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No. 53

Departmental and Other Notices

EASTERN CARIBBEAN SUPREME COURT
COMMONWEALTH OF DOMINICA

IN THE HIGH COURT OF JUSTICE
CLAIM No. DOMHCV2014/0295

Between:

[1] Hayden Morgan
[2] Gemma Louis
[3] Martin Seaman
[4] Delvin Challenger
[5] Olan Vigille

Applicants

and

[1] Chief Magistrate
[2] Chief of Police
[3] Matthew Cuffy
[4] Director of Public Prosecutions

Respondents

Appearances:

Mr. Lennox Lawrence, Mr. Geoffrey Letang
and Mrs. Dawn Yearwood-Stewart for the first, second,
fourth and fifth Applicants

Mrs. Zena Moore-Dyer for third Applicant

Mr. Levi Peter, Attorney General of the Commonwealth of
Dominica and Ms. Tameka Hyacinth, Senior State
Attorney for first, second and third Respondents

Ms. Sherma Dalrymple and Ms. Fernilia Felix for fourth
named Respondent

2014: August 19th, 26th

2014: August 27th (Re issued: Part 42.10 (1))

DECISION

[1] THOMAS, (Ag): This is an application seeking
leave to institute judicial review proceedings in
order to be granted the following:

(I) An order of certiorari to quash the complaint
brought by the third named Respondent and/or
the fourth named Respondent and the decision
of the second and third named Respondents to
issue the complaint.

(II) An order of prohibition prohibiting the first
named Respondent whether by himself or by
through any Magistrate with the jurisdiction of
District E or otherwise from hearing, adjudicating
or otherwise exercising any magisterial function
with respect to the claimants brought in the
name of the third named Respondent whether
by himself or through the direction or authori-
zation by the second named Respondent or the
fourth named Respondent.

(III) An order pursuant to the Civil Procedure Rules
Part 56.4 (8) directing the grant of leave to apply