

EASTERN CARIBBEAN SUPREME COURT

COURT OF APPEAL

CHAMBER HEARING

Tuesday, 21st January 2025

MATTERS DEALT WITH ON PAPER

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

Case Name: The Attorney General of Anguilla

v

[1] Romeine Browne

[2] Cuthwin Davis

[3] Alexis Connor

[AXAHCVAP2024/0002]

Anguilla

Date: Tuesday, 21st January 2025

On paper:

Applicant: Ms. Erica Edwards

Respondents: Mr. Carlyle Rogers

Issues: Application for stay of proceedings

Result / Order: IT IS HEREBY ORDERED THAT:

1. The application for a stay of all proceedings in AXAHCV2023/0017 pending the hearing of the appeal is granted.
2. No order as to costs.

Reason: The Court noted the threshold for the grant of a stay consistent with the principles enunciated in C-Mobile Services Ltd v Huawei Technologies Co. Ltd and was of the view that the said threshold had been met by the applicant. The Court also noted that the respondents, having received notice of the application, had not complied with the order of the court directing that a response to the stay application be filed. In the circumstances the Court was minded to grant the application for a stay of proceedings.

Case Name: **Nicole D. Martin (Attorney for Nalda Marin
a.k.a. Condacey Martin also known as Nolder
Clovis Candacey Martin)**
v
**[1]Ronnie James (as sole surviving
Executor of the Estate of Ethel Geraldine
Martin, deceased)**
[2]Eldridge Martin
**[3]The Estate of Eldena Martin Wade,
deceased (represented by Joseph
Pinder)**
**[4]Geraldine Pamela Dickenson (nee Martin)
(as sole surviving executrix of the Estate
of George Martin)**
**[ANUHCVP2024/0008]
(Antigua and Barbuda)**

Date: **Tuesday, 21st January 2025**

On paper:

Applicant: **Asheen Joseph**

Respondents: **Denise Parillon for the 1st respondent
Michael Archibald for the 2nd respondent
The 3rd respondent in person
Kamilah Roberts for the 4th respondent**

Issues: **Application for stay of proceedings**

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

- 1. The application for a stay of proceedings in the High Court of Justice of Antigua and Barbuda in relation to ANUHCVP2024/0008 is stayed pending the hearing and determination of the appeal.**
- 2. No order as to costs.**

Reason: **The Court noted the threshold for the grant of a stay consistent with the principles enunciated in C-Mobile Services Ltd v Huawei Technologies Co. Ltd and was of the view that the said threshold had been met by the applicant. In the circumstances, the Court was minded to grant the application for a stay of proceedings.**

Case Name: **Ann Scotland**

v

Joseph Alain Regis

**[DOMMCVAP2023/0007]
(Dominica)**

Date: **Tuesday, 21st January 2025**

On paper:

Applicant: **Mr. Joshua Francis**

Respondents: **In Person**

Issues: **Application for leave to appeal**

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

- 1. The application for leave to appeal is unnecessary and is accordingly dismissed.**
- 2. 2. The appeal shall proceed in accordance with Part 62 of the Civil Procedure Rules (Revised) 2023.**

Reason:

The Court considered section 141 of the Magistrate's Code of Procedure Act Chap. 4:20 of the Laws of Dominica and was of the view that this case did not fall within the exceptions therein stipulated.