

**THE EASTERN CARIBBEAN SUPREME COURT**  
**COURT OF APPEAL SPECIAL SITTING**

**VIDEOCONFERENCE  
SAINT KITTS AND NEVIS**

**Friday, 10<sup>th</sup> April 2026**

**APPLICATION**

**Case name:** Director of Public Prosecutions

**v**

**Paul Bilzerian**

**[SKBHCVAP2026/0006]**

**Date:** Friday, 10<sup>th</sup> April 2026

**Before:** The Hon. Mde. Vicki Ann Ellis, Justice of Appeal  
The Hon. Mde. P. Nicola Byer, Justice of Appeal  
The Hon. Mde. Cadie St. Rose-Albertini, Justice of Appeal

**Appearances:**

**Applicant:** Mr. Adlai Smith, Director of Public Prosecutions

**Respondent:** Mr. Douglas Mendes SC with Ms. Derriann Charles and Mr. Bervis Burke

**Issue:** Criminal Appeal - Application for stay pending appeal-  
Whether there is cogent evidence that the appeal will be  
stifled or rendered nugatory unless a stay is granted -  
Whether there is prejudice to the successful party - The  
prospect of the appeal succeeding

**Result/order:** IT IS HEREBY ORDERED THAT:

- 1. The applicant shall file and serve written submissions with authorities by 11<sup>th</sup> April 2026 at 9am.**
- 2. The respondent shall file and serve written submissions in response with authorities by 12<sup>th</sup> April 2026 at 9am.**
- 3. The Court shall convene an oral hearing on 13<sup>th</sup> April 2026 at 2pm for 2 hours for further consideration of the application.**

**Reasons:**

**Before the Court was an urgent application for a stay and for an expedited hearing, filed on 10<sup>th</sup> April 2026 by the Director of Public Prosecutions. The Court considered the notice of appeal filed on 10<sup>th</sup> April 2026 against the decision of Thompson Jr J of even date; the certificate of urgency accompanying the application; the affidavit of Inspector Jerry Watt filed on 10<sup>th</sup> April 2026 in support of the application; the affidavit of Paul Bilzerian filed in the court below; the affidavit of Derriann P. Charles filed on 10<sup>th</sup> April 2026 in support of the bail application in the court below ; and the supplemental affidavit of Paul Bilzerian filed on 10<sup>th</sup> April 2026 in further support of the bail application in the court below.**

**The Court determined that it was not in a position to properly adjudicate on the application in the absence of written submissions or oral argument on the relevant issues of law, particularly in light of the matter having been brought with urgency. In the circumstances, the parties have agreed to file written submissions to assist the Court in determining the application.**