

Unofficial Translation

Port-au-Prince , January 10, 2005

To: Bernard Gousse, Esq.
Minister of Justice
Delivered to His Offices

Mr. Minister:

Pursuant to the correspondence that you wrote on December 30 in the following terms:

“Mr. Chief Judge:

The Minister of Justice and Public Security presents his compliments and informs you that, in light of complaints made by several relatives of criminal defendants relative to the observed slowness in the handling of cases submitted to the *cabinets d’instruction* [investigating judges’ offices] of Judges Senat Fleury and Bredy Fabien, it is important to entrust these cases to other judges in order to normalize the functioning of this judicial institution.

Therefore, the Minister will be grateful if you recover as soon as possible all the cases from the hands of the above-mentioned judges and submit them to other judges.”

Considering that such an act constitutes a grave insult to my honor and to my integrity as a judge; a flagrant violation of the Constitution and laws of this country, particularly the principle of separation of powers.

Therefore, out of respect for the judicial institution in which I have worked for 18 years; I communicate to you my resignation as Judge and Investigating Judge for the Trial Court of Port-au-Prince.

Respectfully,

Jean Senat Fleury, Esq.

CC: The President of the Republic, Boniface Alexandre, Esq.
Prime Minister Gerard Latortue
Chief Judge of the Trial Court of Port-au-Prince, Jean Joseph Lebrun, Esq.
President of ANAMAH, Jean Perez Paul, Esq.
Head of the Port-au-Prince Bar Association, Gervais Charles, Esq.