IN THE GRAND COURT OF THE CAYMAN ISLANDS

HOLDEN AT GEORGE TOWN

BEFORE THE HON. THE CHIEF JUSTICE

On 29th April 1988

29-04-88

Summary Court Appeal No. 145 of 1987

BETWEEN	DON MARCUS NIXON	APPELLANT
AND	REGINA	RESPONDENT

Mr. Furniss for Appellant
Mr. Simpson for Respondent

COLLETTL, C.J. **JUDGEMENT**

Although for a man of the Appellant's record 18 months immediate imprisonment is an entirely proper sentence for a daytime housebreaking and theft of this kind. Nevertheless bearing in mind his plea of guilty to this as well as the other offences charged and the recovery of all the stolen property I believe that it would have been proper to have suspended part of that sentence.

I will therefore allow the appeal against sentence in part by ordering that 9 months of the 18 months imprisonment imposed in case 4738 be suspended for 12 months after the appellant's release.

It must be observed that the record of proceedings in the Summary Court as to the sentences passed is not clear. Some sentences are stated as consecutive and some as concurrent without specifying what they are consequtive to or concurrent with. I would urge magistrates in every case where sentences are passed on more than two charges to specify in detail what each of the sentences passed are consequtive to or concurrent with, so that confusion can in future be avoided.

Dated 29th April 1988.

Chief Justice