

FOR PUBLICATION

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

People of the Virgin Islands,

Plaintiff,

v.

Ronald Hatcher,

Defendant.

Case No. SX-14-CR-131

Charges: Murder in the Second Degree; Reckless Endangerment in the First Degree; and Carrying or Using a Dangerous Weapon During the Commission of a Crime of Violence

Appearances:

PATRICIA QUINLAND, ESQ.

Assistant Attorney General
U.S. Virgin Islands Department of Justice
6040 Estate Castle Coakley,
Christiansted, VI 00820
For Plaintiff

YOHANA MANNING, ESQ.

Manning Legal Services, P.C.
53A Company St., 2nd Fl.
Christiansted, VI 00820
For Defendant

MEADE, JOMO, Judge

MEMORANDUM OPINION

THIS MATTER is before the Court on motion filed by the People of the Virgin Islands "to recuse judicial officer." (Pl.'s Mot. 1, filed Feb. 14, 2018 (hereinafter "Mot.")). The defendant, Ronald Hatcher, opposes the motion. The Court heard arguments from the parties, took the motion under advisement, and denied the motion by order entered March 7, 2018. This opinion follows to explain why.

Background

The People of the Virgin Islands charged Ronald Hatcher by information with murder in the second-degree, reckless endangerment in the first degree, and

carrying or using a dangerous weapon during the commission of a crime of violence all related to the September 26, 2013 fatal shooting of Jose Rivera-Berrios in Christiansted. Hatcher pleaded not guilty and retained Attorney Kye Walker, who appeared on his behalf. However, on April 27, 2015, Attorney Jeffrey B.C. Moorhead stipulated to substitute himself for Attorney Walker as defense counsel. The Court (Brady, J.) approved the stipulation on April 30, 2015.

Less than a year later, Attorney Moorhead moved to be relieved as counsel. The court (Brady, J.) construed the March 16, 2016 motion as a motion to withdraw—since Attorney Moorhead had not been appointed by the Superior Court—and granted it but stayed the April 26, 2016 order until Attorney Moorhead filed proof that he had served Hatcher with a copy of the Order. A month later, on May 23, 2016, Attorney Michael A. Joseph appeared for the Defendant and remained counsel of record until this Court relieved him by order dated April 20, 2017.¹ The April 20, 2017 Order also appointed Attorney Ernest Morris, Jr., Esq. as Hatcher's counsel. But then a month later, on May 15, 2017, Attorney Morris filed a motion to be relieved, explaining that, when he was employed by the Office of the Territorial Public Defender, he represented Jose Rivera-Berrios, the man Hatcher is accused of murdering. To avoid the appearance of impropriety, Attorney Morris asked to be relieved as Hatcher's counsel. The Court granted the motion on May 16, 2017 and, by order entered May 26, 2017, appointed Attorney Renee Dowling. During a July 28, 2017 status conference, Attorney Dowling also asked to be relieved as counsel, which the Court granted from the bench. That ruling was reduced to writing on

¹ The Presiding Judge of the Superior Court reassigned this case to the undersigned judge by order dated November 17, 2016 and entered November 30, 2016.

August 7, 2017 and Attorney Yvette Ross-Edwards was appointed as Hatcher's counsel. Ten days later, on August 17, 2017, Attorney Ross-Edwards moved to withdraw out of concern that, as general counsel for the Virgin Islands Public Finance Authority, she could not devote sufficient time to provide Hatcher effective assistance.² The Court granted Attorney Ross-Edwards's motion by order entered November 3, 2017, and appointed Attorney Yohana Manning as counsel.

Jury selection and trial are scheduled to begin on March 19, 2018. On February 14, 2018, the People filed a motion "to recuse [sic] judicial officer." (Mot. 1.). Attached to the motion were copies of an order, dated January 10, 2018, which the undersigned issued in another criminal case, *People of the Virgin Islands v. Chriss Cepeda*, case number SX-17-CR-288, and a notice of judge reassignment dated January 16, 2018, which the Clerk's Office had issued. The January 10, 2018 Order was titled "ORDER OF RECUSAL" and provides in its entirety as follows:

PURSUANT to the provisions of Title 4 V.I.C. §284 (4) and §285, the undersigned has recused himself from hearing the above matter because of an attorney/client relationship with the Defendant's court appointed attorney. The file is therefore returned it to the Clerk of the Court for reassignment.

(Order 1, dated Jan. 10, 2018, *People v. Cepeda*, SX-17-CR-288, see Ex. 1 to Mot.)

The January 16, 2018 Notice provides: "Pursuant to the provisions of 4 V.I.C. 284(4)

² Hurricanes Irma and Maria struck the Virgin Islands in September 2017. Due to the widespread devastation, the Supreme Court of the Virgin Islands administratively tolled all deadlines (whether set by rule, order, or statute) and continued all court dates. The courts of the Virgin Islands were closed for much of September and part of October 2017, which delayed the Court's decision on Attorney Ross-Edwards's motion. *See In re: Temp. Closure of Jud. Branch Physical Facilities*, Admin. No. 2017-0004, 2017 V.I. Supreme LEXIS 65 (V.I. Sept. 18, 2017); *see also In re: Order Further Extending Legal Time Limits Due to Hurricane Maria*, Admin. No. 2017-0005, 2017 V.I. Supreme LEXIS 63, *3-4 (V.I. Sept. 29, 2017) ("[A]ll time limits prescribed or allowed by rule of procedure, court order, statutes applicable to court proceedings, or otherwise pertaining to court proceedings are **HEREBY TOLLED** from 12:01 a.m. on Tuesday September 5, 2017, through 11:59 p.m. on Sunday October 15, 2017, and that all such deadlines are therefore **EXTENDED** by forty-one (41) calendar days.").

and 4 V.I.C. 285, Judge JOMO MEADE having recused himself/herself from hearing [t]he above matter. This matter has been transferred to the docket of Judge HAROLD W.L. WILLOCKS in the St. Croix Division.” (Notice 1, filed Jan. 16, 2018, *Cepeda*, SX-17-CR-288, see Ex. 2 to Mot.)

A Superior Court magistrate judge had appointed Attorney Manning as counsel for *Cepeda* before arraignment because Attorney Manning had volunteered to be on the criminal defense panel for the District of St. Croix. *See In re: Super. Ct. R. 20*, Misc. No. ST-16-MC-11, 2016 V.I. LEXIS 219, *3 (V.I. Super. Ct. Dec. 16, 2016); *see also In re: Amends. to the Rules Gov. Appt. of Counsel to Represent Indigent Parties*, Prom. No. 2017-007, 2017 V.I. Supreme LEXIS 37, *1 (V.I. June 1, 2017) (“[A]ttorneys who volunteered to serve to represent indigent parties under former Superior Court Rule 20 and the prior version of Supreme Court Rule 210 **SHALL BE TRANSFERRED** to the following Private Attorney Panels under amended Supreme Court Rule 210 without the need for any further application.”). The Clerk’s Office randomly assigned *People v. Cepeda* to the undersigned after arraignment because *Cepeda* had asserted his right to a trial by jury. Following a December 12, 2017 status conference, the Court issued the January 10, 2018 Order of Recusal. The People’s motion followed.

Discussion

Section 284 of Title 4 of the Virgin Islands Code governs the disqualification of judicial officers.

The first three (3) reasons are usually those which cause a particular judge to voluntarily disqualify himself/herself due to a relationship either to the case itself or when he/she has previously represented or is related to a party. The fourth reason for disqualification is plainly stated:

(4). When it is made to appear probable that, by reason of bias or prejudice of such judge, a fair and impartial trial cannot be had before him.

People of the V.I. v. Gutierrez, SX-10-CR-658, 2012 V.I. LEXIS 108, *11 (V.I. Super. Ct. Sept. 27, 2012) (quoting 4 V.I.C. § 284(4)). Here, the People moved for recusal, but on the basis of bias or prejudice. (See Mot. 1 (“[T]he People of the Virgin Islands . . . respectfully move for a recusal of the Honorable Jomo Meade from the above captioned case, pursuant to the provision of 4 V.I.C. §284(4) and/or 4 V.I.C. §285 for the reason that said Superior Court Judge stated in an order of recusal in SX-17-CR-288 that there may be an appearance of bias and prejudice against the People’s case.”).) However, as the Court explained in its order scheduling this motion for oral argument, “[d]espite its caption, the People’s motion is to disqualify the undersigned judicial officer, not for recusal.” (Order 1, entered Feb. 23, 2018 (citing *Moorhead v. Mapp*, 62 V.I. 595, 601 n.6 (2015); *People v. de Jongh*, 64 V.I. 53, 68 (Super. Ct. 2016)).) “Recusal refers to a judge or justice deciding to stand down *voluntarily*, while disqualification refers to instances involving the statutorily or constitutionally *mandated* removal of a judge or justice upon the request of a moving party or its counsel.” *de Jongh*, 64 V.I. at 68 (emphasis added) (quotation marks, citations, and brackets omitted)). If ever a case underscored the significance between recusal and disqualification—and why using the terms interchangeably is not sound—it is this case because the proof the People offered to show disqualification in this case is the order of recusal that was issued in *Cepeda*.

Recusal and disqualification are often conflated. See *id.* at 67-68 (“While ‘in modern practice “disqualification” and “recusal” are frequently viewed as synonymous, and employed interchangeably,’ they are different.” (quoting Richard

E. Flamm, *Judicial Disqualification* § 1.1 (2d ed. 2007))).³ But they are not interchangeable. Section 284 of Title 4 of the Virgin Islands Code governs “[d]isqualification of judge[s].”⁴ It does not speak to recusal of judges. In fact, no rule of court or statute speaks to recusal. *Cf. People of the V.I. ex rel. M.R. & W.V.*, 64 V.I. 333, 353 n.6 (2016) (*per curiam*) (“Rule 2.11(A)(1) of the Code of Judicial Conduct adopted by this Court provides that a judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to a situation where the judge has a personal bias or prejudice concerning a party or a party’s lawyer, or personal knowledge of facts that are in dispute in the proceeding.” (quotation marks, brackets, and citation omitted)). Recusal is personal. *Cf. Commonwealth v. Lambert*, 57 A.3d 645, 650 n.11 (Pa. Super. Ct. 2012) (“Recusal is personal to each judge.” (citing *In re: Bridgeport Fire Litig.*, 5 A.3d 1250, 1254 (Pa. Super. Ct. 2010))). Disqualification is mandatory. *See de Jongh*, 64 V.I. at 68 (citations omitted). A judge cannot preside over a case when he/she is a party to the case. *See* 4 V.I.C. § 284(1). A justice cannot preside over an

³ Compare, e.g., *Alexander v. People*, 64 V.I. 385, 394 (2016) (“Recusal is governed by 4 V.I.C. § 284.”), with *Gov’t of the V.I. v. Gereau*, 11 V.I. 265, 296 (3d Cir. 1974) (“The grounds for disqualification are set forth in § 284. The sole ground relevant here is the probability ‘that, by reason of bias or prejudice of such judge, a fair and impartial trial cannot be had before him.’” (quoting 4 V.I.C. § 284(4))), overruled on other grounds by *Corley v. United States*, 556 U.S. 303 (2009). *See also Hodge v. McGowan*, 50 V.I. 296, 310 (2008) (*per curiam*) (“In analyzing his recusal under section 284(3), Judge Christian correctly determined that there was privity among the parties to the two actions. . . . In this jurisdiction, case law as to the disqualification of a judge under subsection 3 of the disqualification statute is lacking.”); *McGowan v. Hodge*, 27 V.I. 16, 21 (Terr. Ct. 1992) (“In a Motion to disqualify, we believe the Judge in question should promptly remove himself from the case if by failing to do so he would violate any provisions of the recusal statute, 4 V.I.C., Section 284. On the other hand, we are just as firmly of the opinion that he should deny the Motion to disqualify himself if to do so would amount to a dereliction of the duties he has sworn to perform.”); *Gov’t of the V.I. v. Biggs*, 19 V.I. 390, 391 (Terr. Ct. 1983) (“This matter is before the Court on Defendant’s motion to have me recuse myself on the grounds that I previously prosecuted him when I was an Assistant United States Attorney for the District of the Virgin Islands.”).

⁴ Descriptive headings are not law. *See* 1 V.I.C. § 45(a)(2). But they can still be instructive as to the Legislature’s intent.

appeal when she is related to one of the parties to the case. *See id.* § 284(2). A magistrate judge cannot preside over a proceeding when she was counsel for a party in that proceeding. *See id.* § 284(3). And a judge cannot preside over a case “[w]hen it is made to appear probable that, by reason of bias or prejudice of such judge, a fair and impartial trial cannot be had before him.” *Id.* § 284(4). These are mandatory, not discretionary, grounds for disqualification. They are not personal to the judge. The People’s motion conflates recusal with disqualification and fails for that reason.

Nevertheless, and after further consideration, it is apparent why the People filed this motion. During oral argument the Court repeatedly questioned counsel for the People as to what “bias or prejudice” “made [it] . . . appear probable [to them] that . . . a fair and impartial trial [could not] be had” before this Court. 4 V.I.C. § 284(4). And each time counsel responded by pointing to the Order of Recusal, as though it were self-evident. To be fair, the Order of Recusal and the Notice of Judge Reassignment made the same mistake others have done: they conflated recusal with disqualification. Both documents used the word “recusal” and then cited to Section 284(4) of Title 4 of the Virgin Islands Code, which governs disqualification for bias or prejudice.

Generally, courts must look to the substance of a motion, not its caption or title, to determine what law applies. *Cf. Moorhead*, 62 V.I. at 601 n.6. The reason why is because form prevail over function. The same principle can apply to court orders. *Cf. In re: Fine Paper Antitrust Litig.*, 695 F.2d 594, 498 (3d Cir. 1982) (“We must give particular deference to the district court’s interpretation of its own order.”). If this Court had disqualified itself from presiding over *People v. Cepeda* based on a former attorney/client relationship one of the parties, *cf.* 4 V.I.C. §

284(3), that disqualification would be imputed to all other cases, civil or criminal, involving the same parties. But clearly the Order of Recusal said recusal, notwithstanding the citations to the disqualification statutes. The Court's intent was to recuse itself from *People v. Cepeda*, not to disqualify itself from presiding over all cases involving Attorney Yohana Manning because of bias or prejudice for or against him. In fact, the People did not address, in the hearing or their motion, whether the Court's purported bias was in favor of Attorney Manning. They did not because they could not.

That said, the People's motion does bring to light a more fundamental issue, a practice in the Superior Court that has become common and which the undersigned met upon becoming a judge. Every notice of recusal issued by the Clerk's Office cites the same authority: Sections 284(4) and 285 of Title 5 of the Virgin Islands Code. (See V.I. Super. Ct. Form Notices of Recusal, attached as Court Ex. 1-4.) In other words, regardless whether the judge recuses himself or disqualifies himself on another ground, such as being related by blood or marriage to one of the parties, *cf.* 4 V.I.C. § 284(2), the notice issued by the Clerk's Office would advise the parties that the judge has recused but because, "by reason of bias or prejudice of such judge, a fair and impartial trial cannot be had before him" or her. *Id.* § 484(4). If the People were correct—that even though a judge said "recuse," by citing the disqualification statute, he meant biased and thus disqualified as a matter of law—it would mean much more than they realize. (See Ex. 5-8 (Notices of Recusal involving the Government of the Virgin Islands and the Virgin Islands Government Hospitals and Health Facilities Corporations).)

First, "[w]henver a judge of the Superior Court is disqualified he shall

immediately notify the Chief Justice of the Supreme Court of his disqualification.”

4 V.I.C. § 287. The Chief Justice is not notified when a judge recuses himself.

Second, and more importantly,

public perception must—in every instance—be that civil actions and criminal cases (whether before the trial court or the appellate court) are decided based solely on the governing law and the relevant facts, and no other factor. An independent, fair and impartial judiciary is indispensable to our system of justice. Judges, individually and collectively, must respect and honor the judicial office as a public trust and strive to maintain and enhance confidence in the legal system.

People v. George, SX-16-RV-002, 2017 V.I. LEXIS 48, *8-9 (Super. Ct. App. Div. Mar. 22, 2017) (quotation marks, ellipsis, brackets, and citation omitted)). Public perception would be vastly different if judges who recused were really saying they were biased or prejudiced.

“Over time and if practiced consistently, the usage of a court becomes somewhat the law of the court.” *In re: Alumina Dust Claims*, SX-09-MC-031, 67 V.I. ___, ___ n.15, 2017 V.I. LEXIS 2, *37 n.15 (Super. Ct. 2017) (quotation marks and citation omitted). Clearly, the Clerk’s standard notice of recusal form is incorrect and must be revised. To that end, the Court will direct that a copy of this Opinion be served on the Clerk of the Superior Court to consider revising it. *Cf. Tucker v. Resha*, 648 So. 2d 1187, 1190 (Fla. 1994) (“Because this holding will require a change in the Florida Rules of Appellate Procedure, we request the Florida Bar Appellate Court Rules Committee to submit a proposed amendment that will address the rule change mandated by this decision.”).

Conclusion

For the reasons stated above, the Court denied the People’s motion to disqualify because the People did not prove (and could not prove) that the

undersigned judge should be disqualified. Recusal and disqualification are not the same and a judge's decision to recuse in one case is not grounds to later disqualify the same judge in another case.

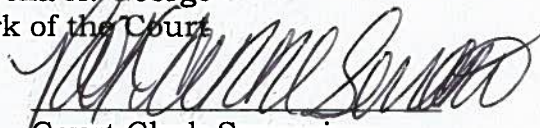
Dated this 8th day of March, 2018.


JOMO MEADE

Judge of the Superior Court

A T T E S T:

Estrella H. George
Clerk of the Court

By: 

Court Clerk Supervisor

Dated: 3 / 8 / 18

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF _____

_____,
Plaintiff,

CASE NO. _____

vs.

ACTION FOR _____

_____,
Defendant.

NOTICE OF RECUSAL

PURSUANT to the provisions of 4 V.I.C. §284(4) and §285, the undersigned Judge hereby recuses _____ from hearing the above-captioned matter for the following reason(s):

The same is, therefore, returned to the Clerk of the Court for reassignment.

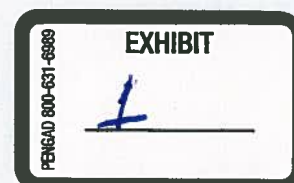
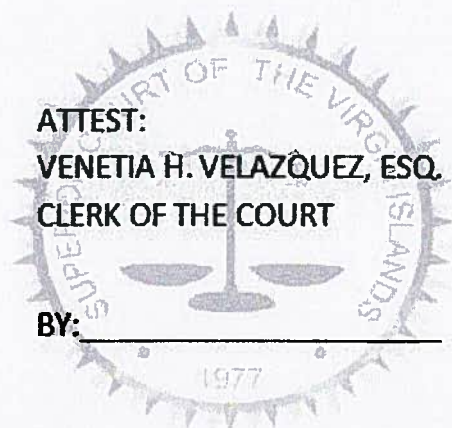
DATED: _____

JUDGE

ATTEST:

VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT

BY: _____



IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF _____

_____	)	CASE NO. _____
Plaintiff,	)	
	)	COMPLAINT:
v.	)	
	)	
	)	
Defendant.	)	
_____	)	

NOTICE OF RECUSAL

PURSUANT to the provisions of 4 V.I.C. §284(4) and §285,
the undersigned Judge is hereby recusing from hearing the above captioned matter
for the following reason(s):

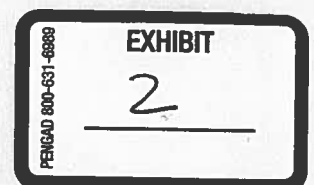
The same is, therefore, returned to the Clerk of the Court for reassignment.

DATED: _____

JUDGE: _____

ATTEST:
Estrella H. George
Acting Clerk of the Court

By: _____
Court Clerk Supervisor



IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX: KINGSHILL

Plaintiff }

VS. }

Defendant. }

CASE NO. _____

ACTION FOR: _____

NOTICE OF JUDGE REASSIGNMENT

TO: _____ Esquire

_____ Esquire

_____ Esquire

Pursuant to the provisions of 4 V.I.C. 284 (4) and 4 V.I.C. 285,
Judge _____ having recused himself/herself from hearing
The above matter. This matter has been transferred to the docket of
Judge _____ in the _____
Division.

Done at Kingshill; St. Croix, Virgin Islands this _____ day of

CLERK OF THE COURT

BY _____

PENGAD 800-631-6989

EXHIBIT

3

Superior Court of the Virgin Islands Division of St. Thomas and St. John

Alexander A. Farrelly Justice Center
5400 Veterans Drive
St. Thomas, VI 00802
(340) 776-8690



OFFICE OF THE CLERK
(340) 774-6680

P.O. Box 70
Charlotte Amalie
St. Thomas
U.S. Virgin Islands 00804

_____	)	CASE NO. _____
Plaintiff	)	
	)	ACTION FOR: _____
	)	
VS.	)	_____
	)	_____
	)	_____
Defendant.	)	_____
_____	)	_____

NOTICE OF JUDGE REASSIGNMENT

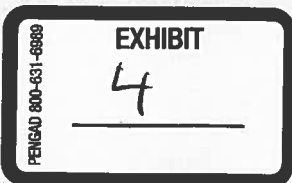
TO: _____ Esquire
_____ Esquire
_____ Esquire

Pursuant to the provisions of 4 V.I.C. 284 (4) and 4 V.I.C. 285,
Judge _____ having recused himself/herself from hearing
the above matter. This matter has been transferred to the docket of
Judge _____, in the _____
Division.

Done at Veteran's Drive, St. Thomas, Virgin Islands this _____ day of
_____.

CLERK OF THE COURT

BY _____



**VIRGIN ISLANDS GOVERNMENT
HOSPITALS AND HEALTH FACILITIES
CORPORATION, ST. THOMAS/ST. JOHN
DISTRICT GOVERNING BOARD OF THE
ROY LESTER SCHNEIDER HOSPITAL,**

VS.

**GOVERNMENT OF THE VIRGIN
ISLANDS, DEPARTMENT OF HEALTH,
DARLENE A. CARTY, Commissioner of
Health, and ST. THOMAS AMBULATORY
SURGICAL CENTER, LLC,**

NOTICE OF RECUSAL

ORDERED that, pursuant to 4 V.I. Code Ann. §284(4), the undersign hereby **RECUSES**

DATED: February 3, 2015


RHYS S. HODGE
Judge of the Superior Court
of the Virgin Islands

ATTEST: (Denise D. Abramsen)
DENISE D. ABRAMSEN
Clerk of the Court

2/4/05

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

**VIRGIN ISLANDS GOVERNMENT
HOSPITALS AND HEALTH
FACILITIES CORPORATION,
ST. THOMAS/ST. JOHN DISTRICT
GOVERNING BOARD OF THE ROY
LESTER SCHNIEDER HOSPITAL,**

Petitioner,

vs.

**GOVERNMENT OF THE VIRGIN
ISLANDS, DEPARTMENT OF HEALTH,
DARLENE A. CARTY, Commissioner
of Health, and ST. THOMAS AMBULATORY
SURGICAL CENTER, LLC.,**

Respondents.

CIVIL NO. 6/2005

PETITION FOR WRIT
OF REVIEW

ORDER

AND NOW, it is

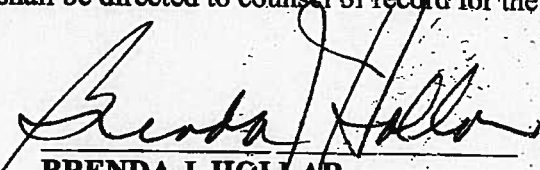
ORDERED, that pursuant to 4 V.I.C. §284(4), the undersigned judge has recused herself from hearing the above matter and therefore returns it to the Clerk of the Court for reassignment; and it is further

ORDERED, that a copy of this Order shall be directed to counsel of record for the respective parties.

DATED: February 8, 2005

ATTEST:


DENISE D. ABRAMSEN
Clerk of the Court


BRENDA J. HOLLAR
Judge of the Superior Court
of the Virgin Islands

DATED: FEBRUARY 8, 2005

EXHIBIT

6

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

Virgin Islands Government Hospitals)
and Health Facilities Corporation,)
St. Thomas/St. John District Governing)
Board of The Roy Lester Schneider)
Hospital Plaintiff,)

Civil No. 6/05

Petition for Writ of
Review

vs.)

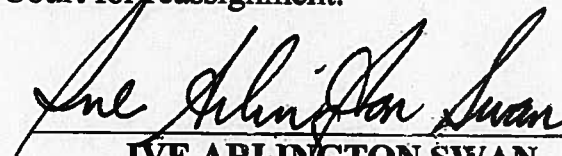
Government of the Virgin Islands,)
Department of Health, Darlene A. Carty)
Commissioner of Health and St. Thomas)
Ambulatory Surgical Center, LLC,)
Defendant.)

NOTICE OF RECUSAL

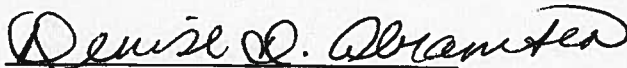
AND NOW, it is

ORDERED that, pursuant to 4 V.I. Code Ann § 284 (4), the undersigned hereby **RECUSES** himself from the above-captioned matter and returns same to the Clerk of the Court for reassignment.

DATED: February 9th, 2005


IVE ARLINGTON SWAN
Judge of the Superior Court of the
Virgin Islands

ATTEST:


Denise D. Abramsen
Clerk of the Court

DATED: FEBRUARY 10, 2005

PENGAD 800-531-6889

EXHIBIT

7

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

VIRGIN ISLANDS GOVERNMENT
HOSPITALS AND HEALTH FACILITIES
CORPORATION, ST. THOMAS/ST. JOHN
DISTRICT GOVERNING BOARD OF THE
ROY LESTER SCHNEIDER HOSPITAL,

Petitioner,

vs.

GOVERNMENT OF THE VIRGIN ISLANDS,
DEPARTMENT OF HEALTH, DARLENE A.
CARTY, Commissioner of Health, and
ST. THOMAS AMBULATORY SURGICAL
CENTER, LLC.,

Respondents.

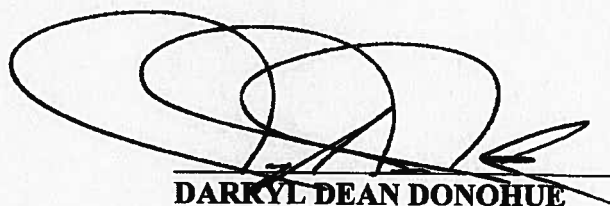
CIVIL NO. 06/2005

PETITION FOR WRIT OF
REVIEW

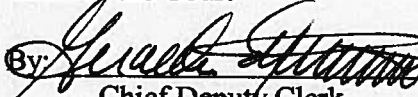
NOTICE OF RECUSAL

PURSUANT to the provisions of 4 V.I.C. §284(4) and §285, the undersigned has recused himself from hearing the above matter and therefore returns it to the Clerk of the Court for re-assignment.

DATED: March 1st, 2005


DARKYL DEAN DONOHUE
Judge of the Superior Court

ATTEST:
DENISE D. ABRAMSEN
Clerk of the Court

By 
Chief Deputy Clerk

Dated: 3/1/05

FILED 800-631-6888

EXHIBIT

8

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

People of the Virgin Islands,

Plaintiff,

v.

Ronald Hatcher,

Defendant.

Case No. SX-14-CR-131

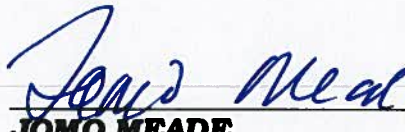
ERRATA ORDER

COMES NOW the Court *sua sponte* and issues this Order to correct the following scrivener's errors in the Memorandum Opinion dated March 8, 2018:

On page 7, five lines from the bottom of the page, pluralize the word "prevail" and on page 8, five lines from the bottom of the page, insert the word "was" after the word "thus" and before the word "disqualified".

It is further **ORDERED** that a copy of this Order be directed to counsel of record and forwarded to the Law Library for distribution to Lexis and Westlaw.

DONE and SO ORDERED this 30 day of July, 2018.



JOMO MEADE

Judge of the Superior Court

ATTEST:

Estrella H. George
Clerk of the Court

By: 

Court Clerk Supervisor

Dated: 7 / 30 / 18