

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

**VIDEOCONFERENCE
ANTIGUA AND BARBUDA
MONDAY 26th MAY 2025**

Case Name: Brit Syndicates Limited
v
Ashley Hanley
[ANUHCVAP2024/0009]
ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Applicant: Mr. Kendrickson Kentish
Respondent: In person

Issue: Status of the matter

Type of Order: Adjournment

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

1. The application for leave to appeal filed on 29th February 2024 is adjourned to the next status hearing of the Court of Appeal for the state of Antigua and Barbuda scheduled for 17th November 2025 to allow the parties to engage in mediation.

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

Reason:

Counsel for the applicant informed the Court that discussions had taken place in the lower court, and it was agreed that the matter would be referred to mediation. The Court noted that the application before it is for leave to appeal and, as such, an order cannot be made referring the matter to mediation. On the last occasion the matter was adjourned to allow settlement discussions, however, the mediation has not yet taken place. The respondent expressed continued interest in pursuing mediation. Counsel for the applicant provided his contact details to the respondent to facilitate the scheduling for mediation. Considering this, the Court adjourned the matter to allow the parties an opportunity to engage in mediation.

Case Name:

Kim Samuels
v
The Attorney General
[ANUHCVP2023/0006]
ANTIGUA AND BARBUDA

Date:

Monday, 26th May 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Applicant: No appearance

Respondent:

Issue:

Status of the matter

Type of Order:

N/A

Result/Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is removed from the status hearing list until the applicant regularizes the application filed on 2nd March 2025 and provides proof of service of the application for a stay on the respondent.

Reason:

On 2nd March 2025, the applicant filed an application for leave to appeal and a stay against the order of Master Charon Gardner-Hippolyte dated 7th July 2022. However, the Court noted that there is no affidavit in support and draft order filed with the application. Also, there is no proof of service of the application for the stay on the respondent. The Court further noted that the Court office wrote to counsel for the applicant on 8th and 17th March 2025 pointing out the deficiencies with the application, however, to date there has been no acknowledgement of the email or response from counsel, nor have the deficiencies been addressed.

In the circumstances, the Court was of the view that the application cannot be listed until the deficiencies have been addressed by counsel. Therefore, the Court delisted the matter to allow counsel for the applicant to regularize the application filed on 2nd March 2025.

Case Name:

George Kaersenhout
v
Domitilia James
[ANUHLTAP2025/0001]
Formerly [ANUHLTAP2018/0010]
ANTIGUA AND BARBUDA

Date:

Monday, 26th May 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent: No appearance

Issue: Status of the matter

Type of Order: Adjournment

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

1. Upon there being no appearance of the parties, the matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Antigua and Barbuda scheduled for 17th November 2025 for the appellant or his counsel to be present to indicate whether the appellant is still interested in prosecuting the appeal.
2. The Registrar of the High Court shall serve a copy of this order on the parties and shall provide proof of service thereafter.

Reason: There was no appearance on behalf of either party. The Court was informed that the parties could not be located for service. Therefore, the Court was minded to adjourn the matter to next Status Hearing of the Court of Appeal for the state of Antigua and Barbuda to allow the appellant or counsel to indicate whether the appellant is still interested in prosecuting the appeal.

Case Name: Big Banana Holding Company Ltd
v
Kenroy Callica
[ANUHCVP2022/0012]
ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Justin L. Simon, KC
Respondent: Ms. Eunica Anthony Victor

Issue: Status of the matter

Type of Order: Directions

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 7th July 2025.
2. The respondent shall file and serve written submissions with authorities on or before 8th August 2025.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 25th August 2025.
4. This appeal will be listed for hearing at a Court of Appeal sitting for the State of Antigua and Barbuda, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason:

On the last occasion, the parties indicated that they were in the process of preparing the Record of Appeal and progressing the appeal. Therefore, it was ordered that the matter proceed in accordance with the Civil Procedure Rules. However, to date, no submissions have been filed by the parties. Counsel for the appellant noted that both parties had engaged in discussions and agreed to pursue settlement discussions. However, the parties preferred to have directions from the Court regarding the

filing of submissions. Accordingly, the Court gave directions for the filing of submissions.

Case Name: Antigua and Barbuda Airport Authority
v
Antigua Hangars Inc
[ANUHCVP2023/0005]
ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Kema Benjamin

Respondent: Ms. Sherrie-Ann Bradshaw

Issue: Status of the matter

Type of Order: Directions

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

1. The appellant shall file and serve written submissions with authorities on or before 18th July 2025.
2. The respondent shall file and serve written submissions with authorities on or before 15th September 2025.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 3rd October 2025.
4. This appeal will be listed for hearing at a Court of Appeal sitting for the State of Antigua and

Barbuda, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason:

The Court noted the Order dated 5th June 2023 by the Hon. Dame Janice M. Pereira, Chief Justice (as she then was), the Hon. Mde. Gertel Thom, Justice of Appeal and the Hon. Mr. Gerard Farara, Justice of Appeal [Ag.] wherein the respondent's application to strike out the notice of appeal was dismissed. Upon counsel for the appellant indicating that he is in a position to file written submissions as well as the parties agreeing and discussing dates for filing, the Court accordingly gave directions for the filing of same and the progression of the matter.

Case Name:

**Ian Hughes
v
The King
[ANUHCRA2025/0008]
Formerly [ANUHCRA2018/0008]
ANTIGUA AND BARBUDA**

Date:

Monday, 26th May 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

**Appellant: Ms. Tana'ania Small Davis, KC
Respondent: Ms. Shannon Jones-Gittens**

Issue:

Status of the matter

Type of Order:

Directions

Result/Order:

**[Oral Delivery]
IT IS HEREBY ORDERED THAT:**

- 1. The parties shall agree on all previously filed (paper) pleadings and documents and upload same as an “additional volume” on the E-Litigation Portal on or before 6th June 2023.**
- 2. Where the parties do not agree on all previously filed (paper) pleadings and documents to be uploaded on the E-Litigation Portal, each party shall proceed to file their previously filed paper pleadings and documents and upload same as an “additional volume” on the E-Litigation Portal on or before 6th June 2025.**
- 3. The Registrar of the High Court shall verify and reconcile the abovementioned “additional volume” with the Courts records.**
- 4. The appellant shall take the necessary steps to make an application for an extension of time to file and serve the amended notice of appeal filed on 21st June 2024 on or before 6th June 2025.**
- 5. The appellant shall file and serve written submissions with authorities on or before 10th August 2025.**
- 6. The appellant shall file written submissions with authorities on or before 26th September 2025.**
- 7. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 13th October 2025.**
- 8. This appeal will be listed for hearing at a Court of Appeal sitting for the state of Antigua and Barbuda, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.**

Reason:

The Court noted that the file has not been uploaded to the E-Litigation Portal in accordance with the migration

order on 24th March 2025. Therefore, the Court gave directions for the previously filed (paper) pleadings and documents to be uploaded on the E-Litigation Portal.

The Court also noted the Order of Ellis JA dated 24th May 2024 wherein leave was granted to the appellant to amend his notice of appeal and to file and serve same within 14 days of the date of that order which would have been 11th June 2024. However, the amended notice of appeal was filed on 21st June 2024. Therefore, the Court gave directions for the filing of an application for an extension of time to file and serve the amended notice of appeal and gave directions for the progression of the matter.

Case Name: Dylan Karim Simon
v
The King
[ANUHCRA2024/0010]
ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Warren Cassell

Respondent: Ms. Shannon Jones-Gittens

Issue: Status of the matter

Type of Order: Adjournment

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

1. The appellant shall continue to take the necessary steps to engage an external transcriptionist to

prepare the transcript of proceedings in this matter.

2. The Registrar of the High Court shall cause the Record of Appeal to be prepared and served on the parties within 14 days of receipt of the transcript of proceedings from the external transcriptionist.
3. The matter is adjourned to the next status hearing of the Court of Appeal for the state of Antigua and Barbuda scheduled for 17th November 2025.

Reason:

The Court observed that the appellant initially commenced the matter as a pro se litigant and uploaded the documents individually. Consequently, a proper record of appeal has not been filed. Additionally, the Court noted that the transcript of proceedings is incomplete, with significant portions being inaudible. In light of this, the Court directed the to engage an external transcriptionist to prepare the transcript of proceedings, and the Registrar of the High Court to prepare and serve the Record of Appeal

Case Name:

Akeem Thomas
v
The King
[ANUHCRA2022/0008]
ANTIGUA AND BARBUDA

Date:

Monday, 26th May 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Mr. Wendel Alexander
Respondent:	Mrs. Shannon Jones-Gittens

Issue:	Status of the matter
Type of Order:	Directions
Result/Order:	[Oral Delivery] IT IS HEREBY ORDERED THAT: 1. Upon noting the indication from counsel for the appellant that the appellant no longer wishes to prosecute the appeal, the appellant shall take necessary steps to file a Notice of Abandonment in accordance with section 59(1) of the Court of Appeal Rules 1968 on or before 30th June 2025. 2. If paragraph 1 of the order is not complied with, the matter shall be listed for the next status hearing of the court of appeal for Antigua and Barbuda scheduled for 17th November 2025.
Reason:	Counsel for the appellant indicated that the matter has become academic as the appellant has served his time and he was due to be released on 1st May 2024. Counsel further indicated that he intends to file a Notice of Abandonment in the matter. Therefore, the Court gave the necessary directions for the filing of same.
Case Name:	Noel Carr v Commissioner of Police [ANUMCRAP2021/0004] ANTIGUA AND BARBUDA
Date:	Monday, 26th May 2025
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Kema Benjamin

Respondent: Ms. Shannon Jones- Gittens

Issue: Status of the matter

Type of Order: Adjournment

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 state of Antigua and Barbuda scheduled for 17th November 2025 to allow the parties to agree to the notes of evidence in the court below.

Reason: On the last occasion, the Court adjourned the matter for the Registrar of the High Court to inquire as to whether the proceedings in the court below were recorded. Upon being informed that the proceedings in the court below were not recorded, counsel for the appellant proposed that the parties confer to explore the possibility of reconstituting the notes of evidence. Accordingly, the Court adjourned the matter to allow the parties to agree on the notes of evidence in the court below.

Case Name: Careem Bedminister
v
[1] Arlene Simmons
[2] Damian Simmons
[ANUMCVAP2021/0001]
ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Elizabeth Drakes-Laviscount holding papers for Ms. Cherissa Roberts-Thomas

Respondents: In person

Issue: Status of the matter

Type of Order: Adjournment

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall provide the High Court office with the Record of Appeal in this matter on or before 30th September 2025 failing which an affidavit shall be provided for non-compliance.
2. The matter is adjourned to the next status hearing of the Court of Appeal for the state of Antigua and Barbuda scheduled for 17th November 2025.
3. The Registrar of the High Court shall serve a copy of this order on the respondents and shall provide proof of service thereafter.

Reason: On the last occasion, the Court adjourned the matter for the Chief Magistrate to provide the Record of Appeal. However, the Record of Appeal remains outstanding. Therefore, the Court adjourned the matter and gave directions for the Chief Magistrate to provide the High Court with the Record of Appeal failing which an affidavit of non-compliance should be provided.

Case Name:

[1] Chanel Abbott

[2] Anisha Abbott

v

Larry Abbott

[ANUMCVAP2020/0003]

ANTIGUA AND BARBUDA

Date: Monday, 26th May 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:	Mr. Wendel Alexander
Respondents:	Mr. Arthur Thomas

Issue: Status of the matter

Type of Order: Directions

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

1. The Court Office shall provide counsel for the respondent with the authorization code for the E-Litigation Portal to allow him to represent the case for the respondent on or before 30th May 2025.
2. The respondent shall file and serve written submissions with authorities on or before 30th June 2025.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 8th July 2025.
4. This appeal will be listed for hearing at a Court of Appeal sitting for the state of Antigua and Barbuda, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason: The Court noted that directions were given in April 2024 for the filing of written submissions, however this was not complied with by the respondent. The Court further noted that the respondent has now retained counsel and

no longer appears in person. Therefore, the Court gave directions for the respondent to be provided with the authorization code and for the filing of written submissions.