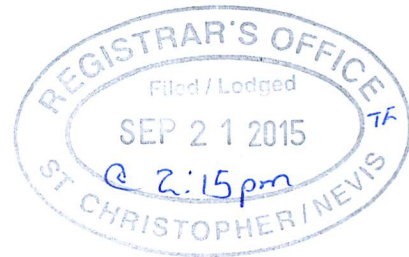


Her Ladyship, The Honourable,
Justice Marlene Caster,
Judges Chambers,
High Court of Justice,
Judicial and legal Complex,
East Independence Square Street,
Basseterre, St Kitts, WI.

18th September 2015
reference 2012/0054



Your Ladyship,

I write most respectfully. It has been more than three months since the above matter was last called up in Court. At that time (8th June 2015) you reinforced your ruling of 11th May 2015, that the SKN police should release my MacBook laptop, which they confiscated on 1st January 2012. Your further directive on 8th June 2015 was, "Very, Very soon, at least by the end of the June assizes".

Sadly, this has not happened during the said subsequent three months. This has compromised the progressing of my defence, and is an abuse of process by the SKN police.

As I stated in my Application for the disclosure of this item of evidence on 17th March 2014, "the MacBook will show my innocence". I also stated in that Application that there is a further Application for disclosure to make, once I have received this key item of evidence. I have not been able to progress this further Application for full disclosure in the absence of police compliance with your ruling.

I have read of appropriate motions and case law in these circumstances in an excellent book by Dana Seetahal. However, due to the fact that I am not able to get copies of the said motions and case law, which are public documents, and freely available on the internet, I have not been able to file the appropriate motion to the Court.

After the enormous effort that I have made to try to progress this matter, it is pellucidly evident that my rights under Article 10, Part 2 (c) of the Constitution of St Kitts and Nevis, to receive, "adequate facilities to prepare my defence", are just not being applied or respected. Legal information in terms of precedent and procedure in my situation is publically available on the Eastern Caribbean Supreme Court website and other legal library sites, but I am denied any such access by the prison.

Finally, according to Seetahal (4th edition page 168) and also reinforced by precedent in a recent case in Nevis, (that decision by Justice Lorraine Williams, I gained, per chance, from another prisoner) my indictment is in fact invalid because of police non-compliance with the SKN Evidence Act.

So there are three reasons why I wish to gain suitable reference on procedure and precedent to submit to this Honourable Court a motion to quash the indictment and also for a stay in this matter as follows:-

1. Abuse of process by the SKN police, in terms of evidence which will show my innocence.
2. Denial of my rights under Article 10, Part 2 (c) of the SKN Constitution which means that I can not receive a fair trial.
3. The clear fact that my indictment is invalid because of the non-compliance of the SKN police, with the SKN Evidence Act.

I am in the hands of the Court, and I ask for an appropriate ruling in terms of the position that the SKN police have placed me in.

Sincerely and most respectfully,

Kevin Horstwood