

Ct. Criminal Law - Damage to house and furniture -  
It is on appeal on behalf of the appellant - records show  
fines paid

JAMAICA

Appeal dismissed for want of prosecution

IN THE COURT OF APPEAL

RESIDENT MAGISTRATES COURT APPEAL NO. 111/88

BEFORE: THE HON. MR. JUSTICE WRIGHT, J.A.  
THE HON. MR. JUSTICE DOWNER, J.A.  
THE HON. MR. JUSTICE GORDON, J.A. (Ag.)

REGINA

v

ANTHONY EDMONDSON

Appellant not represented

V. Grant for the Crown

December 12, 1988

WRIGHT, J.A.:

On May 20, 1988 the appellant was convicted by His Honour Mr. H.R. Marsh, Resident Magistrate for the parish of Clarendon at Lionel Town and was sentenced to pay a fine of Three Hundred and Fifty Dollars (\$350.00) with an alternative of 4 months imprisonment at hard labour. From such conviction and sentence he has appealed. Notice and Grounds of Appeal were filed on his behalf by Mr. A.A. Hines, Attorney-at-Law who represented him at the trial. No one appears on behalf of the appellant and an endorsement on the records show that the fines were paid. We accordingly dismiss the appeal for want of prosecution. The conviction and sentence are affirmed.

The charge arose out of damage to the house and furniture of Lennox Moonasingh at Savannah, Hayes in Clarendon in the night of August 29, 1985 at about 8.30 p.m. Mr. Moonasingh testified that he saw the appellant whom he knew before leaving his premises after the smashing. The damage amounted to One Thousand Five Hundred Dollars (\$1,500.00). Cautioned after arrest and charge he is alleged to have said 'Me one nah tek the trouble sah'. His defence of alibi was rejected

following which he was duly convicted. The Resident Magistrate expressed himself as satisfied with the evidence of visual identification.

Nothing appears on the record which could avail to upset his findings.