

IN THE COURT OF APPEAL

SUPREME COURT CRIMINAL APPEAL NO. 42/65

BEFORE: The Hon. Mr. Justice Henriques (Presiding)
 The Hon. Mr. Justice Waddington
 The Hon. Mr. Justice Moody

R. vs D E L R O Y M A R S H

Mr. C.F.B. Orr for the Crown

Mr. David Coore, Q.C. for the appellant

3rd February, 1966.

HENRIQUES, J.A.,

Notice of appeal in this application was filed on the 4th of March last year, and the application was considered by a single judge of this Court on the 6th of April last year, when the application was refused. Subsequently, the applicant applied to this Court for a consideration of his application by the Full Court, and on the 9th of September filed certain new grounds of appeal.

In view of the nature, in particular, of one of the grounds of appeal, when the matter came before the Court on the 28th of September and on the 1st of October last year, the Court ordered that certain investigations should be made. The results of these investigations have been made known to the Court and the Court is satisfied that there is no proper foundation for the allegations made in the ground of appeal. The Court has considered

carefully,.....

carefully all the grounds contained in the supplementary grounds of appeal of the 9th of September and are satisfied that there is no merit in them. The application for leave will therefore be refused.

In view of the prolonged nature of the inquiries which, of necessity, had to be made, we feel in the circumstances the interests of justice could be met by the sentence being made to run from the 28th of September last year, the time when normally this application would have been heard and dealt with.