

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

2008 SEP 26 AM 9:35

SUPERIOR COURT
OF THE VIRGIN ISLANDS

PEOPLE OF THE VIRGIN ISLANDS)
)
Plaintiff,)
)
.vs.)
)
ROAME E. DOWE)
)
Defendant.)

ADVICE OF RIGHTS COMPLAINT
CASE NO. ST-08-CR-403

PROBABLE CAUSE FACT SHEET

Based upon my observation and those of others personally communicated to me, I, Alester S. Carty, being duly sworn that the following is true and correct to the best of my knowledge and belief.

On or about Friday September 26, 2008, at approximately 0240 hrs (2:40 am), the undersigned officer dispatched to 394-22B Estate Anna's Retreat in reference to a disturbance. Upon arrival contact was made with one Ms. Abioseh Pickering, who stated one Mr. Roame E. Dowe who is her boyfriend and the father of her minor child were involved in a discussion regarding their relationship. Ms. Abioseh Pickering stated that Mr. Roame E. Dowe left her residence and returned shortly after demanding several times to see their minor child. Ms. Abioseh Pickering stated Mr. Roame E. Dowe began to push in the screens of the open windows of the residence while he made his demands. Upon arrival contact was made with Mr. Roame E. Dowe by the undersigned officer at

People in the Interest of: ROAME E. DOWE

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the front door of the residence. Mr. Roame E. Dowe was frisked and one Ruger P94 .40 Cal silver, gray and black in color weapon with ten rounds was discovered in Mr. Roame E. Dowe left front pocket. Mr. Roame E. Dowe was advised his rights and was placed under arrest for Possession of an unlicensed firearm and ammunition. Mr. Roame E. Dowe was remanded to the Bureau of Corrections pending advisement of rights hearing on September 26, 2008 at 10:00 a.m. at the Superior Court. There was no bail set in this matter.

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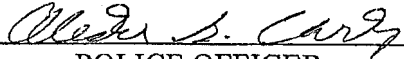
Based upon the forgoing, I believe that the above named defendant should be charged with the following:

1. Destruction of Property (14VIC126A)
2. Disturbance of the Peace (14VIC221)
3. Possession of Unlicensed Firearm (14VIC2253(a))
4. _____ ()

ADVICE OF RIGHTS OF COMPLAINT

The Defendant has a criminal record which includes, but is not limited to the following:

1. _____
2. _____
3. _____
4. _____
5. _____



POLICE OFFICER

Submitted and sworn before me this 26 day

Of SEPTEMBER, 2008.



ASSISTANT ATTORNEY GENERAL

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

PEOPLE OF THE VIRGIN ISLANDS,)
)
) Plaintiff,)
 vs.)
) Criminal No. F403/2008
 ROANE E. DOWE,)
)
) Defendant.)
 _____)

ORDER

THIS MATTER came on for a Change of Plea Hearing on January 15, 2009, before the undersigned Judge. The Defendant, Mr. Roane Dowe, appeared and was represented by Attorney Arturo Watlington, Jr., while the People of the Virgin Islands were represented by Assistant Attorney General Judy Gomez.

Mr. Dowe was previously arraigned and charged by Second Amended Information with "Unauthorized Possession of a Firearm" in violation of Title 14 V.I.C. § 2253(a) (Count One) and "Failure to Register a Firearm" in violation of Title 23 V.I.C. § 470(a) (Count Two) to which he pleaded "Not Guilty."

As a result of a Plea Agreement entered into by the parties, Mr. Dowe agreed to withdraw his Plea of "Not Guilty" previously entered and in lieu thereof plead "Guilty" to Count Two, "Failure to Register a Firearm" in violation of Title 23 V.I.C. § 470(a) in exchange for the People's recommendation that: (1) he perform one hundred (100) hours of community service, (2) he shall have no illegal contact with Ms. Abioseh Pickering, (3) there would be no objection to treatment pursuant to Title 5 V.I.C. § 3711(c) and (4) Count One of the Second Amended Information would be dismissed.

After being sworn under oath, Mr. Dowe was examined by the Court pursuant to Rule 11 of the F.R. Crim.P., to determine whether his Plea of "Guilty" was being entered into knowingly and voluntarily. Having so determined and being satisfied that he was knowingly and voluntarily pleading "Guilty" to Count Two of the Second Amended Information, the Court accepted the Defendant's "Guilty" plea. The Court, based upon the recommendation of Defense Counsel and the People having no objection thereto, determined that Defendant was eligible for treatment pursuant to Title 5 V.I.C. § 3711(c). Accordingly, it is hereby

ORDERED, that the plea of "Guilty" is vacated, and it is further

ORDERED, that all further proceedings in this matter shall be deferred, and it is further

ORDERED, that Defendant shall be placed on unsupervised probation for a period of six (6) months, and it is further

ORDERED, that Defendant shall have no unlawful contact with Ms. Abioseh Pickering, and it is further

ORDERED, that Defendant shall not assault, harass, threaten, intimidate or stalk her, and it is further

ORDERED, that Defendant shall not possess any dangerous weapons or abuse any alcoholic beverages or controlled substance, and it is further

ORDERED, that Defendant shall not violate any of the laws of the U.S. Virgin Islands or the United States of America, and it is further


ORDERED, that if Defendant violates any of these conditions, his treatment pursuant to Title 5 V.I.C. § 3711(c) shall be revoked and he shall be sentenced accordingly, and it is further

ORDERED, that Defendant's record shall be expunged upon successful completion of his probation, and it is further

ORDERED, that Count One of the Second Amended Information shall be **DISMISSED WITH PREJUDICE**, and it is further

ORDERED, that a copy of this Order shall be served on Defendant, Mr. Roane Dowe and copies directed to the Attorney Arturo Watlington, Jr. and Assistant Attorney General Judy Gomez.

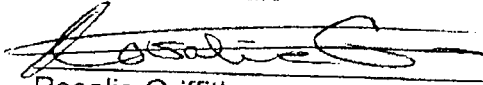
DATED: January 22nd, 2009.



Hon. LEON A. KENDALL
Judge of the Superior Court
of the Virgin Islands

ATTEST:

Venetia H. Velazquez, Esq.
Clerk of the Court



Rosalie Griffith

Court Clerk Supervisor 1/23/09