

DOMINICA

IN THE COURT OF APPEAL

MAGISTERIAL CRIMINAL APPEAL NO. 26 OF 1992

|         |                       |            |
|---------|-----------------------|------------|
| BETWEEN | <b>GLENROY GEORGE</b> | APPELLANT  |
|         | and                   |            |
|         | <b>THE POLICE</b>     | RESPONDENT |

Before: The Rt. Hon. Sir Vincent Floissac - Chief Justice  
The Honourable Mr Justice Singh - Justice of Appeal (Ag)  
The Honourable Mr Justice Matthew - Justice of Appeal (Ag)

Appearances: Miss A. Roberts for the appellant  
Mrs D. Wilson for the respondent

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1992; September 17  
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JUDGEMENT

FLOISSAC, C.J.

On the 15th June, 1992 the appellant was convicted by Magistrate D.J. Moise of four offences under the Motor Vehicles and Traffic Ordinance. According to the testimony of Corporal Clyde Charles all the offences were committed in Dominica, three of the offences were alleged to have been committed on the 15th March, 1992 and one of the offences was alleged to have been committed on the 20th March, 1992.

The Appellant relied on his passport to refute the testimony of Corporal Charles. But although the passport shows that the appellant was in St Martin on 1st March, 1992 and returned to Dominica on the 25th March, 1992, the passport does not prove the whereabouts of the appellant on the relevant dates.

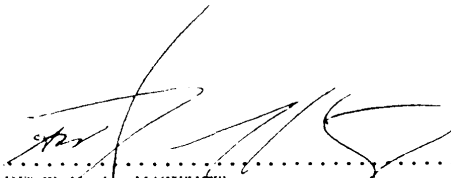
The passport is therefore not sufficient evidence to discredit Corporal Charles whom the learned Magistrate believed. The appeal is therefore dismissed.



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SIR VINCENT FLOISSAC  
CHIEF JUSTICE



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SATROHAN SINGH  
JUSTICE OF APPEAL (AG)



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ALBERT N.J. MATHIEU  
JUSTICE OF APPEAL (AG)