

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

PEOPLE OF THE VIRGIN ISLANDS,

PLAINTIFF,

v.

STEPHAN HYACINTH,

DEFENDANT.

SX-13-LFL-013

CHARGES:

**PROMOTING DANGEROUS PRISON
CONTRABAND**

14 V.I.C. § 655(b)

**CARRYING OR USING A DANGEROUS
WEAPON**

14 V.I.C. § 2251(a)(1)

MEMORANDUM OPINION

THIS MATTER came before the Court on Defendant Stephan Hyacinth's (hereinafter "Defendant") Motion to Dismiss Count II of the Information, filed on February 3, 2014. The People filed their Opposition along with a Motion to Amend Count II of the Information on May 6, 2014. Defendant's Opposition to the People's Motion to Amend was filed on May 8, 2014. For the reasons set forth, the Court will grant Defendant's Motion to Dismiss and deny the People's Motion to Amend.

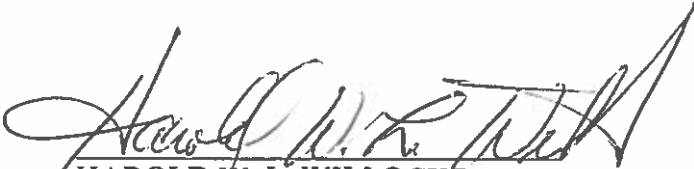
On July 11, 2013, a pocket knife was recovered from Defendant at the Virgin Islands Bureau of Corrections. The knife is described as having "an orange handle with a blade silver in color." As a result, Defendant was charged with Promoting Dangerous Prison Contraband in violation of Title 14, Section 665(2) of the Virgin Islands Code, and Carrying or Using a Dangerous Weapon in violation of Title 14, Section 2251(a)(1) of the Virgin Islands Code.

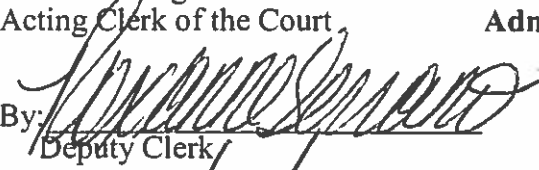
Defendant has moved the Court to dismiss Count II of the Information because he does not believe the People have alleged the essential facts necessary to charge him with Carrying or Using a Dangerous Weapon. Defendant specifically argues that the pocket knife allegedly found

DONE and so ORDERED this 5th day of June, 2014.

ATTEST:

Estrella George
Acting Clerk of the Court


HAROLD W. L. WILLOCKS
Administrative Judge of the Superior Court

By: 

Deputy Clerk

Dated: 6/11/14

CERTIFIED TO BE A TRUE COPY
This 16th day of June 20 14

CLERK OF THE COURT

By  Court Clerk II

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ORDER

THIS MATTER comes before the Court on Defendant Stephan Hyacinth's (hereinafter "Defendant") Motion to Dismiss Count II of the Information, filed on February 3, 2014. The People filed their Opposition along with a Motion to Amend Count II of the Information on May 6, 2014. Defendant's Opposition to the People's Motion to Amend was filed on May 8, 2014. For the reasons set forth in the accompanying Memorandum Opinion, it is hereby:

ORDERED that Defendant's Motion to Dismiss Count II of the Information is **GRANTED**; and it is further

ORDERED that the People's Motion to Amend Count II of the Information is **DENIED**.

DONE and so **ORDERED** this 5th day of June, 2014.

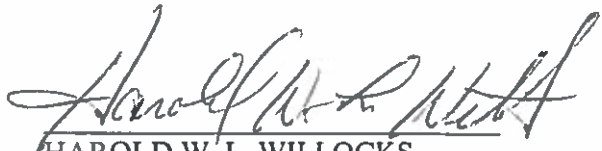
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Estrella George
Acting Clerk of the Court

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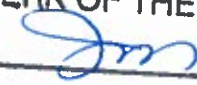
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HAROLD W. L. WILLOCKS

Administrative Judge of the Superior Court

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