

SAINT LUCIA

IN THE COURT OF APPEAL

CIVIL APPEAL NO.2 of 1992

BETWEEN:

1. LOOPSOME PORTLAND
2. FRANCIS FLETCHER
3. MARCEL FEVRIERE
4. BRENDER PORTLAND

Appellant

and

SIDONIA JOSEPH

Respondent

Before: The Honourable Chief Justice Floissac - President
The Honourable Mr. Justice Byron J.A.
The Honourable Mr. S.Singh J.A. (Ag.)

Appearances: The Appellant Loopsome Portland in person

1992: May 25.

JUDGMENT

FLOISSAC, C.J.

On the 12th February 1992, the appellant Loopsome Portland filed a Notice of Appeal against a judgment allegedly delivered by d'Auvergne J. on the 11th February 1992. The Notice of Appeal was signed by the said appellant but was not signed by the other appellants or their solicitors. No record of appeal was filed. Nor was the appeal entered in the manner required by rule 24 of the Court of Appeal Rules 1968. The appeal is therefore not ripe for hearing.

Unfortunately, the Registry erroneously placed this appeal and another matter on the Hearing List of this Court. That other matter purports to be a "Summons of a Motion" signed by the said Loopsome Portland and filed on the 5th February 1992. The so-called "Summons of a Motion" (which is totally unintelligible) is addressed to a judge in Chambers and purports to relate to suit No.133 of 1982 (which is not under appeal). This so-called "Summons of a Motion" should never have been placed on the Hearing List of this Court.

Appeal No.2 of 1992 and the said "Summons of a Motion" are therefore struck off the Hearing List of this Court with a direction to the Registrar to ensure that no such premature or ineligible matters are placed on the future Hearing Lists of this Court.

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V.F.FLOISSAC
Chief Justice

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C.M.D.BYRON
Justice of Appeal

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S.SINGH
Justice of Appeal (Ag.)