

Not For Publication

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

RUDETTE CHRISTOPHER,) **S. Ct. Crim. No. 2010-0037**
Appellant/Defendant,) Re: Super. Ct. Crim. No. 211/2009 (STT)
)
)
v.)
)
PEOPLE OF THE VIRGIN ISLANDS,)
Appellee/Plaintiff.)
)
)
)
_____)

On Petition for Rehearing
Considered and Filed: October 26, 2012

BEFORE: **RHYS S. HODGE**, Chief Justice; **MARIA M. CABRET**, Associate Justice; and
IVE ARLINGTON SWAN, Associate Justice.

APPEARANCES:

Kele Onyejekwe, Esq.
Territorial Public Defender
St. Thomas, U.S.V.I.
Attorney for Appellant

ORDER OF THE COURT

PER CURIAM.

THIS MATTER comes before the Court pursuant to Appellant’s October 12, 2012 petition for rehearing pursuant to Supreme Court Rule 31, which permits a litigant to bring to this Court’s attention any “points of law or fact” that the Court may have “overlooked or misapprehended” in its prior disposition.¹ Appellant has failed to establish, however, that this Court has overlooked or misapprehended any points of law or fact, as required by Rule 31.

¹ Pursuant to Supreme Court Rule 31, “[n]o answer to a petition for rehearing will be received unless requested by the Supreme Court, but a petition for rehearing will ordinarily not be granted in the absence of such a request.” In accordance with Rule 8.2 of this Court’s Internal Operating Procedures, an answer was not requested by any member of the panel.

Instead, Appellant improperly uses his petition to identify a clerical error in the Court's Opinion, to dispute the accuracy of the record regarding the victim's injuries, and to re-litigate issues that this Court previously considered and rejected as having been waived. This Court will therefore deny Appellant's petition for rehearing. However, because Appellant does identify a clerical error in the Court's Opinion, that error will be corrected herein. Accordingly, it is hereby

ORDERED that Appellant's petition for rehearing is **DENIED**; and it is further

ORDERED that the Opinion of the Court, dated September 28, 2012, be corrected as follows:

On Page 1, the first sentence of the first paragraph: delete "firearm" and replace it with "dangerous weapon";

On Page 17, the first and second sentences of the first full paragraph: delete "firearm" and replace it with "dangerous weapon"; and it is further

ORDERED that copies of this Order be directed to the appropriate parties.

SO ORDERED this 26th day of October, 2012.

ATTEST:
VERONICA J. HANDY, ESQ.
Clerk of the Court