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COMMONWEALTH OF THE BAHAMAS

IN THE COURT OF APPEAL

MCCrApp & CAIS No. 87 of 2022

The Commissioner of Police
Appellant

vs

Kirkwood Davis
Aedin Major
Respondents

- - - - -
MCCrApp & CAIS No. 88 of 2022

Aedin Major
Appellant

vs

The Commissioner of Police
Respondent

- - - - -
MCCrApp & CAIS No. 89 of 2022

Kirkwood Davis
Appellant

vs

The Commissioner of Police
Respondent

(Substantive Appeal; Part-Heard)
(Adjournment)

Before: The Hon Sir Michael Barnett, President, Kt
The Hon Madam Justice Crane-Scott, JA
The Hon Madam Justice Bethell, JA

Ms Darnell Dorsette, Counsel for Appellant in
87/2022, and Counsel for Respondents in 88/2022 &
89/2022
Mr Ian Cargill, Counsel for Respondents in 87/2022,
and Counsel for Appellants in 88/2022 & 89/2022

28 July 2022

1 The oral judgment of the court was delivered by

2 The Hon Sir Michael Barnett, P, Kt:

3 In the circumstances, we accede to the application
4 to abandon the appeals against conviction. The appeals are
5 dismissed and the convictions are affirmed in MCCrApp & CAIS
6 No. 88 of 2022 and MCCrApp & CAIS No. 89 of 2022.

7 We are going to refuse the appeal against sentence.
8 The magistrate considered the facts of the case. The convicts
9 were young persons. They had no previous convictions. They
10 pled guilty at the very earliest opportunity. These were all
11 factors that the magistrate took into account. She was aware
12 of the scope of the injuries at the time and she determined
13 that the proper course of punishment was a year's
14 imprisonment. That may be considered lenient, but it is not
15 so unduly lenient that no reasonable magistrate could have
16 imposed it. In those circumstances, we dismiss the appeal
17 against sentence and we affirm the sentence of one year.

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19 Dated this 28th day of July, 2022

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SIR MICHAEL BARNETT, P, Kt

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25 cn