

The Virgin Islands Consortium

Update: Case Against 19-Year-Old Man Arrested For Allegedly Choking and Raping Acquaintance Dismissed

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Tyrell Audain By. TYRELL AUDAIN

Update: Sept. 20, 2022: The court matter against Tyrell Audain, who was arrested in November last year for allegedly choking and raping an acquaintance, has been dismissed, according to court court documents provided to the Consortium confirming the case's dismissal.

"This matter is before the court on the People's Motion to Dismiss Without Prejudice, having read the motion and being otherwise fully advised, and there appearing good

cause, is hereby ordered that the within action against defendant Tyrell Audain is dismissed without prejudice and bail, if any, is exonerated," reads the court order, seen [here](#), and signed on Sept. 15th.

Original Story: ST. CROIX — A 19-year-old has been arrested and charged for an alleged rape committed during his pretrial release for prior gun charges.

Tyrell Audain of Tan Tan Terrace has been charged with first-degree rape, first-degree assault and false imprisonment and kidnapping.

According to the probable cause fact sheet, Audain contacted the alleged victim around 11:00 p.m. on November 4th, asking her to go get something to eat. However, after he picked her up he claimed that he forgot something at his home and invited her inside while he searched for the item.

The woman told police that while in the house Audain started making sexual advances towards her and she told him to stop. However, she began fearing for her life because she knew he was in possession of a gun and did not know what he would do to her. She stated that she had seen him grab the gun from the passenger seat and put it away when he picked her up. She said she therefore stopped resisting his advances because she feared that her resistance may cause him to hurt her. The woman said that during the incident Audain pushed her onto the bed and grabbed her by the neck, causing her to struggle to breathe. He then proceeded to rape her.

She further alleged that she attempted to leave the residence, however Audain closed the door and told her she could not leave. She says she eventually fell asleep on a couch and in the morning he took her home, after initially getting upset when she asked that he drive her.

The alleged victim later reported the incident to police from the Juan F. Luis Hospital. After being interviewed by law enforcement she directed them to Audain's residence where they executed a search warrant later that afternoon. There, officers collected bed sheets and pillowcases for the purpose of evidence. Audain was later arrested and remanded to the Golden Grove Adult Correctional Facility after being unable to post bail.

At Audain's advisement hearing on Monday, Public Defender Leslie Davis asked that the rape charge and assault charges be struck, suggesting that there was insufficient evidence. The attorney argued that "the victim admitted that she stopped resisting" and that there was no indication that the woman screamed or made any noises. However, Assistant Attorney General Vanessa Hewitt-Quinland highlighted that according to the victim's statement, Audain choked her, and she only stopped resisting because she was terrified that he would further harm her. Judge Ernest Morris Jr. maintained that there was probable cause for all the charges against Audain.

The Judge later concluded that Audain would be required to post fully secured bail in the amount of \$150,000.00. He is also required to maintain a minimum distance of at least 1000 feet from the alleged victim and is prohibited from leaving the island without court permission. The defendant has also been placed on 24-hour house arrest with the use of electronic monitoring. This restriction will only permit him to leave his residence to seek emergency medical treatment, appear in court, meet with his attorney and go directly to and from work. Audain had previously been placed on a 6:00 p.m. to 6:00 a.m. curfew as

part of the conditions of his pretrial release [for the prior gun charges](#).

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