

# FORMS

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BUNDLE

RULE 17. COMMITTAL PROCEEDINGS RULES, 2016

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IN THE PARISH COURT SITTING AT:

IN THE MATTER of REGINA v.

INFORMATION NO. # :

FOR THE OFFENCE(S) OF:

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COMMITTAL BUNDLE

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R

-v-

DEFENCE COUNSEL	PROSECUTION COUNSEL	INVESTIGATING OFFICER

SERVED ON

NAME:

SIGNATURE:

DATE:









## **Matters Committed to the Circuit Court**

*Regina vs:* \_\_\_\_\_

*Offence(s):* \_\_\_\_\_

*Presiding Judge:* \_\_\_\_\_

*Prosecutor:* \_\_\_\_\_

*Defence Attorney:* \_\_\_\_\_

*Investigating Officer:* \_\_\_\_\_

*Date Committed:* \_\_\_\_\_

*Next Court Date:* \_\_\_\_\_

*Bail Status:* \_\_\_\_\_

### **REASONS FOR REFUSING BAIL (OR GRANTING CONDITIONAL BAIL)**

- Failure to surrender
- Risk of commission of further offences
- May interfere with witnesses or otherwise obstruct course of justice
- Serving prisoner
- Insufficient information to consider application
- Offence committed whilst on bail







**IN THE PARISH COURT SITTING AT**

**R**

**-v-**

.....

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**WITNESS ORDER PURSUANT TO SECTION 12 OF THE COMMITTAL  
PROCEEDINGS ACT 2013**

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**Pursuant to section 12 of the Committal Proceedings Act 2016, it is hereby  
ordered that:**

**Having given evidence in the committal proceedings for the case of R v  
.....you are required to attend to give evidence before  
the Circuit Court sitting at.....\***

- The order applies to:.....**
- Date of attendance:.....**

.....**Judge of the  
Parish Court**

.....**Date**

**\* Failure to comply with this order \* could constitute a contempt of court pursuant to s.12(3) of the Committal Proceedings Act (which carries a maximum penalty of 3 months imprisonment).**

***(Rules 25(15) and 27(2))***

***Standard Directions***

**NAME OF ACCUSED.....**

**COMMITTED TO.....**

The directions listed below are given under the Committal Proceedings Rules 2016, by the Chief Justice:

- 1. The Prosecution shall serve a trial indictment and paginated trial bundle of statements and exhibits upon the accused person and the court within forty-two days of committal.
- 2. All disclosable material in the hands of the prosecution, other than material set out in paragraph 1 shall be served upon the accused person (and the court, if relevant) within sixty days of committal.
- 3. Any proposed editing of question and answer records by the defence shall be served upon the prosecution within thirty days of receipt of the record.
- 4. The accused person requested or did not request an expedited hearing in the court to which he or she has been committed.
- 5. The provisional date for the first hearing in the circuit court is

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*(This may be altered by the listing officer of the circuit court)*

**THESE STANDARD DIRECTIONS SHALL CEASE TO HAVE EFFECT ONCE THE ACCUSED HAS APPEARED BEFORE THE CIRCUIT COURT FOR THE FIRST TIME**

**Certificate of Committal**

**NAME OF COURT.....**

**BEFORE (NAME OF EXAMINING JUSTICE).....**

**NAME OF ACCUSED.....**

**ADDRESS.....**

**DATE OF BIRTH.....**

**WAS TODAY COMMITTED,  
TRIAL**

**\* TO STAND**

**ON THE FOLLOWING CHARGES**

**STANDARD DIRECTIONS WERE SERVED UPON THE PARTIES**

**THE EXHIBITS WERE ENTRUSTED TO**

**SIGNED (EXAMINING JUSTICE)**

**DATE OF COMMITTAL PROCEEDINGS\_\_\_\_\_**

**NB: \* = Delete as appropriate**

## SAMPLE COMPLETED PRELIMINARY REPORT FORM

PLEASE **TICK** RELEVANT OPTION Preliminary Report for Indictable Offences. Pursuant to Rule 4 of the Committal Proceedings Rules 2015 Case File Summary Report for Summary Offence

<b>NAME OF ACCUSED</b>	Tom Strokes o/c "Killa"	<b>DATE OF BIRTH</b>	11/11/1975
<b>ADDRESS OF ACCUSED</b>	12 Papaw Lane, John Pine Village, St. Andrew		
<b>CHARGES</b>	<ul style="list-style-type: none"> <li>• Murder</li> <li>• Illegal Possession of Firearm,</li> <li>• Illegal Possession of Ammunition,</li> <li>• Assault at Common Law</li> <li>• Robbery</li> </ul>	<b>Date of Offence</b>	5/1/2019

**SUMMARY OF EVIDENCE IN HAND****ALLEGATIONS**

Allegations are that on Friday January 5, 2019 about 11pm along Braids Main Road, vicinity of John Pine Police Station in the parish of St. Andrew, Tom Strokes, shot and killed Mr. Tyrell Morgan 47 years old, Taxi Driver of 45 Pink Lane, Primary District, St. Andrew in the course of robbery. It is alleged that at the time of the incident, the (now deceased) was driving his white 2001 Toyota Corolla motorcar registered PP 1111 with four passengers aboard to include the accused. The accused, who was seated immediately behind the driver's seat brandished a firearm and demanded money from the occupants of the car. The three other passengers handed over their belongings comprising of cash, jewellery and cellular phones to him. However, Mr. Morgan hesitated in handing over money demand by the accused, who then used the firearm to hit the deceased in his head and in an angry voice, said to him "hey boy give me the money or tek one out a dis."

The accused then instructed Mr. Morgan to turn the vehicle on a dirt track about 50 meters from where a coconut vendor operates and he refused. The accused then held the firearm to the back of Mr. Morgan's head whilst the car was still in motion and an explosion was heard. The accused immediately jumped from the vehicle and escaped into bushes nearby with property belonging to the other passengers.

**INVESTIGATION**

The police was called to the scene and on their arrival, Mr. Tyrell Morgan was seen with a wound to the back and front of his head with blood all over his upper body, steering wheel and driver's seat. He was taken to the Kingston Public Hospital by the Police where he died whilst undergoing treatment. Detective Sergeant Andrew Bill commenced investigation and caused the scene to be processed by a team of Forensic Crime Scene Investigators who recovered one spent casing from the car. The body was also processed at the hospital.

The other three passengers who were present at the time of the incident gave statements corroborating each other. They also gave full description of the accused, as also the properties stolen from them.

## PRELIMINARY REPORT

**ARREST & SEIZURES**

The accused was arrested on January 9, 2019 about 5pm at Beverly Stokes' home (mother of the accused) located at 3 Ivy Road, Eldermire Circle St. Andrew by Corporal Geo Brady who executed a search warrant. A firearm, as also other items, to include three cellular phones, was found during the search of the residence. The cellular phones were later identified by the passengers, as being among the items stolen from them during the incident.

**IDENTIFICATION PROCEDURE**

An identification parade was held on January 10, 2019 at John Pine Police Station and all three witnesses pointed out the accused as the person who robbed them and shot and killed Mr Morgan. The firearm, and spent casing found at the scene were taken to the Government Forensic Science Laboratory for ballistic examination.

**POSTMORTEM EXAMINATION**

The Post mortem examination on the body of Mr. Tyrell Morgan was conducted on January 20, 2016 by Dr. KSN Prasad. The report, which is on file, stated that he died from a single gunshot wound which entered the back of his head and exited at his forehead.

<b>NUMBER OF WITNESSES</b>	9	<b>NUMBER OF EXHIBITS</b>	3
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**LOCATION OF EXHIBITS THAT CANNOT BE TAKEN TO COURT**

1	• John Pine Police Station, white 2001 Toyota Corolla sedan motor car register PP 1111
2	

<b>AGGRAVATING FACTORS</b>	<ul style="list-style-type: none"> <li>• Committed against person providing a service to the public</li> <li>• Use of firearm</li> <li>• Committed in furtherance of robbery/motivated by financial gain</li> <li>• Committed whilst on bail for separate offence (possession of offensive weapon 03.07.2018).</li> </ul>
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**DETAILS OF VULNERABLE WITNESS(ES) OR DEFENDANT – NOT INCLUDING WITNESS(ES) AT RISK**

Mary Jane, one of the passengers who was robbed during the incident is hearing impaired.

**OUTSTANDING WORK**

<b>TASK</b>	<b>ESTIMATED DATE FOR COMPLETION</b>
Statement of Corporal Geo Brady who arrested the accused, executed the search warrant and seized the items found at the premises to include a firearm	April 10, 2019
Statement of D/Sgt Z. Zeddy who conducted the ID parade	February 10, 2019
Statement of the Constable Jamm Barr who conducted the reference for the finger prints recovered in the car and that of the accused	February 10, 2019

PRELIMINARY REPORT

Statement of Constable R. Myers who escorted the Firearm that was seized at the premises to the Government Forensic Science Laboratory.	February 10, 2019
Statement from Beverly Stokes, mother of the accused	February 10,2019

**THIRD PARTY DISCLOSURE**

ITEMS REQUESTED	3 <sup>RD</sup> PARTY	DATE REQUESTED	EST. DATE DUE
<input checked="" type="checkbox"/> Forensic Certificate	Forensic Science and Legal Medicine Institute	10/1/2019	12/3/2019
<input checked="" type="checkbox"/> Ballistic Certificate	Forensic Science and Legal Medicine Institute	10/1/2019	20/3/2019
<input type="checkbox"/> Post Mortem Report	Forensic Science and Legal Medicine Institute		ON FILE
<input checked="" type="checkbox"/> Digital Forensics	CFCU	6/1/2019	6/4/2019
<input type="checkbox"/> Medical Certificate (Insert Name of Medical Institution / Medical Official) →			
<input type="checkbox"/> Statement (Insert Name of Party e.g. Indecom, PICA, FID, Tax Office) →			
<input checked="" type="checkbox"/> Criminal Records of Suspect/Accused	Criminal Records Office	13/1/2019	21/1/2019

<b>OTHER: PLEASE LIST BELOW</b>			

**ANY OTHER ISSUES IN THE CASE**


**ADDITIONAL INFORMATION (THIS SECTION SHOULD ONLY BE USED IF ALL THE PREVIOUS FIELDS ARE FILLED OUT)**


PRELIMINARY REPORT

REG. NO, RANK AND NAME OF INVESTIGATOR	<i>Det. Sgt Andrew Bill NO. 2345</i>		
INVESTIGATOR'S SIGNATURE	<i>ANDREW BILL</i>	DATE	JANUARY 12.19
SUPERVISOR'S SIGNATURE (CRIME OFFICER / DDI / VETTING OFFICER)	<i>JOAN STONE CRIME OFFICER</i>	DATE	JANUARY 12.19
APPROVING PROSECUTION NAME AND SIGNATURE		DATE APPROVED	

SAMPLE