

IN THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
SAINT CHRISTOPHER & NEVIS
SAINT CHRISTOPHER CIRCUIT
CASE SKBHCR 2023/0041

REX

V

DIVON TROTMAN

DIJON TROTMAN

APPEARANCES

DPP Adlai Smith, Mr Leslie Roberts, Ms Kyrstal Sukra, and Ms Azuree Liburd for the Crown.

Mr Hesketh Benjamin for the defendant Divon Trotman.

Mr Craig Tuckett for the defendant Dijon Trotman.

2025: DECEMBER 15

SENTENCE

For coordinated attempted murder

by stabbing through skull and bludgeoning head with concrete block

- 1 **Morley J:** On 01.08.25, by written verdict¹, Divon Trotman aka Junie now 25 (dob 08.04.00) and his older brother Dijon Trotman aka Bull now 26 (dob 14.03.99) were convicted of wounding Keon Fyfield on 07.03.21 with intent to murder him, following a trial which was said the longest in St Kitts, beginning on 07.05.25, with the evidence and speeches closing on 18.07.25, taking

¹ See: <https://eccourts.org/judgment/rex-v-divon-trotman-et-al>

37 days of court time, having begun as a jury trial, and on its discharge on 24.06.25, continuing as judge-alone.

2 On 18.11.25, DPP Smith for the Crown filed written submissions of 9-pages on sentence, there were none from the defence, and there was a sentencing hearing on 01.12.25, with adjournment to today 15.12.25 for remarks to be in writing.

3 The facts for sentence, are reflected at paras 3 and 48 of the verdict, were:

3 On 07.03.21 at 22.13hrs² at Parry's housing extension in Stapleton, Keon Fyfield aged 38 (dob 11.11.82) crashed his BMW car into the premises³ of Andre Mitchell, who coincidentally is Assistant Commissioner of Police (ACP), a bullet⁴ was recovered from the front passenger well of the BMW, Fyfield was found in a ditch constructed behind the house, nearby was a knife⁵ with a broken tip, also a concrete block with blood all about its base⁶, at hospital he was found to have the knife tip⁷ embedded through his skull, he had 8 stab wounds to his head, and 2 blunt force splayed lacerations to his skull⁸, and he died in hospital from a pulmonary embolism 17 days later on 25.03.21, having said to police at the hospital a passenger had pulled a gun on him in his car, that 'they' had got in, also gesturing he had received stab wounds.

48 [Trying the case judge-alone]...I am sure:

- a. Divon and Dijon were with Keon Fyfield around 8.30pm on 07.03.21, Divon being seen at the car;
- b. Divon and Dijon entered his car, Divon in the front, Dijon in the back;
- c. Divon pulled a gun on Fyfield at about 22.13hrs, leading to a struggle with the gun, leading to a round ejecting into the passenger footwell, and to the car crashing;
- d. Divon and Dijon received injuries in the crash and altercation which followed, requiring stitches later at the Mary Charles hospital;
- e. Divon stabbed Fyfield in the head with the knife (ex 7), while Dijon bludgeoned him with the concrete block (ex 8), both acting together, following the attack in the car which caused the crash;
- f. Dijon took the block he had used to try unsuccessfully as a step to climb the high north wall, and then left his dna on the west wall, which was lower;
- g. At the same time as Dijon went to the west wall, Divon returned east to the car to recover the gun or bullet;

² See ex 18, being the time of the electricity outage caused by the crash recorded by Skelec.

³ See ex 2.1, being a picture of the BMW wedged at an angle above ground against the home of ACP Mitchell.

⁴ See ex 9, being the 0.40 cal bullet.

⁵ See ex 8, being the knife, and ex 6.3, being a picture of the knife in at the scene.

⁶ See ex 9, being the concrete block, and ex 6.6 and 6.7, being pictures of the blood-covered block at the scene.

⁷ See ex 16, being the knife tip.

⁸ See ex 28, being the autopsy report on Keon Fyfield by Dr Adrain Nunez.

- h. Both lied to police about their injuries and whereabouts to hide their guilt;
- i. Divon refused a buccal sample to avoid being connected to the scene, knowing he had been bleeding; and
- j. Both destroyed their clothes to avoid being found with Fyfield's blood on them.

4 As to the injuries received by Keon Fyfield, as reflected in paras 20b and 20c of the verdict:

20 I am sure of the following...

20b. Fyfield was stabbed 11 times, being in the head 8 times, with the knife recovered from the scene (ex 7). The reason I am sure is I accept the evidence below.

- i. On 01.07.25 at trial, pathologist Dr Adrian Nunez offered his assessment from the autopsy on 29.03.21 (ex 28) of what injuries Fyfield had received on 07.03.21, and in support offered 17 post-mortem pictures (ex 29.1-17), where:
 - Ex 29.1 showed 1 stab through the left side of face, which on admission had been through the cheek, the bandaging being visible in picture ex 21.2 taken on 07.03.21;
 - Ex 29.2 showed 3 stab wounds, being 1 stab wound to the right side of upper front face, 1 stab wound as a superficial linear line on the right side of upper front face, and 1 stab wound as a superficial line across the right eyebrow and forehead;
 - Ex 29.5 showed 1 stab wound along the back of the head;
 - Ex 29.14 showed 3 stab wounds, being close together to the top of the skull, where one still had the tip (ex 16) of the knife (ex 7) embedded through the skull;
 - Plus there was another 7.5cm stab wound to the left arm which had not been photographed, but is in the autopsy report; while
 - Ex 29.9 showed 2 cuts, one being clearly a defensive stab to the left wrist, and the other being a cut to the left fourth finger, which I surmise may have been a defensive stab wound, or a pinch wound from grappling a cranking handgun.
- ii. The knife (ex 7) was recovered under the left shoulder of Fyfield by Michelle Henry while being treated in the ditch, as shown in her locus video (ex 19) and handed to ACP Mitchell, who put it on a near a/c unit, where it was photographed as ex 6.3.
- iii. The knife tip (ex 16) was recovered from Fyfield's skull during autopsy, and on examination by forensic officer Damian Challenger on 30.03.21 and by Cellmark forensic scientist Damien Singleton on 27.08.21, both said in their separate opinions, matched and fitted the knife blade at where the blade is broken, meaning I am sure the multiple stabbings were by the knife recovered under Fyfield.
- iv. Dr Nunez opined to break the blade and penetrate the skull required considerable force, in the context of 8 stabbings to the head, and so I am sure evincing a murderous determination to plunge the blade into the brain.

20c. Fyfield was bludgeoned in the head at least twice with the concrete block recovered from the scene, being ex 8. The reason I am sure is I accept the evidence below.

- i. Dr Nunez further described blunt force injuries to the head, causing splayed wounds of irregular shape created by the force of impact, where:
 - Ex 29.4 showed brutal impact on the right back of head;
 - Ex 29.7 showed brutal impact on the left top of head.
- ii. He opined the injuries were consistent with the use of the corners of the concrete block (ex 8) as blunt force impact.
- iii. This is consistent with evidence given by ACP Mitchell after the crash he heard 5-6 bangings coming from the ditch area, which I conclude was use of the block to bang Fyfield's head at least twice.
- iv. The concrete block as ex 8 can be seen photographed as ex 6.6 and ex 6.7 on the night of 07.03.21 at the north wall of ACP Mitchell's home, near the ditch in which Fyfield was recovered, where I am sure the bottom surface is evidently covered in blood, consistent with, and so I am sure, having been used as a weapon to inflict the blunt force injuries described.

5 In sum, while the defence was they had been elsewhere, Divon and Dijon got into the car of Keon Fyfield who they knew, Divon pulled a gun, in a struggle a round was ejected from the breach, the car crashed, the brothers pursued Fyfield out of the car, and brutally attacked him in a ditch behind the home of ACP Mitchell, Divon stabbing him in the head 8 times, at one point through the skull breaking the knife tip, and Dijon bludgeoned his head at least twice with a heavy concrete block, acting together in a determined effort to kill him.

6 Though he died 17 days later, not from his injuries but from a pulmonary embolism, as the trial unfolded, because the doctor with primary care for Fyfield refused to testify, the Crown could not show the death was not caused by such poor hospital treatment as to amount to an intervening cause, and so a count of murder was fairly withdrawn.

7 There were no victim impact statements from family of Fyfield, it being said the family fear the brothers, though this will not affect sentence; nor will this court be influenced by the belief of one of the Crown witnesses they have committed murder before, nor that during the trial, jury tampering became an issue, nor that Fyfield is a brother of the sitting Prime Minister.

8 Dijon is of good character, though Divon has a previous conviction on 16.03.20 at the magistrates court for wounding for which he was fined, and during his remand for these proceedings served a 2-month sentence during 10.02-19.03.22 for another minor offence. This means their time on remand to be factored in this sentence, though beginning close in time to each other, from

13.04.21 for Dijon and 14.04.21 for Divon, is slightly different, being for Dijon 4y8m, and for Divon is 4y6m23d (taking account of the 2-month sentence).

- 9 As to helpful social inquiry reports dated 11.11.25 by probation officer Nekisha O'Loughlin:
- a. The report for Divon said he left school without qualification, has worked in car repair and construction, he expresses love for family, condolences to the Fyfield family, maintains he is innocent, saying *'I feel like I won the fight but the final decision went against me'*, and while he has had a difficult relationship with his father at times, his mother says he is a respectful person.
 - b. The report for Dijon said he left school without qualification, worked on cars, the Step program, and was a supervisor of the 'peace' program, expresses condolences to the Fyfield family, maintains he is innocent, also saying *'I feel like I won the fight but lost the decision'*, and is described by his mother as quiet and supportive.
- 10 It is a foreseeable aspect of judge-alone trials, which on St Kitts are novel, that a defendant might consider the judge a bad-actor who has wilfully and wrongly condemned him, as a dishonest personal attack, putting the judge into direct conflict with the defendant, unlike a jury, which is more anonymous and amorphous in its decision making, so that no one juror can be identified as primary architect of a conviction. In this case, features arise which require direct response.
- a. Here it is being said to the court through their social inquiry reports, by both, they won the case but the judge made the wrong decision.
 - b. However, there are reasons given by a judge-alone, unlike juries, which are capable of being read and carefully considered by a defendant, to show why there has been a conviction, though which as a feature of human nature a defendant may choose to ignore and refuse to consider.
 - c. It is therefore an especial duty of defence counsel, who are officers of the court, to help a defendant comprehend a written verdict and in a manner which is non-partisan to explain judicial reasoning.
 - d. Any counsel who promotes the notion a judge is just biased and acting from personal animosity is committing gross contempt of court, as such action, perhaps to hide mistakes by counsel during trial, from defendants who may find it easier to believe in judicial bias as uttered to them by an attorney who rightly or wrongly as a barrister holds their trust,

deliberately encourages misconception and this can be dangerous to the wellbeing of a judicial officer as it encourages direct retaliation.

- e. Further, be it noted, if such bad-minded contempt occurs, the barrister should reasonably be disbarred and jailed.
 - f. Court is not a game, where a defendant can be encouraged to believe he has 'won' in a 'fight', and then to believe he has been cheated by the judge of acquittal.
 - g. In this context, it must be said this court will not be intimidated by protest, while at the same time the sentence will not be affected by it.
- 11 'Wounding with intent to murder' is an offence contrary to **s10 Offences against the Person Act**, cap 4.21, from 1873, and carries a maximum sentence of 25 years.
- 12 There are as yet no formal sentencing guidelines for attempts and specifically attempted murder, which is directly akin to wounding with intent to murder, though there are guidelines for wounding with intent to do really serious harm published on 06.01.25. If applying these, recalling they are guidelines, not set in stone, and not automatically attributable to attempted murder, in my judgement the correct corollary category would be 1A, there being severe harm caused, with use of weapons, multiple blows, and a sustained incident, the criminality being premediated by producing the gun, meaning a starting point of 75%, adjusted fully upwards within the range to 90% for it being likely as serious an example possible here of attempted murder, being a coordinated attack by two, particularly brutal, plus with attempts to dispose of evidence, meaning the offence attracts 22.5 years each.
- 13 Considering the circumstances of each, Dijon being of good character, it can be reduced by one year to 21.5 years. Divon gets no discount as he has previous convictions, though I do not increase the sentence for the previous wounding in 2020 as it seems from attracting only a fine was in a different category of violence to this offence, so his sentence remains at 22.5 years.
- 14 There is no other mitigation available, notwithstanding they are reported to be quiet and likeable, as there is no remorse, and no credit available for plea.

- 15 Counsel Tuckett drew attention to **R v Lawrence Herbert 2024**⁹ from Nevis, being a decision of my brother judge Thompson J where after trial for multiple stabbing with intent to murder, the sentence was 12 years. However, that was a case of domestic violence by one person in an emotive context, which while meriting a substantial prison sentence to deter and to reflect societal denunciation, is in a different circumstance to entering a car armed with a gun, producing it, struggling over it, leading to a crash, and then a brutal sustained coordinated attack on a man with two weapons and of such force as to penetrate the skull, break a knife blade, and cover the base of a concrete block in blood, so that I consider this interesting case not to have direct application.
- 16 Time on remand as above will count toward to the earliest date of release, to be factored by the prison¹⁰.
- 17 *Divon and Dijon Trotman, please stand up.* For the coordinated offence of wounding Keon Fyfield with intent to murder him, on 07.03.21, both of you using weapons brutally to attack his head, being a knife and a concrete block, for the reasons explained, the sentence shall be, for you Divon Trotman 22.5 years, and for you Dijon Trotman 21.5 years. Time on remand shall count, and you shall be eligible for one-third remission if of good behaviour. You may go with the gaoler.

The Hon. Mr. Justice Iain Morley KC

High Court Judge

15 December 2025

⁹ See: <https://eccourts.org/judgment/director-of-public-prosecutions-v-lawrence-herbert>

¹⁰ See para 12 of **R v Anthony Adams 2025** at <https://eccourts.org/judgment/rex-v-anthony-adams-2>