

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

COMMONWEALTH OF DOMINICA
VIDEOCONFERENCE
Monday 31st March 2025

Case Name: Pamela Green-Lander

V

Andrew Green
Arnold Green

[DOMHCVAP2014/0023]

Date: Monday 31st March 2025

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Gilden Richards

Respondents: Mrs. Noelize Knight-Didier holding papers for Mrs Joelle Harris

Issues: The status of the matter

Type of Order: Adjournment

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 8th September 2025 to allow the parties to continue settlement discussions.

Reason: The appellant's counsel has attempted to get the parties to settle the matter, but no agreement has been reached. The appellant's counsel requested a final adjournment for further settlement talks, which the respondent's counsel, who is also facing difficulties in obtaining instructions agreed to.

Case Name: Derwin Melrose Peltier
V
Jacinter Peltier nee Jno. Lewis
[DOMHCVAP2019/0001]

Date: Monday 31st March 2025

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In Person
Respondent:	No appearance

Issues: The status of the matter

Type of Order: Directions

Result/Order:

1. Upon noting the application filed by counsel for the appellant on 27th March 2025 to be removed as legal practitioner on record for the appellant, the matter is removed from the status hearing list pending the determination of the application.
2. Counsel for the appellant shall provide proof of service of the application in accordance

with Part 63, Civil Procedure Rules Revised Edition, 2023.

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

Reason:

The application to be removed as counsel on record for the appellant was filed on 27th March 2025 however the appellant has not been served on the appellant. The matter was adjourned to allow for the application to be dealt with.

Case Name:

Jennifer Hopper nee Magloire

V

**Phyllis Jayne Magloire
[DOMHCVAP2021/0002]**

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: No appearance

Respondent: No appearance

Issues:

The status of the matter

Type of Order:

Adjournment

Result/Order:

1. Upon nothing that there was no appearance of the parties, the matter is adjourned to the next status hearing of the court of appeal for the Commonwealth of Dominica scheduled

for 8th September 2025 to allow the appellant to be present to indicate whether she is still interested in prosecuting this 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 of the parties. The respondent could not be located for service. Counsel for the appellant did not appear.

Case Name:

1. Patrick Simeon
2. Franklyn Browne
v
1. Financial Secretary
2. The Public Service Commission
[DOMHCVAP2022/0003]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Dawn Yearwood-Stewart
Respondents: Ms. Vanica Joseph

Issues:

The status of the matter

Type of Order:

Adjournment

Result/Order:

IT IS HEREBY ORDERED THAT:

1. Upon noting the unavailability of the transcript of proceedings in the court below, the matter shall proceed using the notes of evidence as submitted by each of the parties.
2. The parties shall file a joint document noting the variations in the notes of evidence as submitted by the parties.
3. The respondents shall inform the appellants 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 30th April 2025.
4. The appellants shall file and serve the Record of Appeal on or before 15th May 2025.
5. The appellant shall file and serve written submissions with authorities on or before 2nd June 2025.
6. The respondents shall file and serve written submissions with authorities on or before 3rd July 2025.
7. The appellants are at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 18th July 2025.
8. 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:

Counsel for the appellant indicated that she intended to upload the notes of evidence with her submissions. The Court advised counsel that the notes should be filed in the Record of appeal and not uploaded with submissions. Counsel also informed the court that the notes of evidence are not agreed in the sense that the accounts vary in some instances as counsel may have paraphrased the wording of events as opposed to taking a verbatim account. As a result, each party will file their notes. The variance however is not material. The Court

therefore asked that a joint document be filed noting where the notes differ.

Case Name: **Dexter Ducreay**
v
Gifford Charles
[DOMHCVAP2021/0001]

Date: **Monday 31st March 2025**

Before **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:
Appellant: **Ms. Francine Baron**
Respondent: **Mr. David Bruney**

Issues: **The status of the matter**

Type of Order: **Adjournment**

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

1. The Registrar of the High Court shall continue efforts to obtain the judge's notes of evidence in the court below and shall update the parties accordingly.
2. The matter is adjourned to the next status hearing of the court of appeal for the Commonwealth of Dominica scheduled for 8th September 2025.

Reason:

The court advised the court office to follow up with the Judge on the notes of evidence. The court suggested to the parties that they meet to see how the matter should proceed if the notes are unavailable. The parties both agreed that the notes of evidence are critical for the progress of the appeal.

Case Name:

Presley Boyd

v

1. The Attorney General

2. The Chief of Police

[DOMHCVAP2021/1004]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

**Counsel on
record:**

Appellant:

Mr. David Bruney

Respondents:

Ms. Vanica Joseph

Issues:

The status of the matter

Type of Order:

Adjournment

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall continue efforts to obtain the judge's notes of evidence in the court below and shall update the parties accordingly.**

2. The matter is adjourned to the next status hearing of the court of appeal for the Commonwealth of Dominica scheduled for 8th September 2025.

Reason:

Both parties were officially informed of the unavailability of the audio recording and transcript from the Court below by letter dated 5th December 2024. A request was made to the judge in the court below for the notes of evidence, but these have not been obtained. Counsel for the appellant is of the view that the notes of evidence are needed and suggested that the parties could agree notes of evidence. Counsel for the respondent noted however that their chambers would be constrained as the counsel in the court below is no longer employed with their chambers. The Court was of the view that the best course of action is to try to obtain the judge's notes of evidence.

Case Name:

**Paul Joseph
v
Bank of Nova Scotia
[DOMHCVAP2014/0017]**

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. David Bruney

Respondent: Mr. Kondwani Williams

Issues: The status of the matter

Type of Order: Adjournment

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 8th September 2025 to allow the parties to continue discussions to agree the notes of evidence in the court below.

Reason: Counsel for the appellant provided his version of the notes to counsel for the respondent and the parties are currently working towards finalising the same, which can be completed in the next two weeks. While the parties requested directions for filing submissions, the Court determined it more prudent to await the settled notes of evidence, as any directions given beforehand would not be complied with if such notes were not settled.

The parties were urged however to file the Record of Appeal and submissions when the notes are settled so that the matter can be progressed and possibly be ready for the September 2025 Sitting.

Case Name: Jeanne Boland
v
Serge Junior Simon

[DOMHCVAP2023/0004]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:	Mr. Geoffrey Letang
Respondent:	No appearance

Issues: The status of the matter

Type of Order: Directions

Result/Order:

1. The Registrar of the High Court shall cause the transcript of the proceedings to be prepared and served on the parties.
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.
4. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.

Reason: The High Court office informed counsel by email that a digital form online should be used to request the transcript of proceedings. The transcriptionist which the appellant requested is not on the Eastern Caribbean Supreme Court's approved list of transcriptionists although she is the one used by the Court office in Dominica.

Case Name: IN THE MATTER OF THE APPLICATION TO
REGISTER AN ELECTRONIC AGREEMENT

IN THE MATTER OF THE APPLICATION FOR LATE
REGISTRATION OF DEED PURSANT TO SECTION 6
OF THE REGISTRATION OF RECORDS ACT
CHAPTER 19:04

IN THE MATTER OF THE REGISTRATION OF AN
ELECTRONIC AGREEMENT BETWEEN KAREN
ANDERSON AND PETER MAHLSTEDT MADE VIA
EMAILS DATED 24th SEPTEMBER 2020 TO 09th
MARCH 2021 AND WHATSAPP MESSENGER
DATED 22nd OCTOBER 2020 TO MARCH 2021
IN THE MATTER OF THE ELECTRONIC
TRANSACTIONS ACT 19 OF 2013

[DOMHCVAP2023/0008]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Shanice Henry holding papers for Ms. Singoalla Blomqvist- Williams
Respondent:	No respondent (Ex parte matter)

Issues: The status of the matter

Type of Order: Directions

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall file the Record of Appeal and written submissions with authorities on or before 30th April 2025.**
- 2. 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 matter was heard on paper. Therefore, there is no transcript in the matter. Therefore the hearing of the application should proceed.

Case Name:

Trevor Rodney

v

- 1. First Caribbean International Bank (Barbados) Ltd**
- 2. Tamara Helena Rodney**

[DOMHCVAP2021/1002]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: Mrs. Gina Dyer-Munro

Respondent: No respondent (Ex parte application)

Issues:	The status of the matter
Type of Order:	Directions
Result/Order:	IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall provide a copy of the order of Stephenson J dated 11th November 2021 to counsel for the applicant for filing. 2. If the order is not filed by Counsel, the matter will be relisted for status hearing for the Commonwealth of Dominica scheduled for 8th September 2025.
Reason:	The notice of application for leave to appeal and the affidavit in support of application was filed on 26th November 2021. Pursuant to Chamber hearing order dated 15th February 2022, the matter was adjourned until a copy of the order of Stephenson J was provided. However, the order has not been received from the judge.
Case Name:	Asher James v The State [DOMHCRAP2016/0005]
Date:	Monday 31st March 2025
Before	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mr. Geoffrey Letang

Respondent: Mr. Kevin Julien and Ms Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Adjournment

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 8th September 2025 to allow counsel for the appellant to make the necessary application to the court for the waiver of fees for the transcript and other applications relating to the appellant's representation by counsel.

Reason: The transcript of proceedings in the High Court is complete and is available. The parties were informed of the availability on 3rd May 2022. The fees have not been paid to collect. Counsel for the appellant has written to legal aid Mr. Peter Alleyne stating the position and made a request on 11th February 2025 for the state to assist the appellant in this matter and to waive the fees and to appoint him as counsel.

The Court suggested to counsel that he could make an application to the court to waive the fees for the transcript and to appoint counsel on a state brief. Counsel requested an adjournment to complete this process. The state did not oppose the request for the adjournment.

Case Name: Uranus Carbon
v
The State
[DOMHCRAP2014/0007]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Kevin Julien and Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Adjournment

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 8th September 2025 to allow the appellant to be present to indicate whether he is still interested in prosecuting his 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: Officer Geoffrey Edmund, Acting Superintendent of Prisons informed the Court that the appellant was discharged on 27th January 2025 after serving 2/3 of his sentence.

Counsel for the respondent indicated that the court transcript is unavailable. The State wishes to concede the appeal but seeks confirmation whether the appellant still desires to proceed with the appeal.

Case Name: **Mandell Joseph Cyrille**
v
The State
[DOMHCRAP2021/1001]

Date: **Monday 31st March 2025**

Before **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:

Appellant:	Mr. Wayne Norde
Respondent:	Ms. Kevin Julien and Ms. Ellisianne Wilkins

Issues: **The status of the matter**

Type of Order: **Directions**

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

- 1. The Registrar of the High Court shall cause the transcript of the proceedings to be prepared and served on the parties.**
- 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: The transcript of proceedings has not been prepared and the Registrar of the High Court was unable to provide an update but will ascertain the same.

Case Name: Jeremiah Gustave
v
The State
[DOMHCRAP2023/0001]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Kondwani Williams
Respondents: Mr. Kevin Julien and Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Directions

Result/Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall cause the transcript of the proceedings to be prepared and served on the parties.

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: The transcript of proceedings has not been prepared.

Case Name: Francoise Williams Robin
V
The Police
[DOMMCRAP2016/0011]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Kondwani Williams and Mr. Wayne Norde
Respondent: Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Adjournment

Result/Order: IT IS HEREBY ORDERED THAT:

1. The DOMMCRAP2016/0011 shall be migrated to the E-Litigation Portal under the Court-initiated Migration Project-Appeals and issued a new appeal number.
2. The appellant shall file and serve written submissions with authorities on or before 30th May 2025.

3. The respondent shall file and serve written submissions with authorities on or before 30th June 2025.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th July 2025.
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: Counsel for the appellant requested more time to file submissions. Counsel for the respondent did not object to the request.

Case Name: **Lennox Robin**
v
The Police
[DOMMCRAP2016/0010]

Date: **Monday 31st March 2025**

Before **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:
Appellant: **Mr. Kondwani Williams and Mr. Wayne Norde**
Respondent: **Mr. Kevin Julien with Ms. Ellisianne Wilkins**

Issues: **The status of the matter**

Type of Order: **Adjournment**

Result/Order:

IT IS HEREBY ORDERED THAT:

1. The DOMMCRAP2016/0010 shall be migrated to the E-Litigation Portal under the Court-initiated Migration Project- Appeals and issued a new appeal number.
2. The appellant shall file and serve written submissions with authorities on or before 30th May 2025.
3. The respondent shall file and serve written submissions with authorities on or before 30th June 2025.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th July 2025.
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:

Counsel for the appellant requested more time to file submissions. Counsel for the respondent did not object to the request.

Case Name:

**Addison Matthew
v
The Police
[DOMMCRAP2022/0006]**

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Gina Dyer- Munro

Respondent: Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: The 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 in response on or before 11th April 2025.
2. 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 appellant filed submissions on 31st March 2025. The state is willing to concede the appeal and requested 3 days to file written submissions. The court suggested that the matter be listed for hearing at the next sitting however Counsel for the appellant indicated that she has laryngitis and is unable to argue the matter next week and therefore requested another date.

Case Name: Jones Samson Telemaque
v
The Police
[DOMMCRAP2022/0005]

Date: Monday 31st March 2025

Before	Mrs. Michelle John-Theobalds, Chief Registrar	
Appearances:	Appellant:	Ms. Britney Pharoah holding papers for Ms. Kathy Buffong Royer
	Respondent:	Mr. Kevin Julien with Ms. Ellisianne Wilkins
Issues:	The 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 30th May 2025. 2. The respondent shall file and serve written submissions with authorities in response on or before 30th June 2025. 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 appellant has not filed submissions because of the respondent's indication at the last status hearing and was awaiting the filing of the respondent's submissions. The state intends to concede the appeal and requested 3 days to file submissions in that regard.	

Case Name:	John Hillman Julien
	V

The Police
[DOMMCRAP2022/0011]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wayne Norde

Respondent: Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Adjournment

Result/Order: IT IS HEREBY ORDERED THAT:

1. The respondent shall enter an appearance on the E-Litigation Portal on or before 4th April 2025.
2. The appellant shall file and serve written submissions with authorities on or before 30th May 2025.
3. The respondent shall file and serve written submissions with authorities on or before 30th June 2025.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th July 2025.

Reason: Counsel for the appellant has not complied with the previous court order and has not filed submissions in the matter. Consequently, the respondent who was awaiting the appellant's submissions has not filed submissions either.

Case Name:

Thembar Hinds

V

The Police

[DOMMCRAP2022/0003]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person

Respondent:

Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues:

The status of the matter

Type of Order:

Adjournment

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. The respondent shall enter an appearance on the E-Litigation Portal on or before 14th April 2025.**
- 2. The matter is adjourned to the next status hearing of the court for the Commonwealth of Dominica scheduled for 8th September 2025 to allow the appellant to seek legal representation.**
- 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 appellant appeared in person and indicated that his previous counsel did not show up on the last

occasion and requested time to get another counsel. The respondent noted that the matter has been constantly adjourned to allow the appellant to seek counsel. The respondent did not object to the request for an adjournment but however indicated that this should be the final adjournment for this purpose.

The court distinguished this situation from one where an appellant repeatedly requests time to find counsel, noting that here, the appellant had secured representation, but it did not work out, making a final adjournment inappropriate in the circumstances.

Case Name:	Linden Nareen Lewis v The Police [DOMMCRAP2013/0039]
Date:	Monday 31 st March 2025
Before	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Gina Dyer-Munro holding papers for Mrs. Zena Moore-Dyer
Respondent:	Mr. Kevin Julien with Ms. Ellisianne Wilkins
Issues:	The status of the matter
Type of Order:	Directions
Result/Order:	IT IS HEREBY ORDERED THAT:

1. Upon noting the respondent's indication of their intension to concede the appeal, the respondent shall file and serve written submissions with authorities on or before 30th May 2025.
2. The appellant is at liberty to file and serve submissions in reply should these be necessary, within 14 days of service of the respondent's submissions.
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 file in the lower court was destroyed in Hurricane Maria. The parties are unable to reconstruct it. Counsel for the respondent indicated that as a result, the Crown intends to concede the appeal.

Case Name:

Crawford Williams

v

The Police

[DOMMCRAP2021/1001]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance of the Appellant

Respondent:

Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Directions

Result/Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that there is no appearance of the appellant or counsel for the appellant, the matter is removed from the court's status hearing list.
2. The matter will be relisted upon the appellant filing written submissions in support of the appeal or on a date to be fixed by the Chief Registrar.
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: Directions were given for the filing of submissions at the last status hearing however this order was not complied with. The appellant was absent and so an explanation could not be given as to why the appellant did not comply. The respondent indicated that they were awaiting submissions from the appellant to allow them to file submissions.

Case Name: Chris Boston
v
The Police
[DOMMCRAP2022/0004]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wayne Norde

Respondent: Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues:

The status of the matter

Type of Order:

Directions

Result/Order:

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 the necessary steps to file a Notice of Abandonment in accordance with section 59(1), Court of Appeal Rules 1968.
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 the Commonwealth of Dominica scheduled for 8th September 2025.

Reason:

The appellant indicated that the notice of abandonment was filed on 28th March 2025. However, the document was filed at the Magistrates Court.

Case Name:

Derrick Bruney

v

The Police

[DOMMCRAP2023/0006]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: The status of the matter

Type of Order: Adjournment

Result/Order: IT IS HEREBY ORDERED THAT:

1. The respondent shall enter an appearance on the E-Litigation Portal on or before 4th April 2025.
2. Upon noting that the appellant was not served to be present at today' s hearing, as well as the indication from counsel for the respondent that the appellant may have already served out his sentence, the matter is adjourned to the next status hearing of the court of appeal for the Commonwealth of Dominica to allow the appellant to be present to indicate whether he is still interested in prosecuting his 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: The appellant was not served to be present at the status hearing. The DPP's instruction to counsel for

the respondent is to inquire from the appellant as to whether he is still interested in this appeal as his time has been served however this was not possible due to his absence.

Case Name: **Rene Lyan Wiltshire**
v
The Police
[DOMMCRAP2023/0003]

Date: **Monday 31st March 2025**

Before **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:

Appellant:	Ms. Jilane-Milani Prevost holding for Mr. Julian Prevost
Respondent:	Mr. Kevin Julien with Ms. Ellisianne Wilkins

Issues: **The status of the matter**

Type of Order: **Adjournment**

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 June 2025, 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 in the Commonwealth of Dominica scheduled for 8th September 2025.

Reason: The Record of appeal is in the process of being completed.

Case Name: **Murphy George**
v
Winston Warrington

[DOMMCVAP2019/0005]

Date: Monday 31st March 2025

Before Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: No appearance

Issues: The status of the matter

Type of Order: Adjournment

Result/Order: IT IS HEREBY ORDERED THAT:

1. Upon noting the indication from the Deputy Registrar that the respondent is deceased, the Registrar shall make the necessary inquiries to update the court on this position accordingly.
2. Upon noting that the appellant could not be located for service to be present at today's hearing, the matter is adjourned to the next status hearing for the Court of appeal for the

Commonwealth of Dominica scheduled for 8th September 2025.

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 parties were not served. Service was attempted but was unsuccessful. The Court was however informed that the respondent is deceased. There is nothing filed in court to state that he is in fact deceased.

Case Name:

Shakimar Augustine

V

Glenroy Jno Baptiste

[DOMMCVAP2023/0006]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Jilane-Milani Prevost holding for Mr. Julian Prevost

Respondent:

Mr. David Bruney

Issues:

The status of the matter

Type of Order:

Adjournment

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall take the necessary steps in relation to placing her new counsel on the record.**
- 2. The Senior 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 30th May 2025, failing which an affidavit giving reasons for the non-compliance shall be filed.**
- 3. The matter is adjourned to the next status hearing of the court of appeal for the Commonwealth of Dominica scheduled for 8th September 2025.**

Reason:

Counsel for the appellant indicated that the appellant has withdrawn her file and is now represented by Mr. Bernard Pacquette. The Court advised counsel that she would need to withdraw representation on the E-Litigation Portal to allow new counsel to take over the matter and represent case. Counsel for the appellant therefore requested an adjournment to allow for this to be done. Counsel also noted that the Record of appeal is still outstanding and asked that an order be made for it to be prepared. The respondent did not object to the proposed course of action.

Case Name:

**Joseph Raphael Le Blanc
v
Magistrate Bernard Pacquette**

[DOMMCVAP2023/0003]

Date:

Monday 31st March 2025

Before

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In Person

Respondent: No appearance

Issues:

The status of the matter

Type of Order:

Adjournment

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 8th September 2025, to allow the appellant to take the necessary steps in relation to the service of the Notice of appeal and the authorization code on the respondent.
2. 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 incomplete and there are no reasons for decision. There is a note that indicates that the Magistrate has left the bench and has not given reasons for decision. The respondent has not been served in this matter.

