

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL SITTING

CHAMBER HEARING

MATTERS DEALT WITH ON PAPER

Case Name: **Warren Cassell**
v
The Superintendent of Police

[MNIHCVAP2025/0006]
(Montserrat)

Date: **Tuesday 23rd September 2025**

Before: **The Hon. Mr. Trevor Ward, Justice of Appeal**

On paper:

Appellant/Applicant:	In person
Respondent:	N/A

Issues: **Application for leave to appeal**

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

- 1. Leave to appeal the order of Cottle, J dated 27th March 2025 is granted.**
- 2. The applicant shall file a notice of appeal within 21 days of the date of this order.**
- 3. The appeal shall thereafter proceed in accordance with the provisions of the Civil Procedure Rules (Revised Edition) 2023.**

Reason: **The Court considered: rule 62.2(8) of the Civil Procedure Rules (Revised Edition) 2023 which states that leave to appeal may be given only where - (a) the court considers that the appeal would have a realistic prospect of success; or (b) there is some other compelling reason why the appeal should be heard.**

The Court determined that the applicant had met the threshold for the grant of leave to appeal, in that the applicant had demonstrated that the intended appeal has a realistic prospect of success against the orders of the learned judge.