary - Left on File
Case#7937/02: Burglary - 2 years
concurrent
Case#8218/02: Attempted Burglary - 2
years concurrent
Case#10014/02(1-3): Traffic Offences
Adjourned sine die

Grand Court:

R v Brian Paul Kuhn SCA#39/03 - Sentenced September 2003. Appeal Heard 20/02/04
(Levers J.). CICA ¾ Heard August 2004.

Charges:

Case#3564/03(1) - Theft.
Case#4644/03(3) - Theft.
Case#4644/03(4) - Theft.
Case#4644/03(6) - Theft.
Case#4644/03(7) - Theft.
Case#4644/03(9) - Theft.
Case#4644/03(11) - Theft.
Case#4644/03(13) - Theft.
Case#4644/03(14) - Theft.
Case#4644/03(15) - Theft.

Guilty

Plea:

None

Previous Conviction:

Unknown

Age:

Summary Court:

Case#3564/03(1) - Theft.
3 years concurrent. Compensation order
made in the sum of US\$250,000 or 6 months
Case#4644/03(3) - Theft.
3 years. Compensation Order made in the
sum of US\$500,000 or 6 months in default.
Case#4644/03(4) - Theft.
3 years concurrent. Compensation Order
made in the sum of US\$300,000 or 6 months
in default.
Case#4644/03(6) - Theft.
3 years concurrent. Compensation Order
made in the sum of US\$150,000 or 6 months
in default.
Case#4644/03(7) - Theft.
3 years concurrent. Compensation Order
made in the sum of US\$200,000 or 6 months
in default.

Case#4644/03(9) - Theft.
3 years concurrent. Compensation order in the sum of US\$100,000 or 6 months in default.
Case#4644/03(11) - Theft.
3 years concurrent. Compensation Order made in the sum of US\$200,000 or 6 months in default of payment.
Case#4644/03(13) - Theft.
3 years concurrent. Compensation Order for US\$50,000 or 6 months in default.
Case#4644/03(14) - Theft.
3 years concurrent. Compensation Order for US\$180,000 or 6 months in default.
Case#4644/03(15) - Theft.
3 years concurrent. Compensation Order for US\$107,000 or 6 months in default.

Grand Court:

Appeal against sentence allowed in that compensation orders set aside. Appeal against sentence of three years dismissed. Crown accepts not guilty verdict on charge 4644/03(14).

CICA:

Appeal by AG against sentence allowed in relation to the compensation orders. Compensation Orders re-instated. Immediate repayment ordered.

R v Eric Lindsey Ebanks SCA#44/03 - Sentenced October 2003. SCA heard March 2004.

(See Burglary and Attempting to Obtain Property by Deception)

Charges:

Case#2327/03 - Attempting to Obtain Property by Deception
Case#5720/03(1) - Burglary
Case#5720/03(2) - Resisting Arrest
Case#5469/03(1) - Theft

Plea:

Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case#2327/03 - 6 months
Case#5720/03(1) - 18 months consecutive to sentence of 2 years, suspended on the 20/8/02 which is now activated.
Case#5720/03(2) - 6 months.
Case#5469/03(1) - 6 months consecutive to c#5720/03.

Grand Court:

Case#5469/03(2) - 6 months concurrent.
**Appeal allowed to reduce sentence to 4
Years. C#5720/03, 5469/03(2) and
5720/03(1) to run concurrently**

HANDLING STOLEN GOODS:

Section 243 Penal Code – Maximum Penalty of 14 years. “B” Offence.

YEAR 2002

R v Neil E. Thomas Sentenced May 2002. SCA# 37/02 – Appeal w/drawn Feb 2003.
(See Burglary)

Charges:

Case # 4960/01: Burglary.
Case # 1370/02: Burglary.
Case # 6664/01(1): Burglary.
Case # 4606/01: Burglary.
Case # 6208/01(1): Burglary.
Case # 6208/01(2 &3): Burglary.
Left on File.

Case # 1371/02: Handling Stolen Goods.

Case # 4961/01: Burglary.
Case # 5167/01: Burglary.
Case # 6282/01: Burglary.
Case # 4962/01: Burglary.

Plea:

Guilty

Previous Convictions:

15 previous including 4 for dishonesty.
28 years old.

Age:

Summary Court:

Case # 4960/01: 3 years consecutive to
6664/01
Case # 1370/02: 3 years consecutive to
6664/01 but concurrent with 4960/01.
Case # 6664/01(1): 3 years concurrent.
Case # 4606/01: 3 years.
Case # 6208/01(1): 2 years concurrent.
**Case # 1371/02: 9 months imprisonment
concurrent with 4960/01.**
Case # 4961/01: 3 years concurrent with
4960/01.
Case # 5167/01: 3 years concurrent.
Case # 6282/01: 2 years concurrent.
Case # 4962/01: 3 years concurrent.

Grand Court:

Appeal withdrawn with consent of Crown.

R v Jude Anthony McField SC Sentenced November 2002; SCA# 58/02 Not yet Heard (Ganja))

Charges: 4718/02(1) – Consumption of Ganja.
4718/02(2): - Possession of Ganja
5473/02(1) – Handling Stolen Goods.
5473/02(2) – Possession of a prohibited
weapon.
5473/02(3) – Selling Ganja.
5473/02(4) – Possession of Utensil used in
the Preparation of a controlled drug.
5473/02(5) – Consumption of Ganja.
5473/03(6) – Possession of Ganja
Guilty

Plea:

Amount:

Previous Convictions:

Age:

Summary Court:

26 years old.

4718/02(1) – 30 days consecutive.

4718/02(2): - 30 days concurrent.

5473/02(1) – 6 months.

5473/02(2) – 30 days concurrent.

5473/02(3) – 1 year consecutive.

5473/02(4) – 30 days concurrent.

5473/02(5) – 30 days concurrent.

5473/03(6) – Dismissed.

YEAR 2003

R v Duane Edward Boddin SCA# 34/02; Sentenced May 2002. SCA Heard January 2003. (See Attempt to Obtain Property by Deception)

Charges: Case # 4083/01: Attempting to Obtain
Property by Deception.
4079/01: Handling Stolen Goods.
4080/01: Attempting to Obtain Property by
Deception.
Left on File.

Plea:

Previous Convictions:

Guilty

Unknown

Age: Unknown
Summary Court: 4083/01: 6 months concurrent with 4079/01.
4079/01: 18 months imprisonment.
Grand Court: **Appeal dismissed.**

R v Thad K. Boddan . Sentenced in S.C. May 2001. SCA 29/01- Heard January 2003
(See Ganja)

Charges: **Case # 7077/00 – Handling Stolen Goods.**
Case # 0211/01 – Handling Stolen Goods.
***Case # 7190/00(1) – Handling Stolen Goods.**
Case # 7190/00(6) – Possession of Obscene Publication.
Case # 7190/00(7) – Possession of Obscene Publication.
Case # 7190/00(2) – Handling Stolen Goods.
Case # 7190/00(3) – Consumption of Ganja.
Case # 7190/00(4) – Possession of Ganja.
Case # 7190/00(5) – Possession of Ganja.
Plea: Guilty.
Previous Convictions: Unknown.
Age: Unknown.
Summary Court: **7077/00 – 12 months.**
Items stolen to be returned to victim.
0211/01 – 18 months consecutive to 7077/00.
***7190/00(1) – To Remain on File.**
7190/00(6) – To Remain on File.
7190/00(7) – To Remain on File.
Case # 7190/00(2) – 6 months consecutive to 211/01.
7190/00(3) – 6 months concurrent to 0211/00.
7190/00(4) – 6 months concurrent to 0211/00.
7190/00(5) – No separate Penalty.
Subsumed in 7190/00(4).
Sentences on 7077/00, 0211/01 and 7190/00(1-7) to commence 30/5/00- except that time spent in custody between 12/12/00 and 2/3/2001 to be deducted from sentence.
Grand Court: **Appeal Denied.**

R v James Christopher Bush SCA#32/03 - Sentenced August 2003.
(See Ganja and Theft)

Charges:

Case# 3647/94 - Assault
Case#4199/94 - Consumption of Ganja
Case#3200/95 - Failing to give Urine Specimen.
Case#361-66/96 - Handling Stolen Goods.
Case#367/96 - Refusal to Provide Urine Specimen.
Case#368-369/96 - Handling Stolen Goods
Case# 370/96 - Theft.

Plea:

Not Guilty

Previous Conviction:

Unknown

Age:

Unknown

Summary Court:

Case# 3647/94 - \$500 or 2 months.
Case#4199/94 - \$250 or 1 month.
Case#3200/95 - \$400 or 30 days - 3 months to pay.
Case#361-66/96 Fined \$200 or 30 days on each charge. 1 year imprisonment suspended for 2 years on each. Defendant given 3 months to pay. \$500.00 per month.
367/96 - Fined \$200 or 30 days. Defendant given 3 months to pay.
368-369/96 - Fined \$200.00 or 30 days on each charge.
370/96 - \$200 or 30 days. Given 3 months to pay.

R v Dempsey Powell SCA 34/03 Heard October 2003
(Henderson J.)

Charges:

Case#3682/00 - Handling Stolen Goods

Plea:

Not Guilty

Previous Convictions:

Not Known

Age:

Not Known

Summary Court:

Fined \$500 or 30 days. 6 months suspended for 2 years. 30 days to pay.
Appeal dismissed for want of prosecution.

Grand Court:

OBTAINING PROPERTY BY DECEPTION:

Section 235(1) Penal Code. Maximum Punishment – 10 years. “B” Offence.

YEAR 2002

R v Alvin Connor IND# 13A/2002 CICA# 21/02

Charges:	Case# 4955/01 Count 1: Conspiracy to Evade the Immigration Law Case# 4956/01(2) Count 2: Theft - No case to answer. Case#4956/01(3) Count 3: Obtaining Property by Deception Case# 4956/01(1) Count 4:Obtaining a Pecuniary Advantage by deception
Plea:	Not Guilty. Convicted 4/6/2002
Previous Convictions:	None
Age:	about 50 years old.
Summary Court:	N/A
Grand Court:	Count 1 - 1 month Count 3 - 6 months Count 4 - 7 days Sentences are to run concurrently.
CICA:	Appeal pending.

YEAR 2003

R v Donald Calvin Hooker Sentenced May 2002. SCA # 34/02 Heard January 2003.
(See Theft)

Charges:	Case # 4077/01(1-2): Obtaining Property by Deception. Left on File. 4078/01(1): Forgery. Left on File. 4078/01(2): Theft. 3625/01: Failing to Provide Fingerprints. 4082/01: Obtaining Property by Deception.
Plea:	Guilty.
Previous Convictions:	Nature unknown.

Age: Unknown
Summary Court: 4078/01(2):12 months imprisonment consecutive to present sentence and all other sentences.
4082/01: 18 months consecutive to present sentence and all other sentences.
Grand Court: **Appeal allowed. Sentence reduced from 3 years to 2 years to run consecutive to other previous sentences.**

R v Roger Howard C. Johnson IND# 5/02 GCR Session July/August 2003
(Sanderson J. with Jury) CICA 21/03 Heard December 2003.

Charges: Case # 6293/01(1-2):Count 1-5 Obtaining Property by Deception.
Plea: Not Guilty
Previous Convictions: Not Known
Age: 58 years.
Summary Court: N/A
Grand Court: 12 months imprisonment.
Restitution of US\$33,500.00 to be paid within 30 days. Default: Additional 12 months to be added to sentence.
CICA Appeal against sentence allowed in part. Order for restitution varied to extend time for payment to any date prior to date of release from custody of 12 month sentence presently being served. In lieu of payment a 6 (six) month sentence increase is substituted.

OBTAINING A PECUNIARY ADVANTAGE BY DECEPTION:

Section 236 Penal Code. Maximum Penalty of 5 years.

YEAR 2002

R v Alvin Connor IND# 13A/2002 CICA# 21/02

(See Obtaining Property by Deception)

Charges:

Case #4955/01 Count 1: Conspiracy to Evade the Immigration Law
Case# 4956/01(2) Count 2: Theft - No case to answer
Case# **4956/01(3)** Count 3: Obtaining Property by Deception
Case# 4956/01(1) Count 4: Obtaining a Pecuniary Advantage by deception

Plea:

Not Guilty. Convicted 4/6/2002

Previous Convictions:

None. Highly decorated Police Officer. about 50 years old.

Age:

Summary Court:

N/A

Grand Court:

Count 1 - 1 month
Count 3 - 6 months
Count 4 - 7 days

Sentences are to run concurrently.

CICA:

Appeal pending.

R v Orville Fitzgerald Thomas IND# 32/02

Charges:

Obtaining a Pecuniary Advantage by Deception- Three Specimen Counts on the Indictment of 37 counts in total.

Plea:

Guilty. Amount in question US\$55,050.00

Previous Convictions:

Age:

Summary Court:

N/A

Grand Court:

CICA:

R v Annie Leola Russel IND# 11/2002; CICA 7/02 Heard July 2002

Charges:	Case # 6011/01 Counts 1-4 : Forgery Counts 5-12: Uttering a False Document Counts 13- 16: Obtaining Property by Deception
Plea:	Guilty to all Counts except Count 11. Plea accepted by Crown
Previous Convictions:	Unknown
Age:	29 years old.
Summary Court:	N/A
Grand Court:	Counts 1 to 4: 18 months Counts 5 – 10 & 12: - 18 months. Counts 13 – 16: 18 months Sentences are to run concurrently. No order of Compensation
CICA:	Appeal dismissed against sentence.

OFFENCES RELATED TO TRAFFIC VIOLATIONS
CAUSING DEATH BY DANGEROUS OR RECKLESS DRIVING
DRIVING WHILST INTOXICATED AND CAUSING DEATH

**STATEMENT ON TARIFFS AND GUIDELINES FOR SENTENCING
FOR CERTAIN OFFENCES 2002 – SMELIE C.J.**

TRAFFIC OFFENCES:

We are happy to report that the number of traffic accidents where death has occurred has been greatly reduced. There was one such accident where alcohol was involved in 2001. As announced in 1998, the tariff will be 5 years imprisonment, for offences of causing death by dangerous driving involving alcohol, speed or other aggravating factors. In the absence of such aggravating circumstances, the tariff will be 3 years.

Offences of **Driving Whilst Intoxicated** are in and of themselves serious offences and will continue to attract the kinds of tariffs which the Summary Court has been handing down. These will typically involve immediate periods of disqualification for at least a year and significant fines. Such offenders where appropriate may also be required to undergo therapy and counselling for alcohol abuse. It must always be remembered that the Law also prescribes a possible penalty of immediate imprisonment.

CAUSING DEATH BY DANGEROUS DRIVING:

SECTION 67 Traffic Law (2001 Revision) – Maximum Penalty of 10 years imprisonment and disqualification of 5 years or longer, running from date of conviction or from expiration of sentence.

YEAR 2002

R v Josh Terry GC Session Oct/Nov 2001. IND# 18/01.CICA 47/01 Heard March 2002

Charges: Case # 0851/01(2) Count 1 – Dangerous Driving.
Count 2 – Causing Death while Driving Intoxicated.

Plea: Guilty to Count 1.
Not Guilty to Count 2.

Grand Court: Count 1 – 2 years imprisonment.
5 years disqualification.
Count 2- To Lie on File.

CICA: Appeal allowed. Sentence varied to 12 Months imprisonment. Reasons for judgment released.

YEAR 2003

R v Fernando Edgardo Goff GC Session May/June 2003. IND# 2/03.
(Levers J.)

Charges: Case # 9536/02 Count 1 – Causing Death by Dangerous Driving.

Plea: Guilty to Count 1.

Age: 19 years old

Grand Court: Count 1 – 2 years probation.
5 years disqualification.
To attend counselling.

DRIVING WHILST INTOXICATED AND CAUSING DEATH:

Section 72 Traffic Law (2001 Revision) – Maximum Penalty of 10 years imprisonment and disqualification from driving for 5 years or longer.

YEAR 2002

**ATTEMPTS AND CONSPIRACIES TO COMMIT CRIMES AND
ACCESSORIES AFTER THE FACT**

ATTEMPTED MURDER
ATTEMPTED INFLECTION OF GBH
ATTEMPTED RAPE
ATTEMPTED DRUG OFFENCES
ATTEMPTED BURGLARY
ATTEMPTED ROBBERY
ATTEMPTED THEFT
ATTEMPTING TO OBTAIN PROPERTY BY DECEPTION
ATTEMPTED ARSON
ACCESSORY AFTER THE FACT TO GBH
CONSPIRACIES

ATTEMPTED MURDER:

Section 192 Penal Code – Maximum Penalty of Life – “A” Offence.

YEAR 2002

R v John Lucas Bernard IND#43/00; CICA 27/02. Appeal heard December 2003.
(See ABH)

Charges:	Count 1 - ABH, Count 2 – GBH Count 3 - Attempted murder. Contempt of Court.
Plea:	Not Guilty
Previous Convictions:	None
Age:	Unknown
Summary Court:	N/A
Grand Court:	Count 1 - 3 months concurrent to Count 3. Count 2 - 3 months concurrent to Count 3. Count 3 - Attempted Murder - 14 years.
CICA:	Appeal dismissed. Conviction and sentences affirmed. Appeal adjourned with respect to Contempt of Court.

ATTEMPTED INFLICTION OF GBH:

YEAR 2002

R v Clive Dacres IND#4/01 GC Session Nov.2001. Graham J.
(See Firearm Offences). CICA 46/01 – Heard April 2002.

Charges:

Counts 1 & 2: - Attempted Murder.
Counts 3 & 4 – Attempted infliction of GBH.
Count 5 – Possession of a Firearm with intent to commit an offence, namely an assault.
Count 6 – Possession of an unlicensed firearm
Not Guilty. (Judge alone).

Plea:

Previous Conviction:

Age:

Summary Court:

Grand Court:

Counts 1 & 2 – Acquitted.
Counts 3 & 4- 12 years on each count.
Count 5 – 8 years.
Count 6 – 5 years.
All sentences to run concurrent.
Conviction appeal dismissed. Sentence appeal allowed to the extent that the sentence on **Counts 3 & 4 are varied to 9 years concurrent.**

CICA:

ATTEMPTED RAPE:

Section 127 Penal Code – Maximum Penalty – 14 years. “A” Offence.

YEAR 2002

ATTEMPTED DEFILEMENT

Year 2003

ATTEMPTED DRUG OFFENCES:

YEAR 2002

R v Andy S. Gibson SCA# 45/02; SCA Heard August 2002.
(See Ganja)

Charges: Case # 7198/02(1): Possession of Ganja.
Case # 7198/02(2): Possession of Ganja
WITS.
**Case # 7198/02(3): Attempting to Export
Ganja.**

Amount: 7.115 kilo grams or 15.68 lbs.

Plea: Guilty.

Previous Convictions: Unknown

Age: Unknown

Summary Court: 7198/02(1): To lie on File.
7198/02(2): 15 months.
**7198/02(3): 15 months concurrent to
7198/02(2).**

Grand Court:

R v Anthony Michael Edun SCA 57/01 – Heard 26/6/02.
Sentenced in S.C. – Oct. 2001. CICA 19/02 (See Cocaine).

Charges: Case # 0443/01(3) – Being concerned in the
Importation of Cocaine.
Case # 0443/01(2) – Attempted Possession
of Cocaine with intent to Supply.

Amount: Unknown.

Plea: Guilty.

Previous Convictions: Unknown.

Age: Unknown.

Summary Court: 0443/01(3) – 14 years.
0443/01(2) – 14 years concurrent

Grand Court: **26/6/02- Appeal against conviction
dismissed. Written reasons given.
Appeal against sentence rejected.**

CICA: **Appeal dismissed. Sentence affirmed.**

YEAR 2003

R v Salina Rita Parry SC Sentenced July 2002.SCA# 48/02 Heard January 2003
(Co-Defendant Cunningham) (**See Ganja**)

Charges: Case # 6307/02(1): Possession of Ganja.
WITS.
**Case # 6307/02(2): Attempting to export
Ganja**

Amount: Unknown
Plea: Guilty.
Previous Convictions: Unknown
Age: Unknown
Summary Court: 6307/02(1): 15 months.
**6307/02(2): 15 months concurrent to
6307/02(1).**

Grand Court: **Appeals allowed. Sentences reduced from
15 to 12 ½ months.**

R v Stephanie H. Cunningham SC Sentenced February 2002. SCA#48/02 Heard
January 2003. (Co-Defendant Parry)
(**See Ganja**)

Charges: Case # 6308/02(1): Possession of Ganja.
WITS.
**Case # 6308/02(2): Attempting to export
Ganja.**

Amount: Unkown
Plea: Guilty.
Previous Convictions: Unknown
Age: Unknown
Summary Court: 6308/02(1): 15 months.
**6308/02(2): 15 months concurrent to
6308/02(1).**

Grand Court: **Appeal allowed. Sentence reduced from
15 to 12 ½ months.**

ATTEMPTED BURGLARY:

YEAR 2003

R v Charles M. Bush SCA #7/03- Heard December 2003
(See Theft; Attempted Theft; Burglary; Attempting to Obtain Property by Deception)

Charges:

Case # 8228/02(1):Burglary
Case #0105/03: Damage to Property
Case # 0105/03(2): Attempted Theft
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary
Case#7746/02(2): Attempting to Obtain
Property by Deception
Case # 7746/02(3): Obtaining Property by
Deception
Case#1019/02: Theft
Case#9925/02:Burglary
Case#8399/02(1): Burglary
Case#8399/02: Burglary
Case#7937/02: Burglary
Case#8218/02: Attempted Burglary
Case#10014/02(1-3): Traffic Offences

Plea:

Guilty

Previous Convictions:

Not Known

Age:

Not Known

Summary Court:

Case # 8228/02(1):Burglary - 2 years
consecutive to 0105/03
Case #0105/03: Damage to Property - 6
months consecutive to 7746/02
Case # 0105/03(2): Attempted Theft - 6
months concurrent
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary- 18 months
Case#7746/02(2): Attempting to Obtain
Property by Deception - 18 months
concurrent
Case # 7746/02(3): Obtaining Property by
Deception - 18 months concurrent
Case#1019/02: Theft - 6 months concurrent
Case#9925/02:Burglary- 2 years
concurrent
Case#8399/02(1): Burglary - 2 years
concurrent

Case#8399/02: Burglary - Left on File

Case#7937/02: Burglary - 2 years
concurrent

**Case#8218/02: Attempted Burglary - 2
years concurrent**

Case#10014/02(1-3): Traffic Offences
Adjourned sine die

Grand Court:

ATTEMPTED ROBBERY:

YEAR 2003

R v Norman Anthony Davis IND#44/03;GCS Sept/Oct 2003. Coram: Henderson J. and Levers J. for sentencing.

Charges:	Case # 4162/03(1):Attempted Robbery
	Case #/4162/03(2): Assault O/ABH
Amount:	N/A
Plea:	Guilty to Count 1
	Count 2 not put
Previous Convictions:	Unknown
Age:	31 years old
Summary Court:	N/A
Grand Court:	Count 1 - 2 1/2 years imprisonment.
	Recommended for deportation.

ATTEMPTED THEFT:

YEAR 2002

R v Dwayne Miguel Evans SCA# 16/02; Sentenced February 2002 and June 2002. Application to appeal out if Time refused 12/04/02. (See Burglary, Theft, Cocaine and Ganja).

Charges:

Case # 4907/01: Burglary.
Case # 4906/01: Attempted Theft.
Case # 4404/01(1): Possession of a Utensil Used in the Consumption of a Controlled Drug.
Case # 4404/01(3): Consuming Cocaine.
Case # 4404/01(4): Being Concerned in namely Cocaine.
Case#6806/01(1): Consumption of Cocaine.
Case # 6806/01(2): Consumption of Ganja.
Case # 6806/01(3): Possession of Cocaine.
Case # 0021/01: Theft.
Case # 0128/01(1): Burglary.
Case # 0128/01(2): Damage to Property.
Case # 0128/01(3): Threatening Violence.
Case # 0128/01(4): Carrying an Offensive Weapon.

Case # 0128/01(5): Resisting Arrest
Unknown.

Amount:

Guilty

Plea:

Previous Convictions:

Unknown

Age:

Unknown

Summary Court:

Case # 4907/01: 2 ½ years consecutive to sentence of 18 months on 0128/01(1) suspended on 12/06/01.

Case # 4906/01: 9 months consecutive.

Case # 4404/01(1): 6 months consecutive.

Case # 4404/01(3): 6 months concurrent.

Case # 4404/01(4): 6 months concurrent.

Case#6806/01(1): 6 months concurrent.

Case # 6806/01(2): 6 months concurrent.

Case # 6806/01(3): 6 months concurrent.

Case # 0021/01: 6 months concurrent.

Case # 0128/01(1): 2 years. 18 months suspended for 2 years.

Case # 0128/01(2): 2 years Probation.

Case # 0128/01(3): 6 months concurrent.

Case # 0128/01(4): Probation Order of 2 years made concurrent

Case # 0128/01(5): 7 days

R v Charles M. Bush SCA #7/03- Heard December 2003

(See Theft; Burglary; Attempted Burglary; Attempting to Obtain Property by Deception)

Charges:

Case # 8228/02(1):Burglary

Case #0105/03: Damage to Property

Case # 0105/03(2): Attempted Theft

Case#8428/02(1-7): Traffic Offences

Case # 7746/02(1): Burglary

Case#7746/02(2): Attempting to Obtain Property by Deception

Case # 7746/02(3): Obtaining Property by Deception

Case#1019/02: Theft

Case#9925/02:Burglary

Case#8399/02(1): Burglary

Case#8399/02: Burglary

Case#7937/02: Burglary

Case#8218/02: Attempted Burglary

Case#10014/02(1-3): Traffic Offences

Guilty

Not Known

Not Known

Plea:

Previous Convictions:

Age:

Summary Court:

Case # 8228/02(1):Burglary - 2 years consecutive to 0105/03

Case #0105/03: Damage to Property - 6 months consecutive to 7746/02

Case # 0105/03(2): Attempted Theft - 6 months concurrent

Case#8428/02(1-7): Traffic Offences

Case # 7746/02(1): Burglary- 18 months

Case#7746/02(2): Attempting to Obtain Property by Deception - 18 months concurrent

Case # 7746/02(3): Obtaining Property by Deception - 18 months concurrent

Case#1019/02: Theft - 6 months concurrent

Case#9925/02:Burglary- 2 years

concurrent

Case#8399/02(1): Burglary - 2 years

concurrent

Case#8399/02: Burglary - Left on File

Case#7937/02: Burglary - 2 years

concurrent

**Case#8218/02: Attempted Burglary - 2
years concurrent**

Case#10014/02(1-3): Traffic Offences

Adjourned sine die

Grand Court:

ATTEMPTING TO OBTAIN PROPERTY BY DECEPTION

YEAR 2003

R v Eric Lindsey Ebanks SCA#44/03 - Sentenced October 2003. SCA heard March 2004.

(See Theft and Burglary)

Charges:

Case#2327/03 - Attempting to Obtain Property by Deception

Case#5720/03(1) - Burglary

Case#5720/03(2) - Resisting Arrest

Case#5469/03(1) - Theft

Guilty

Unknown

Plea:

Previous Conviction:

Unknown

Age:

Summary Court:

Case#2327/03 - 6 months

Case#5720/03(1) - 18 months consecutive to sentence of 2 years, suspended on the 20/8/02 which is now activated.

Case#5720/03(2) - 6 months.

Case#5469/03(1) - 6 months consecutive to c#5720/03.

Case#5469/03(2) - 6 months concurrent.

Grand Court:

Appeal allowed to reduce sentence to 4 Years. C#5720/03, 5469/03(2) and 5720/03(1) to run concurrently

ATTEMPTED ARSON:

YEAR 2002

R v Lola Rose Wright IND# 28/01 GCS Jan/Feb 2002

Charges:	Case # 1397 Count 1: Attempted Arson
Plea:	Count 1: Guilty
Previous Convictions:	Unknown
Age:	20 years old
Summary Court:	N/A
Grand Court:	100 Hours of Community Service to be completed in one year. Compensation Order of \$170.00 to the C.I. Government.] Costs of \$300.00 to the prosecution.
CICA:	

ATTEMPT TO OBTAIN PROPERTY BY DECEPTION:

Section 302 Penal Code – 3 years or less – “B” Offence.

YEAR 2002

R v Duane Edward Boddin SCA# 34/02; Sentenced May 2002. SCA Heard January 2003. (See Attempt to Obtain Property by Deception)

Charges:	Case # 4083/01: Attempting to Obtain Property by Deception. 4079/01: Handling Stolen Goods. 4080/01: Attempting to Obtain Property by Deception. Left on File.
Plea:	Guilty
Previous Convictions:	Unknown
Age:	Unknown
Summary Court:	4083/01: 6 months concurrent with 4079/01. 4079/01: 18 months imprisonment.
Grand Court:	Appeal dismissed.

YEAR 2003

R v Charles M. Bush SCA #7/03- Heard December 2003
(See Theft; Attempted Theft; Attempted Burglary; Attempting to Obtain Property by Deception)

Charges:	Case # 8228/02(1):Burglary Case #0105/03: Damage to Property Case # 0105/03(2): Attempted Theft Case#8428/02(1-7): Traffic Offences Case # 7746/02(1): Burglary Case#7746/02(2): Attempting to Obtain Property by Deception Case # 7746/02(3): Obtaining Property by Deception Case#1019/02: Theft Case#9925/02:Burglary
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Plea:
Previous Convictions:
Age:
Summary Court:

Case#8399/02(1): Burglary
Case#8399/02: Burglary
Case#7937/02: Burglary
Case#8218/02: Attempted Burglary
Case#10014/02(1-3): Traffic Offences
Guilty
Not Known
Not Known
Case # 8228/02(1):Burglary - 2 years
consecutive to 0105/03
Case #0105/03: Damage to Property - 6
months consecutive to 7746/02
Case # 0105/03(2): Attempted Theft - 6
months concurrent
Case#8428/02(1-7): Traffic Offences
Case # 7746/02(1): Burglary- 18 months
**Case#7746/02(2): Attempting to Obtain
Property by Deception - 18 months
concurrent**
Case # 7746/02(3): Obtaining Property by
Deception - 18 months concurrent
Case#1019/02: Theft - 6 months concurrent
Case#9925/02:Burglary- 2 years
concurrent
Case#8399/02(1): Burglary - 2 years
concurrent
Case#8399/02: Burglary - Left on File
Case#7937/02: Burglary - 2 years
concurrent
Case#8218/02: Attempted Burglary - 2
years concurrent
Case#10014/02(1-3): Traffic Offences
Adjourned sine die

Grand Court:

ACCESSORIES AFTER THE FACT:

Section 308 Penal Code – Maximum Penalty – 3 years. “B” Offence.

YEAR 2002

CONSPIRACIES:

YEAR 2001

R v Joan Jacqueline Williams IND# 31/01. Case # 0971/01 and 0970/01. Sentences imposed Nov/Dec 2001

Charges: **Count 1: Conspiracy to Steal**
Count 2: Theft
Plea: **Guilty to Count 2**
Count 2 not Put
Previous Convictions: Not Known
Age: Not Known
Summary Court: N/A
Grand Court: **18 months suspended for 2 years.**
Immediate deportation recommended.
CICA:

YEAR 2002

R v Dominique Williams IND# 37/02. Sentences imposed Nov/Dec 2002.
CICA 32/02 – . Heard December 2003.

Charges: **Count 1: Conspiracy to Export Ganja.**
Amount:
Plea: **Unknown**
Previous Convictions: Not Known
Age: Not Known
Summary Court: N/A
Grand Court: **7 years**
CICA: **Appeal dismissed.**
Conviction Affirmed.

R v Mark Campbell IND# 37/02. Sentences imposed Nov/Dec 2002.
CICA 33/02 – Pending. Appeal heard December 2003

Charges: **Count 1: Conspiracy to Export Ganja.**
Amount:
Plea: **Unknown**
Previous Convictions: Not Known
Age: Not Known
Summary Court: N/A
Grand Court: **7 years.**

CICA:

**Appeal dismissed.
Conviction Affirmed**

YEAR 2003

OTHER MISCELLANEOUS CRIMES:

R v Kenneth Oswald Stewart IND# 51/02 Case # 8361/02; GCS Jan/Feb 2003
(Levers J.)

Charges:	Bigamy
Plea:	Guilty
Previous Convictions:	None
Age:	Unknown
Summary Court:	N/A
Grand Court:	Fined CI\$6,000 or 6 months in default. Amount to be paid in installments of \$1,000 per month.

R v Lee-Ann Lavern Lemay IND# 56/02 Case # 5397/02(2) GCS Jan/Feb 2003
(Levers J.)

Charges:	Perjury
Plea:	Guilty
Previous Convictions:	None
Age:	21 years old
Summary Court:	N/A
Grand Court:	60 hours Community Service

R v Leon Ramoon IND# 57/02 Case # 84-85/02 GCS May/June 2003
(Henderson J.)

Charges:	Count 1: Doing an Act tending to Pervert the Course of Justice Count 2: Perjury
Plea:	Guilty to Count 2.
Previous Convictions:	None
Age:	17 years old
Summary Court:	N/A
Grand Court:	6 months imprisonment concurrent to sentence presently being served.

R v Rupert Junior Spence/ Young Person IND# 36/03; GCS Nov/Dec 2003; Coram
Levers J.

Charges:	Case # 9960/02(1): Burglary
Amount:	N/A
Plea:	Not guilty to Burglary, Guilty to Criminal

Previous Convictions:

Age:

Summary Court:

Grand Court:

Trespass. Plea acceptable to Crown.

Unknown

18 years old

N/A

Fined \$100,000 or 7 days in default of Payment. Two weeks to pay.

R v Marlon Sharpe IND# 14/03 Case # 9419/02 GCS Nov/Dec 2003

(Henderson J.)

Charges:

Case # 1026/02:Count 1: Robbery

Case 0109/03(3):Count 5: Possession of Firearm

Case#0109/03(4):Count 6: Possession of Unlicensed Firearm

Count 7: Being an Accessory after the Fact to Robbery or other Arrestable Offence.

Plea:

Not Guilty to Counts 1,5 & 6.

Count 7 added after amendment. Accused Pleads guilty to Count 7.

Previous Convictions:

Age:

Summary Court:

Grand Court:

Unknown

24 years old

N/A

Count 7: 3 years probation.