

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

VIDEOCONFERENCE
SAINT LUCIA
WEDNESDAY 8th JANUARY 2025

Case Name: Hermes Bank Limited
v
[1] Birasort Limited
[2] Fekoza Holdings Limited
[3] Proteas Escrow Agency Services
Limited
[SLUHCMAP2024/0002]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Applicant:	No appearance
Respondents:	Ms. Shari-Ann Walker

Issue: Status of the matter

Type of Order: Adjournment

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025 for the appellant to indicate whether it still intends to prosecute the appeal.

Reason:

The Court noted that this matter was filed with a certificate of urgency. The notice of availability of transcript was uploaded on 10th October 2024, however, there was no advancement by the appellant as the transcript of the proceedings remains outstanding, and the appellant has not filed submissions in the appeal. As a result, the matter is adjourned for the appellant to indicate what its position is in relation to the progress of the appeal.

Case name:

Monica Viola Joseph-Cyril
v
Lorenzo Rudolph Francis
[SLUHCVP2020/0018]
SAINT LUCIA

Date:

Wednesday, 8th January 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. The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025 to allow the appellants to be present to indicate whether they are still interested in prosecuting the appeal.
2. The Registrar of the High Court shall serve a copy of this order on the parties and provide proof of service thereafter.

Reason:

By affidavit of non-service dated 7th January 2025, the Court noted that the appellant was not served. As a result, the matter was adjourned to allow the appellant to be present and indicate whether they intend to prosecute the appeal.

Case name:

Ronald Parris

v

**Comptroller of Customs & Excise
[SLUHCVP2020/0016]
Formerly
[SLUHCVP2018/0006]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Applicant:

No appearance

Respondents:

Ms. Antonia Charlemagne

Issue:

Status of the matter

Type of Order:

N/A

Result/Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. Upon noting the application filed by the respondent on 7th January 2025 to strike out the notice of appeal filed on 16th February 2018, the matter is removed from the status hearing list pending the determination of the application.**
- 2. The Registrar of the High Court shall serve a copy of this order on the appellant and provide proof of service thereafter.**

Reason:

The Court noted that the appellant was served on 22nd November 2024 with the certificate of result of status hearing dated 9th October 2024, which adjourned the matter to today's date. The respondent filed an application on 7th January 2025 to strike out the notice of appeal filed on 16th February 2018 of which, service is yet to be effected on the appellant. The Court informed the respondent that once service of the application is effected on the appellant, the Court should be informed so that the application can be listed for hearing. Consequently, the matter was delisted pending the determination of the application filed by the respondent on 7th January 2025.

Case name:

[1] Betehlia Francis

[2] Janice Snaggs

v

**Omega Caribe Limited trading as Oasis Marigot Hotel
[SLUHCVP2022/0010]
SAINT LUCIA**

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Mrs. Maureen John-Xavier

Issue: Status of the matter

Type of Order: N/A

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellants are absent and have not filed an application for an extension of time to serve the application for leave to appeal filed on 18th August 2023, the matter is removed from the status hearing cause list until the applicant provides proof of service of the application on the respondents.
2. The Registrar of the High Court shall serve a copy of this order on the applicants and shall provide proof of service thereafter.

Reason: The Court noted that the matter was previously adjourned to allow the appellants to make the necessary application for an extension of time to effect service of the application for leave to appeal filed on 18th August 2023. Counsel for the respondent informed the Court that no such application was made, there was no service of the same, and no activity on behalf of the appellants since the previous hearing. Consequently, the Court was of the view that the matter should be removed from the list until the necessary application is made and proof of service is provided.

Case name:

Hollinda Allen Arthur

v

**Raymond Volney
[SLUMCVAP2018/0002]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Applicant:

No appearance

Respondents:

No appearance

Issue:

Status of the matter

Type of Order:

Adjournment

Result/Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. Upon noting that the parties have not been served with notice of today's hearing, the matter is adjourned to the next Status Hearing of the Court of Appeal for Saint Lucia scheduled for 14th May 2025 to allow the appellant to be present to indicate whether he 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: The Court noted that the parties were not served with the notice of hearing scheduled for 8th January 2025, and therefore adjourned the matter to allow the appellant to be present to indicate whether he is still interested in prosecuting the appeal.

Case name: Rock Jean

v
Saint Lucia Civil Service Credit Union Limited
[SLUMCVAP2019/0002]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondents: Ms. Marie-Ange Symmonds

Issue: Status of the matter

Type of Order: Directions

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall assist the appellant by giving directions on how to make payment for the transcript of proceedings in the court below.
2. The Chief Magistrate shall cause a supplemental record of appeal to be filed and served on the parties to include the exhibits attached and referred to in the Amended Statement of Claim

including and in particular (i) the exhibit marked SLSCCUL1 being the loan statement referred to in paragraph 2 , (ii) a copy of the arbitration award dated 15th December 2006 and marked EXHIBIT SLSCCUL2, referred to in paragraph 8 and (iii) the Solicitor's dated 11th October 2016, and marked as EXHIBIT SLSCCUL4, as referred to in paragraph 13.

3. The Chief Magistrate shall cause the supplemental record of appeal referred to in paragraph 2 of this order to be filed on or before 29th April 2025, failing which an affidavit outlining the non-compliance shall be provided.
4. The Chief Magistrate shall ensure that all filed documents included in the record of appeal are the filed documents bearing the court's stamp and the filing date.
5. The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025.
6. The Registrar of the High Court shall serve a copy of this order on the appellant and the Chief Magistrate and shall provide proof of service thereafter.

Reason:

The Court noted that on the last occasion, 9th October 2024, a detailed order was made for the appellant to make the necessary steps to make payment of the transcript of proceedings in the court below. The appellant indicated that he made several attempts by attending the Magistrates court to pay for the transcript of proceedings, however, he was not informed of the cost of same. Therefore, the Court advised the appellant to go to the service bureau and request a copy of the

notice of availability of transcript which would state the amount to be paid. Additionally, the last order made for the Senior Magistrate to provide a supplemental record of appeal containing the documents which are missing, has not been complied with. In the circumstances, the Court decided to adjourn the matter to allow the appellant to obtain the transcript of the proceedings and allow the supplemental record of appeal to be prepared.

Case name:	Samuel Clairmont
	v The King [SLUHCRA2020/0005] SAINT LUCIA
Date:	Wednesday, 8 th January 2025
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Kelly Thomson
Issue:	Status of the matter
Type of Order:	Directions
Result/Order:	[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. Upon noting the indication from the appellant that he no longer wishes to prosecute his appeal, the appellant shall make the necessary steps to file a Notice of Abandonment in accordance with section 59(1), Court of Appeal Rules 1968.

2. The Registrar of the High Court shall assist the appellant in filing the Notice of Abandonment.
3. 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 Saint Lucia scheduled for 14th May 2025.

Reason:

The appellant informed the Court that he does not have a lawyer and stated that he sent in a letter to dismiss the appeal. The appellant indicated that he handed over the letter to the correctional facility. The Court is not in receipt of this letter and neither is the respondent. Therefore, the Court informed the appellant that he has to complete the required form if he is no longer interested in prosecuting the appeal. As a result, the Court gave directions for the Registrar of the High Court to assist the appellant with the filing of a Notice of Abandonment.

Case name:

Don Ismael

v
The King
[SLUHCRA2021/0004]
SAINT LUCIA

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. David Francis

Respondent:

Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: N/A

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is removed from the status hearing cause list, pending the determination of the appellant's application to appeal in forma pauperis filed on 5th July 2024.

Reason: The Court noted that the notice of application filed by the appellant on 5th July 2024 is pending determination as the appellant has to file a certificate of counsel stating that the intended appeal has reasonable grounds of appeal. Counsel for the appellant indicated he has not yet had sight of the transcript to make that assessment. Accordingly, the Court noted that the matter should be removed from the status hearing list until the application is dealt with.

Case name: Leroyson Gilbert

v
The King
[SLUHCRA2021/0005]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Applicant: Mr. Alberton Richelieu

Respondents: Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: Directions

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall comply with the order of Ellis JA dated 19th November 2024 and provide a copy of the transcript of proceedings in case number SLUHCRD2014/0494 to counsel for the parties on or before the 31st January 2025.
2. The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia for 14th May 2025.

Reason: On 19th November 2024, a single judge granted the application to waive the transcript fees and ordered that a copy of the transcript be provided to the appellant. It was highlighted that the criminal division is missing some documents to complete the record of appeal. However, the Court noted that since it is the transcript that needs to be provided, there is no difficulty in the court office complying with the order of the single judge. Accordingly, the Court adjourned the matter and ordered that the Registrar comply with the order of Ellis JA dated 19th November 2024.

Case name: Jeromine Jones

v
Director of Public Prosecution
[SLUHCRA2021/0001]
SAINT LUCIA

Date: **Wednesday, 8th January 2025**

Coram: **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:

Appellant: **Mr. Alberton Richelieu**

Respondent: **Ms. Kelly Thomson**

Issue: **Status of the matter**

Type of Order: **Directions**

Result/Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall inform the parties of the documents that are missing to complete the record of appeal, on or before 17th January 2025.**
- 2. Counsel shall thereafter assist the court office in locating copies of the documents which are needed to complete the record of appeal.**
- 3. The Registrar of the High Court shall comply with the order of Ellis JA, dated the 19th November 2024, and shall provide a copy of the record of appeal, including the transcript of proceedings in SLUHCRA2021/0001 to counsel.**
- 4. The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025.**

Reason: The Court noted that the charge sheet is still outstanding in this matter. Counsel for the parties both agreed that they would assist in retrieving the charge sheet so that the matter can progress. Therefore, the Court adjourned the matter and gave directions for the parties to obtain the missing documents.

Case name: Bryan St. Martin
v
The King
[SLUHCRA2019/0002]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jeannot-Michel Walters

Respondents: Ms. Kelly Thomson

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 30th April 2025.
2. The respondent shall file and serve written submissions with authorities on or before 2nd June 2025.

3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 24th June 2025.
4. This appeal will be fixed for hearing at a Court of Appeal sitting for the state of Saint Lucia, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.

Reason:

The Court noted that by Chamber Order dated 28th March 2023, the appellant was granted legal aid. The appellant was appointed counsel on 19th December 2023. Counsel for the appellant was served with the order dated 28th March 2023, the appointment and authorization code in the matter on 7th February 2024. Given the delays, the Court gave directions for the progression of the matter.

Case name:

Jabez Frederick

v

**PC 600 St. Aimee
[SLUMCRAP2014/0015]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person

Respondents:

Ms. Kelly Thomson

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 14th February 2025.**
- 2. The respondent shall file and serve written submissions with authorities on or before 14th March 2025.**
- 3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 31st March 2023.**
- 4. This appeal will be fixed for hearing at a Court of Appeal sitting for the state of Saint Lucia, on a date to be fixed by the Chief Registrar on the matter being ready for hearing.**

Reason:

The Court inquired whether the appellant is still interested in the appeal, to which he responded that he was. The Court therefore gave directions for the progression of the matter and encouraged the appellant to take said directions to his lawyer to progress the matter.

Case name:

Lon Octave

v

**WPC 816 Mangal
[SLUMCRAP2018/0004]
[SLUMCRAP2018/0005]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Jadia Jn Pierre

Respondents: Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: Adjournment

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall make efforts to ascertain whether the proceedings in the High Court were recorded and retrievable, and provide an update to the parties on or before 14th February 2025.
2. The Senior Magistrate shall cause a supplemental record of appeal to be prepared including the following missing exhibits (i) SM 1- the rights in custody form (referred to at page 19 of the Record of Appeal) (ii) SM 2- the interview under caution (referred to at page 20 of the Record of Appeal) (iii) SM3- the Charge and voluntary statement form (referred to at page 20 of the Record of Appeal) (iv) SM4 – Medical report of the Virtual complainant (referred to at page 21 of the Record of Appeal) (v) SM5 – Birth Certificate of the Virtual complainant (referred to at page 21 of the Record of Appeal) (vi) LD 1 – Notice of description (referred to at page 24 of the Record of Appeal) (vii) LN 1- Information from the cyber lab in relation to telephone records of the defendant (referred to at page 25 of the Record of Appeal) and (viii) LN 2- Conversations in relation to the defendant. (referred to at page 26 of the Record of Appeal), to be provided 28th March 2025 failing which an affidavit providing the reasons for non-compliance be filed.

3. The matter is adjourned to the next status hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025.

Reason:

The matter was adjourned to allow the parties to review the record of appeal to ensure that it is complete for the hearing of this appeal, and for counsel for the appellant to take instructions in the matter. The Court also noted that there are a few aspects of the record of appeal which pose a challenge in hindering the hearing of the appeal. The Court therefore adjourned the matter and gave the necessary directions to rectify the issues.

Case name:

Ernest George

v

**PC 600 St. Aimee
[SLUMCRAP2014/0012]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondents:

Ms. Kelly Thomson

Issue:

Status of the matter

Type of Order:

Directions

Result/Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. 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 28th March 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 of Appeal for the state of Saint Lucia scheduled for 14th May 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 Court noted that a similar order was made at the previous status hearing. The record of appeal remains outstanding and there was no affidavit filed by the Senior Magistrate. The Court also noted that the appellant could not be located to be served. Therefore, the Court adjourned the matter and gave directions for the record of appeal, notes of evidence, and reasons for decision to be prepared and served on the parties.

Case name:

Byron Nicholas

V

**PC 600 St. Aimee
[SLUMCRAP2014/0014]
SAINT LUCIA**

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: Adjournment

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant was not served, the matter is adjourned to the next Status Hearing of the Court of Appeal for Saint Lucia scheduled for 14th May 2025 for 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:

The Court noted that the appellant could not be located for service and an affidavit of non-service was filed. However, the appellant was served on previous occasions, but he has not been attending court. The Court has been trying to ascertain whether the appellant is still interested in his appeal. Therefore, the Court adjourned the matter to allow the appellant to be present and indicate whether he is still interested in prosecuting his appeal.

Case name:

Wilfred Karl Daniel

v

The King

[SLUMCRAP2018/0007]

SAINT LUCIA

Date: **Wednesday, 8th January 2025**

Coram: **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:

Appellant: **Mr. Alberton Richelieu**

Respondents: **Ms. Kelly Thomson**

Issue: **Status of the matter**

Type of Order: **Adjournment**

Result/Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for the state of Saint Lucia scheduled for 14th May 2025, to allow counsel to peruse the record of appeal and give an indication as how this appeal should progress.

Reason: **Counsel for the appellant indicated that he does not have a copy of the record of appeal, however, counsel for the respondent offered to make a copy available to him.**

Counsel for the respondent further indicated to the court that the record of appeal seems to be incomplete. However, Ms. Jadia Jn Pierre, who is currently handling the trial in the Magistrate's Court, added that after reviewing the case, it became clear that the appeal was actually about a request for an extension of time, which had been granted despite objections from the opposing side. Therefore, the Court noted that the appeal has not yet addressed the merits of the case, meaning it's an

interlocutory appeal, which isn't allowed in criminal matters.

In these circumstances, the Court asked counsel for the appellant to review the appeal alongside the ongoing case in the Magistrate's Court and determine the next steps in this appeal. Accordingly, the matter was adjourned.

Case name: Kim Didier

v
The Police
(WPC Elia)
[SLUMCRAP2022/0001]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Alberton Richelieu

Respondent: Ms. Kelly Thomson

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 the necessary steps to file a Notice of Abandonment in accordance with section 59(1) of the 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 State of Saint Lucia scheduled for 14th May 2025.

Reason: Upon counsel for the appellant indicating that the appellant no longer wishes to prosecute the appeal, the Court gave directions for the appellant to file the requisite Notice of abandonment.

Case name: Miguel Elibox
v
PC 335 Gilroy Arthur
[SLUMCRAP2021/0001]
SAINT LUCIA

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jeannot-Michel Walters

Respondents: Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: Directions

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Senior Magistrate shall continue efforts to 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 28th

March 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 of Appeal for the state of Saint Lucia scheduled for 14th May 2025.**

Reason:

The Court noted that on the last occasion, a similar order was made, however, said order was not complied with.

The Court was informed that on 19th December 2024, counsel for the appellant received an indication that the transcript was ready. Counsel for the appellant further indicated that he cannot confirm whether the record of appeal was prepared. The Court urged counsel to file their respective submissions once the record of appeal is filed as the timelines in the rules should be followed. In the meanwhile, as the record of appeal remains outstanding, the Court adjourned the matter and gave directions for the Senior Magistrate to prepare and serve the record of appeal, notes of evidence, and reasons for decision on the parties.

Case name:

Owen Lamontagne

v

The King

[SLUMCRAP2023/0001]

SAINT LUCIA

Date:

Wednesday, 8th January 2025

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Kelly Thomson

Issue: **Status of the matter**

Type of Order: **Directions**

Result/Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The court office shall provide the respondent with the authorization code for this matter on or before 17th January 2025.**
- 2. The matter is adjourned to the next Status Hearing of the Court of Appeal for Saint Lucia scheduled for 14th May 2025.**
- 3. The respondent shall as much as possible assist the Court with the whereabouts of the appellant to facilitate service on the appellant.**
- 4. 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 Court noted that there was no service on the appellant. The Bailiff informed the Court that he is no longer at the Bordelais Correctional Facility and there was no known address for him. Counsel for the appellant informed the Court that she does not have the authorization code, although she has a copy of the Record of Appeal. Accordingly, the Court adjourned the matter and made an order to facilitate service on the appellant and to obtain the authorization code.**

Case name: **Clouds Poyotte**

v
PC 711 Byron

Date: Wednesday, 8th January 2025

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Alberton Richelieu

Respondent: Ms. Kelly Thomson

Issue: Status of the matter

Type of Order: Directions

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. The Senior Magistrate shall cause the portion of the record of appeal reflecting the full cross-examination of the Investigating Officer PC 711 Byron to be prepared and served on the parties by no later than 21st February 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 of appeal for the state of Saint Lucia scheduled for 14th May 2025.**

Reason: The Court noted that this matter was placed before the Court of Appeal in October 2024 but by consent, the matter was placed back on the status hearing list on the

basis that part of the cross-examination of the investigation officer is missing. The Court noted that the full cross-examination is needed to canvass some of the issues on appeal.

The appellant has filed submissions and counsel for the respondent indicated that she is almost complete with hers.

The Court was also informed that the appeal was amended and is now only against conviction and not sentence.

Therefore, the Court adjourned the matter to have the missing portion of the record of appeal served on the parties.