

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCrApp & CAIS No. 101 of 2016

Valentino Yustare

Applicant

v

Regina

Respondent

(Application to Reopen Appeal)

Before: The Hon Sir Michael Barnett, President, Kt
The Hon Mr Justice Jones, JA
The Hon Madam Justice Bethell, JA

Applicant appeared Pro Se
Ms Stephanie Pintard, Counsel for Respondent

5 November 2021

1 The oral judgment of the court was delivered by

2 Sir Michael Barnett, P, Kt:

3 The Applicant's appeal was heard and determined on
4 its merits. The fact that Mr. Lexidor (who was charged with
5 him) his appeal was allowed, does not affect the propriety of
6 the appeal that he made.

7 Finality in criminal litigation is a critical part
8 of the administration of justice. The Applicant's appeal was
9 heard and determined on its merits. It was well argued by his
10 counsel, and the fact of the matter is the Court of Appeal did
11 not allow his appeal and affirmed his conviction for
12 manslaughter and affirmed his sentence.

13 In the circumstances, there are no extenuating
14 exceptional circumstances in this case which warrant his
15 appeal being reopened, and we refuse his application to reopen
16 the appeal.

17

18

19 Dated this 5th day of November, 2021

20

21

SIR MICHAEL BARNETT, P, Kt

23

24

25 cn