

[2008] CCJ 2 (AJ)

**IN THE CARIBBEAN COURT OF JUSTICE`
Appellate Jurisdiction**

**ON APPEAL FROM THE COURT OF APPEAL OF THE CO-OPERATIVE
REPUBLIC OF GUYANA**

**CCJ Appeal No CV 7 of 2007
GY Civil Appeal No 100 of 2004**

BETWEEN

WESLEY EMPTAGE

APPELLANT

AND

THE ATTORNEY GENERAL OF GUYANA

RESPONDENT

**Before The Rt Honourable
And the Honourables**

**Mr Justice de la Bastide, President
Mr Justice Saunders
Madame Justice Bernard**

Appearances

Mr Benjamin E Gibson and Ms Mandisa A Breedy for the Appellant

Mr Doodnauth Singh SC, Attorney General of Guyana for the Respondent

JUDGMENT OF THE COURT

Delivered by

The Rt Honourable Mr Justice M. A. de la Bastide

on the 11th March, 2008

JUDGMENT

The relevant facts and documents in this case are respectively in all material respects the same as, and mutatis mutandis identical with, those in *Hendy v Commissioner of Police and the Attorney General of Guyana* CV 6 of 2007. It follows therefore that for the reasons given in the judgment of even date delivered by this Court in *Hendy*, we make in this case similar orders to those made in that case. They are as follows:

- (1) The intended appellant's application for an extension of time for providing security for costs or alternatively, leave to appeal as a poor person, is dismissed
- (2) The order of the Court of Appeal that this appeal stand dismissed is confirmed, and
- (3) We make no order as to costs.

_____/s/_____
Mr. Justice Michael de la Bastide (President)

_____/s/_____
Mr. Justice Adrian Saunders

_____/s/_____
Madam Justice Désirée Bernard