

COMMONWEALTH OF THE BAHAMAS  
IN THE COURT OF APPEAL  
SCCrApp & CAIS No. 175 of 2010

Forrester Bowe, Jr

Applicant

vs

Regina

Respondent

(Extension of Time)

Before: The Hon Mr Justice Newman, JA

Appellant appeared Pro Se  
Ms. Jillian Williams, with Ms. Olivia Blatch,  
Counsel for Respondent

25 January 2011

The oral judgment of the court was delivered by  
Newman, JA:

In this matter, Forrester Bowe draws the attention of the court to two sets of proceedings in connection with his present imprisonment. The first is in connection with an appeal to the Privy Council which he desires to pursue. The sentencing and judgment in respect of sentencing of this court took place in October or November of last year. He has not sought conditional leave to appeal to the Privy Council nor done anything in connection with an appeal to the Privy Council, it seems, because he does not have a lawyer.

There is nothing I can do, as a single judge, in respect of that in the absence of any proper application before the court.

The second matter in respect of which he seeks the court's ruling today is in connection with a pending trial on a voluntary bill of indictment for the alleged murder of a prison officer, which is a fresh matter yet to be tried. In connection with that he issued a constitutional motion challenging the indictment in the Supreme Court which was heard in October 2010. In respect of that, he is out of time and he was seeking, therefore, permission to appeal out of time.

So far as I am concerned, in the absence of seeing the ruling, I am not prepared to grant an extension of time.

The matter must be considered by reference to the ruling, as also must be the question whether or not he should have representation.

I should record that his objective (and I say this on the basis of the application he intimated) is a desire to stay the second murder trial, if possible, by having an appeal to this court in respect of the constitutional motion.

All these matters must be looked at. I am not prepared to reach any decision which might result in a stay of the proceedings which are currently, potentially coming on later this year, and perhaps in the not too distant future. The matter will have to be looked.

The applicant has in his possession a copy of the ruling of the judge in the Supreme Court refusing his constitutional motion. He has been good enough to provide that to the clerk of the court who can take a copy. It can be put on file and it can be then considered in the way I have set out.

Dated this 25th day of January, 2010

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NEWMAN, JA