

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
CHAMBER HEARING

19th November 2024

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mde. Esco Henry, Justice of Appeal

Case Name: Mervin Marcellin
v
The Police
[DOMMCRAP2023/0002]
(Dominica)

Date: Tuesday, 19th November 2024

Appearances:
Applicant: In person
Respondent: No appearance

Issues: Application for leave to appeal against conviction and sentence

Result / Order: IT IS HEREBY ORDERED:

1. The application for leave to appeal against conviction and sentence filed 17th May 2023 is granted.
2. The notice of application for leave to appeal filed on 17th May 2023 is deemed to be the notice of appeal.
3. The Registrar of the High Court shall serve a copy of this order on the applicant and the respondent within 7 days of the date of this order and shall provide proof of service thereof.

Reason: The Court was of the view that the applicant met the threshold for the grant of leave to appeal.

Case Name: Don Ismael

v
The King

[SLUHCRAP2021/0004]
(Saint Lucia)

Date: Tuesday, 19th November 2024

Appearances:

Applicant: Mr. David Francis

Respondent: The Office of Director of Public Prosecutions

Issues: Application for leave to appeal forma pauperis

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

1. The appellant shall within 14 days of the date of this order file a certificate of counsel stating that the intended appeal has reasonable grounds of appeal.
2. Subject to the appellant's compliance with paragraph 1, the consideration of the application for leave to appeal in forma pauperis is adjourned to the next Chamber Hearing of this Court scheduled for 17th December 2024 or the next chamber hearing date following compliance with paragraph 1 of this order.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and on the office of the Director of Public Prosecutions within 7 days of the date of this order.

Reason:

The Court noted that a certificate of counsel that the appellant has reasonable grounds of appeal did not accompany the application and that no grounds of appeal were listed in the appellant's notice of appeal as required by rule 32 of the Court of Appeal Rules.