

IN THE EASTERN CARIBBEAN SUPREME COURT

IN THE HIGH COURT OF JUSTICE

ST CHRISTOPHER & NEVIS

ST CHRISTOPHER CIRCUIT

CASE SKBHCR 2024/0021

REX

V

DANIA PHIPPS

APPEARANCES

Mr Tessaun Vasquez and Ms Greatess Gordon Hazel for the Crown.

Mr Jason Hamilton for the defendant.

2025: APRIL 09

SENTENCE

For murder in jealousy, and in anger at supporting family

- 1 **Morley J:** Dania Phipps aka Dabo, of Saddlers, aged 38 (dob 24.01.87), falls to be sentenced following jury conviction on 18.02.25 for the murder of Clement Mills on 22.01.20, who was the brother of his estranged partner Samantha, with whom he had a child Ziquan who was then 9 and to whom he has been close. Sentence has been adjourned to today 09.04.25 from 02.04.25 for remarks to be in writing.
- 2 Phipps has been a domineering personality, seen to have had access to guns before, and he resented how Samantha's family supported her leaving him, when some months earlier she had

moved into accommodation adjacent to her parents' home, and began a new relationship with 'Renaldo'. On 20.04.20, at around 20.00hrs he was seen to peep at her home, and then was in frequent whatsapp correspondence with her beyond midnight complaining she was with another, saying he could not cope with the 'bite' he felt, he loved her, and Ziquan, he would harm the man, doing a 'stupidness', and 'give up life', so killing himself. Then on 22.04.20, at around 8pm, Phipps burst into her parents' section, firing off all six rounds in a revolver, shooting Clement in the head dead, who had been eating some food seated, Phipps then struggled to reload, observed by Clement's brother Dennis, withdrawing to the yard, pointing the gun at him, then making off, observed closely by Samantha, and by another brother Takhanii.

- 3 The killing can be characterized as hot-blooded, in jealousy and anger, though with planning and premeditation as he forewarned his behavior, making his way armed to the Mills home, and though his focus was probably on killing Renaldo, in my judgement shooting Clement was an exercise of bullying coercive control over Samantha's family, and but for his fumbling the reload, others would likely have been killed.
- 4 In Samantha's lengthy victim statement dated 24.03.25, it is clear the family is bewildered at Phipps senseless killing of Clement, who was inoffensive, only 22, and had offered no confrontation, being killed out of the blue, with no warning, likely not even aware he was in danger. He is greatly missed, and Samantha felt for a time blamed by the family, which has been an added distress to Clement's loss.
- 5 Concerning Phipps' social inquiry report dated 31.03.25 by probation officer Terence Dasent James, he has no previous convictions, and did not reveal much of himself, only his brother Spergen speaking up for him, while he insisted he was elsewhere, with a friend, who together heard the shots, in a sense, though there was no defence evidence at trial, perhaps in the report setting up an appeal an alibi was not called. It is clear there is no remorse, and there seems a quality of pig-headedness he refuses to accept any culpability when he was seen in close proximity by three people who know him very well.
- 6 There are sentencing guidelines for murder republished on 06.01.25 at www.eccourts.org. Both prosecution and defence agree neither the death penalty nor a whole life term arises, and the

case falls within paragraph 6 for a determinative sentence, being a murder with a firearm, meaning it has a starting point of 40 years with a range between 30-50 years. It is aggravated at paras 12a and 12e as including significant premeditation and raising a great risk of death or serious injury to others, bringing it upwards to 48 years, mitigated by good character to 45 years. There is no credit for plea.

- 7 Time on remand will count, which I declare to be 4y8m23d (being 1728 days), to be an arithmetical deduction performed by the prison when calculating his earliest date of release¹.
- 8 *Dania Phipps, please stand up.* For the murder of Clement Mills on 22.04.20, by shooting him in the head out of the blue while he sat eating, then shooting up his parents' home, jealous his sister, being your estranged partner Samatha Mills, had a new relationship, angry at her family for supporting her leaving you, the sentence shall be 45 years imprisonment. Time on remand shall count. And you shall be eligible for release after serving 2/3, being 1/3 remission if of good behaviour. You may go with the gaoler.

The Hon. Mr. Justice Iain Morley KC

High Court Judge

9 April 2025

¹ The time on remand shall not be deducted by this judge from the sentence of 45 years, but instead by the prison when assessing his release date, for the reasons set out at para 12 in **R v Anthony Adams 2025**, reported on 07.04.25 at www.eccourts.org.