

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

PEOPLE OF THE VIRGIN ISLANDS,	)	
	)	
Plaintiff,	)	CASE NO. ST-15-CR-309
	)	
v.	)	
	)	
JOHN P. DEJONGH, JR.,	)	
	)	
Defendant.	)	
	)	

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SUPERIOR COURT

MOTION TO DISMISS WITH PREJUDICE

Per the agreement and resolution reached in Criminal No. F309/2015, the People of the Virgin Islands hereby move to dismiss the above-captioned matter against Defendant John P. De Jongh, Jr. with prejudice.

Respectfully submitted,

CLAUDE EARL WALKER, ESQ.
ATTORNEY GENERAL

Dated: January 26th, 2016

By:

Quincy G. McRae, Esq.
QUINCY G. MCRAE, ESQ.
Chief of the Criminal Division
Department of Justice
34-38 Kronprindsens Gade
St. Thomas, U.S. Virgin Islands 00802

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that an exact copy of the foregoing **Motion to Dismiss With Prejudice** was emailed and mailed to Gordon Rhea, Esq., P.O. Box 307607, St. Thomas, VI 00803 on this 26th day of January, 2016.

Sherlene Duke

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

PEOPLE OF THE VIRGIN ISLANDS,	)	
	)	CASE NO. ST-15-CR-309
	)	
v.	)	
	)	
JOHN P. DEJONGH, JR.,	)	
	)	
Defendant.	)	
_____	)	

ORDER

THIS MATTER comes before the Court upon the People's Motion to Dismiss this matter with prejudice. Upon consideration of the motion and the Court having been advised in all the premises, it is hereby

ORDERED that the People's Motion is **GRANTED**; and it is further,

ORDERED that this matter is **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that copies of this Order shall be served upon Quincy G. McRae, Esq., Chief of the Criminal Division, Department of Justice, and the defendant, through his attorney.

Dated: _____

HONORABLE DARRYL D. DONOHUE
JUDGE OF THE SUPERIOR COURT

ATTEST:

ESTRELLA H. GEORGE
ACTING CLERK OF THE COURT

By: _____
Court Clerk Supervisor

EXHIBIT A



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

3438 Kronprindsens Gade
St. Thomas, U.S.V.I.
(340) 774-5666
(340) 776-3494 FAX

#6040 Castle Coakley
St. Croix, U.S.V.I.
(340) 773-0295
(340) 773-1425 FAX

January 14, 2016

Gordon Rhea, Esq.
P.O. Box 307607
St. Thomas, VI 00803

VIA E-MAIL: grhea@rpwb.com

Re: *People of the Virgin Islands v. John P. de Jongh, Jr.*
Criminal Nos. F309/2015

Dear Attorney Rhea:

In an effort to resolve this matter between the parties, the People of the Virgin Islands hereby offers Defendant John P. de Jongh, Jr., the following:

The People charged Defendant de Jongh in Counts One and Two of a Four Count Information with committing the crimes of Embezzlement of Public Accounts and Neglecting to Pay Over Public Monies, respectively. Defendant Julito Francis was also charged in Counts Three and Four of that Four Count Information with committing the crimes of Embezzlement of Public Accounts and Neglecting to Pay Over Public Monies, respectively.

In exchange for Defendant de Jongh agreeing to pay to the Government of the Virgin Islands the lump sum of Three Hundred and Eighty Thousand Dollars (\$380,000.00) for the security improvements made on his property located at No. 23-8 Estate Mafolie, St. Thomas, U.S. Virgin Islands by no later than January 15, 2016, the People of the Virgin Islands will move to dismiss with prejudice the charges pending against him. Moreover, as per the parties' previous conversation, the People will also move to dismiss the charges pending against Defendant Francis with prejudice and will agree to release Defendant de Jongh from any further criminal or civil liability stemming from the allegations and factual pattern alleged in Criminal No. F309/2015.

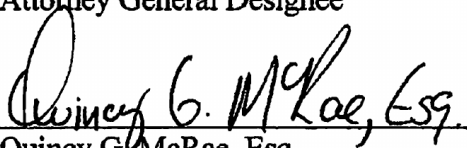
Moreover, Defendant de Jongh also agrees that he will not assert, apply for, or claim any tax deduction, tax credit, or income tax offset for the above-mentioned payment. Nothing in this agreement, however, is intended to abrogate, override, supersede, forgive or otherwise prevent the application of or excuse compliance with any applicable federal or territorial law governing income taxes.

By signing this agreement both parties agree to jointly request that the Court hold this matter in abeyance and make no further rulings in this case pending the successful completion of the above-mentioned resolution as proposed within this offer.

Acceptance of the above-stated offer must be done in writing, BY SIGNING THIS LETTER IN THE SPACE PROVIDED BELOW indicating that acceptance and returning the original, by fax or otherwise, to this office

Very truly yours,

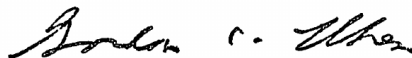
Claude E. Walker, Esq.
Attorney General Designee

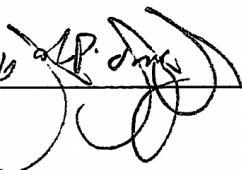


Quincy G. McRae, Esq.
Chief of the Criminal Division

ACCEPTED BY DEFENDANT:

WITNESSED BY ATTORNEY:



1/14/2016 
DATED

1/14/2015
DATED

SUPERIOR COURT

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