

THE EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

COMMONWEALTH OF DOMINICA
VIDEOCONFERENCE
WEDNESDAY 7TH JANUARY 2026

Case Name: Pamela Green-Lander
v
1. Andrew Green
2. Arnold Green
[DOMHCVAP2025/0002]
[formerly DOMHCVAP2014/0023]
(Commonwealth of Dominica)

Date: Wednesday 7th January 2026

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Gildon Richards

Respondent: Ms. Joelle Harris

Issues: Status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]
IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026 to allow the parties to take the necessary steps in relation to the appeal.

Reason: Mr. Dexter Lander, the appellant’s son, appeared on her behalf as she was critically ill and unable to attend. Ms. Harris advised that she has recently been officially retained in the matter.

Counsel for the appellant reported that no progress has been made since the last hearing due to a lack of cooperation, noting that cooperation from his clients has significantly declined and that attempts to convene discussions between the parties have been unsuccessful. The court observed that a receiver should be appointed, but the appellant is not agreeable to this. As a result, counsel for the respondents indicated that they are now in a position to apply to strike out the appeal.

Case Name: Presley Boyd
v
1. The Attorney General
2. The Chief of Police
[DOMHCVAP2024/0017]
(Commonwealth of Dominica)

Date: Wednesday 7th January 2026

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In Person
Respondent: Ms. Karina David for the Attorney General’s Chambers

Issues: Status of the Matter

Type of order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar shall serve a copy of the judge's notes to be served on the parties on or before 30th January 2026.
2. The respondent shall inform the appellant of the documents that they wish to have included in the record or the core bundle in accordance with rule 62.15(2) Civil Procedure Rules, (Revised Edition) 2023 on or before 20th February 2026.
3. The appellant shall file the Record of Appeal on or before 13th March 2026.
4. The matter shall thereafter proceed in accordance with the Civil Procedure Rules (Revised Edition) 2023.

Reason:

The notes of evidence were retrieved by the judge however these have not been sent to the parties.

Case Name:

Omar Bique

v

1. Laurena Lawrence
2. Dennis Bell as legal personal representative of Robert Belle
[DOMHCVAP2024/0001]
(Commonwealth of Dominica)

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Dawn Yearwood Stewart

Respondents:

Ms. Hazel Johnson

Issues:

Status of the Matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps to engage an external transcriptionist to prepare the transcript of proceedings in this matter.
2. The matter is removed from the status hearing list pending the availability of the transcript.
3. The matter will be relisted at the next status hearing upon availability of the transcript or on a date to be fixed by the Chief Registrar.

Reason:

On 5 September 2025, counsel prepared a request for the transcript addressed to Ms. Jean Morille.

Due to an administrative oversight, the request was not transmitted to the Registrar and remained on file at counsel's office. The oversight was discovered this morning, and the request was immediately transmitted to the Registrar's office. The request for the transcript of the proceedings has now been duly made.

Case Name:

Farah Theodore

v

1. Attorney General of the Commonwealth of Dominica
2. Jacqueline Theodore as personal representative of Ferdinand R Theodore
3. Lennox Lawrence
4. Platinum Law Chambers
5. Jodie Luke

**[DOMHCVAP2025/0022]
(Commonwealth of Dominica)**

Date:

Wednesday 7th January 2026

Coram: The Hon. Mde. Vicki-Ann Ellis, Justice of Appeal
The Hon. Mde. P. Nicola Byer, Justice of Appeal
The Hon. Mr. Reginald T.A. Armour, Justice of Appeal [Ag.]

Appearances:

Appellant:	In Person
1st Respondent:	Ms. Karina David
2nd Respondent:	Unrepresented
3rd to 5th Respondents:	Mrs. Heather Felix-Evans

Issues: **Status of the Matter**

Type of Order: **Directions**

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

1. Upon noting the appellant's agreement to accept service via email, the appellant shall be served with all documents and filing in relation to this appeal via email address farahjtheodore@gmail.com.
2. The 1st respondent shall serve the application on the appellant/respondent, notice of opposition filed on 8th October 2025, the application to strike out the appeal filed on 13th October 2025 along with the 1st respondent's affidavit in support of the application filed on 14th October 2025 and draft order filed on 13th October on or before 8th January 2026.
3. The appellant/respondent shall file an affidavit in reply to the application filed by the 3rd to 5th respondents on or before 26th January 2026.
4. The 3rd to 5th respondents/applicants shall file and serve written submissions with authorities on or before 13th February 2026.

Case Name:

Uranus Carbon

v

The State

[DOMHCRAP2014/0007]

(Commonwealth of Dominica)

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Sherma Dalrymple, Director of Public Prosecutions

Issues:

Status of Matter

Type of order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026 to allow the respondent to make a necessary application in relation to the appeal.**
- 2. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.**

Reason:

The appellant cannot be located. An affidavit of attempted service was filed on 1 July 2025.

At the previous hearing, the respondent indicated an intention to pursue an alternative course of action, noting that the appellant has already served his sentence and appears to have lost interest in pursuing the appeal.

The steps previously intimated were not undertaken, and the DPP apologised to the Court for this omission, advising that the necessary

action can be completed within the course of the week. The appeal relates to both conviction and sentence. However, as the appellant cannot be located for service, the respondent indicated that an application to strike out the appeal will be made.

Case Name:	Thembar Hinds v The Police [DOMMCRAP2022/0003] (Commonwealth of Dominica)
Date:	Wednesday 7th January 2026
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mr. Tiyani Behanzin
Respondent:	Ms. Sherma Dalrymple, Director of Public Prosecutions
Issues:	Status of Matter
Type of order:	Directions
Result / Order:	IT IS HEREBY ORDERED THAT: 1. The respondent shall take the necessary steps to enter an appearance on the E-Litigation Portal on or before 9 th January 2026. 2. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23 rd July 2026 to allow the appellant to take the necessary steps in relation to the filing of witness statements. 3. The Registrar of the High Court shall serve a copy of the order on the appellant and shall provide proof of service thereafter.

Reason: On the last occasion counsel for the appellant requested time to file the witness statements. The respondent did not object. To date nothing has been filed.

The appellant indicated that the witness statement would be filed within one week. The Director of Public Prosecutions expressed concern as to whether the proposed statement constituted fresh evidence and whether, in those circumstances, a formal application ought to have been made. Counsel for the appellant was unable to address this issue, as the connection was interrupted due to technical difficulties.

Case Name: Derrick Bruney
v
The Police
[DOMMCRAP2023/0006]
(Commonwealth of Dominica)

Date: Wednesday 7th January 2026

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Sherma Dalrymple, Director of Public Prosecutions

Issues: Status of matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:
1. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for

23rd July 2026 to allow the respondent to make a necessary application in relation to the appeal.

2. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

The appellant was duly served with the notice of status hearing but was not present. The Court was uncertain whether the appellant is interested in pursuing the appeal.

The respondent intends to apply for the appeal to be struck out. The appeal is against sentence only, and the sentence has already been served.

Case Name:

Rene Lyan Wiltshire
v
The Police
[DOMMCRAP2023/0003]
(Commonwealth of Dominica)

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Sherma Dalrymple, Director of Public Prosecutions

Issues:

Status of matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The respondent shall enter an appearance on the E-Litigation Portal on or before 9th January 2026.
2. The appellant shall file and serve written submissions with authorities on or before 20th February 2026.
3. The respondent shall file and serve written submissions with authorities on or before 20th March 2026.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 6th April 2026.
5. This appeal will be listed for hearing at a Court of Appeal sitting for the Commonwealth of Dominica, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason:

The respondent had not entered an appearance on the E- Litigation portal. The Respondent indicated that the record of appeal was complete upon review.

Case Name:

John Hillman Julien
v
The Police
[DOMMCRAP2022/0011]
(Commonwealth of Dominica)

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Wayne Norde

Respondent:

Ms. Sherma Dalrymple, Director of Public Prosecutions

Issues:

Status of the Matter

Type of Order:	Directions
Result / Order:	IT IS HEREBY ORDERED THAT: The matter is listed for hearing at the Court of Appeal Sitting for the Commonwealth of Dominica scheduled for 14th January 2026.
Reason:	The appellant’s submissions were filed on 19 th September 2025 and the Respondents submissions filed on 19 th December 2025. Consequently, the matter is ready for hearing.
Case Name:	Mervin Marcellin v The Police [DOMMCRAP2023/0002] (Commonwealth of Dominica)
Date:	Wednesday 7 th January 2026
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	No appearance
Respondent:	Ms. Sherma Dalrymple, Director of Public Prosecutions
Issues:	Status of the Matter
Type of Order:	Directions
Result / Order:	IT IS HEREBY ORDERED THAT: 1. The respondent shall take the necessary steps to enter an appearance in this matter

on the E-Litigation Portal on or before 9th January 2026.

2. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026 to allow the appellant to be served with notice of hearing and for him to be present to indicate whether he is still interested in prosecuting his appeal which is against conviction and sentence.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

The Director of Public Prosecutions noted that this is a matter in which the appellant may already have served his sentence. The DPP will consider whether it is necessary to make an application to strike out the appeal. She also observed that this is an appeal against both sentence and conviction, and it is therefore unclear how the appellant intends to proceed.

Case Name:

Victor Williams
v
The State
[DOMMCRAP2023/0007]
(Commonwealth of Dominica)

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Wayne Norde

Respondent:

Ms. Sherma Dalrymple, Director of Public Prosecutions

Issues:

Status of the Matter

Type of Order:	Directions
Result / Order:	IT IS HEREBY ORDERED THAT: The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026 to allow the Registrar of the High Court to make attempts to reach the magistrate to request the Reasons for decision to complete the Record of Appeal.
Reason:	The Record of appeal is not complete as the reasons for decision is still missing. The magistrate has left the bench.
Case Name:	Markey Valerie Edd Charles v The State [DOMMCRAP2024/0010] (Commonwealth of Dominica)
Date:	Wednesday 7 th January 2026
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Dawn Yearwood-Stewart
Respondent:	Ms. Sherma Dalrymple, Director of Public Prosecutions
Issues:	Status of the Matter
Type of Order:	Directions
Result / Order:	IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written submissions with authorities on or before 30th January 2026.
2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 16th February 2026.
3. This appeal will be listed for hearing at a Court of Appeal sitting for the Commonwealth of Dominica, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason: The respondent's submissions is outstanding.

Case Name: Murphy George
v
Winston Warrington
[DOMMCVAP2019/0005]
(Commonwealth of Dominica)

Date: Wednesday 7th January 2026

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance

Respondent: No appearance

Issues: Status of the Matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon the Court being notified about the apparent death of the respondent, the Registrar shall make the necessary inquiries as to whether this is in fact the position and shall update the Court accordingly.

2. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026 to allow the appellant to be present to indicate whether he is still interested in prosecuting the appeal.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

On the last occasion the matter was adjourned to allow the registrar to confirm whether the respondent is deceased. There is still no confirmation.

Case Name:

Shakimar Augustine

v

**Glenroy Jno. Baptiste
[DOMMCVAP2023/0006]
(Commonwealth of Dominica)**

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Bernard Pacquette

Respondent:

Mr. David Bruney

Issues:

Status of the Matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 9th February 2026.

2. The respondent shall file and serve written submissions with authorities on or before 10th March 2026.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 25th March 2026.
4. This appeal will be listed for hearing at a Court of Appeal sitting for the Commonwealth of Dominica, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason:

The court noted that the Welfare Division Report was filed on 18th November , 2025. To date there has been no record of the appellant's defence in the lower court.

Case Name:

**Joseph Raphael Le Blanc
v
Magistrate Bernard Pacquette
[DOMMCVAP2023/0003]
(Commonwealth of Dominica)**

Date:

Wednesday 7th January 2026

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In Person

Respondent: Ms. Karina David

Issues:

Status of the Matter

Type of order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall cause the Record of Appeal including the Notes of Evidence and reasons for decision to be prepared and served on the parties by no later than 27th March 2026, failing which an affidavit giving reasons for the non-compliance shall be filed.
2. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026.
3. The Registrar of the High Court is directed to serve a copy of this order on the appellant and to provide proof of service thereafter.

Reason: The Record of appeal is outstanding.

Case Name: Lena Durand
v
Ian Grell
[DOMMCVAP2018/0003]
(Commonwealth of Dominica)

Date: Wednesday 7th January 2026

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In Person
Respondent: No appearance

Issues: Status of the Matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the Record of Appeal on the respondent and provide proof of service.

2. The matter is adjourned to the next status hearing of the Court of Appeal for the Commonwealth of Dominica scheduled for 23rd July 2026.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and provide proof of service thereafter.

Reason:

The respondent was not served with the Record of Appeal and was likewise not served with notice to appear at the status hearing.

The appellant does not intend to retain counsel due to financial constraints. She further notes that the respondent frequently travels in and out of the Commonwealth, and she is unaware whether he is currently present on island.