

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
SAINT LUCIA
VIDEOCONFERENCE
Monday 4th March 2024

Case Name: **Bamboo Springs Bottled Water Limited**

v

The Bank of Nova Scotia

[SLUHCMAP2022/0003]

Date: **Monday 4th March 2024**

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

Appearances:

Appellant: **Mr. Martin Martin In person**

Respondents: **Mr. Deale Lee**

Issues: **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 24th June 2024, to allow the appellant to seek legal representation.**
- 2. This is the final adjournment for this purpose.**

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 indicated that the transcript has been collected but he has not filed the Record of Appeal. He intends to get legal representation and requested an adjournment for that purpose. The respondent was of the view that the matter is dragging on but did not object to the request for the adjournment. The Court therefore granted the adjournment to the next status hearing in Saint Lucia.

Case Name:

Lazarus Paul

v

**[1] Rachel Willie-Trotman
[2] Douglas Trotman
[3] Teferi Trotman minor acting
minor acting and represented by his
mother Rachel Qillie-Trotman**

[SLUHCVP2017/0049]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Gerard Williams

Respondents:

Mrs. Wauneen-Louis Harris

Issues:

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 Saint Lucia scheduled for 24th June 2024, unless a consent order is sooner filed.

Reason: The parties continue to have settlement discussions to address one more outstanding issue. The Court adjourned the matter to facilitate these discussions.

Case Name: Ruth Narcisse
v
Rasheiki Adolph
[SLUHCVAP2017/0004]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondents: No appearance

Issues: 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 Saint Lucia scheduled for 24th June 2024, to allow the appellant to indicate whether she 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:

On the occasion before the last, Counsel for the appellant stated that she will be making one final attempt to reach Ms. Narcisse to obtain continued instructions. Counsel further stated that, in any event, a notice of discontinuance will be filed before the next hearing. However, Counsel for the appellant did not attend the Status Hearing on the last occasion. No notice of discontinuance has been filed and the Court noted that the bailiff was unable to serve the parties with notice of today's hearing.

Case Name:

Terrentia Nigel Toussaint-Carroll

v

[1] Brian Leonce
[2] Glen Joseph
[3] Melvin Felicien
[4] Sylvienne Joseph
[5] One Theodore
[6] Lucy Jn Charles
[7] Does1-IV

[SLUHCVP2022/0020]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Terrentia Nigel Toussaint-Carroll

Respondents:

**Ms. Alberta Richelieu on behalf of Ms. Lucy Jn Charles
Mr. Horace Fraser for Glen Joseph, Melvin Felicien and Patricia Theodore (One Theodore)
No appearance for Sylvienne Joseph and Does 1-IV**

Issues:

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 and authorities on or before 15th March 2024.**
- 2. The respondents shall file and serve written submissions with authorities on or before 8th April 2024.**
- 3. The appellant is at liberty to file and serve written submissions in reply, if necessary on or before 22nd April 2024.**
- 4. The hearing of the appeal is fixed for the next Court of Appeal sitting for Saint Lucia scheduled for the week commencing 1st July 2024.**

Reason:

The Court noted that there had been no service of the record of appeal and skeleton arguments on One Theodore, Does 1-IV and Sylvienne Joseph (who is deceased). Further there was no proof of service of the notice of appeal on Glen Joseph and One Theodore although they were served with the authorisation code. The Court was of the view that the appellant should re-file the matters so that the appeal may be heard in the next Court of Appeal sitting in Saint Lucia scheduled for the week commencing 1st July 2024.

Case Name:

Shaheel Jagroop

v

Lucretia Johnny

[SLUHCVP2023/0023]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:	Mr. Fabien Jagroop, next friend of Shaheel Jagroop
Respondent:	Mr. Dexter Theodore, KC

Issues: Status of the matter

Type of Order: Directions

Result: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written submissions with authorities on or before 21st March 2024.
2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 5th April 2024.
3. The appeal is fixed for hearing at the next sitting of the Court of Appeal for the State of Saint Lucia during the week commencing 1st July 2024.

Reason: The appellant has filed the corrected record of appeal with the assistance of the respondent. The Court ordered that the parties file written submissions in preparation for the hearing of the appeal at the next Court of Appeal hearing in Saint Lucia during the week commencing 1st July 2024.

Case Name:

	Romauld Harte
	v
	Perry Longville

[SLUMCVAP2018/0001]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No Appearance

Respondents: Mr. Al Elliot

Issues: Status of the matter

Type of Order: Adjournment

Result / Order:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Saint Lucia scheduled for 24th June 2024, unless a consent order is sooner filed.
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 parties have come to a settlement in the matter. The order being appealed against will stand and the respondent will be permitted to pay the judgment given in the court below to the appellant. The respondent indicated that he will be able to make payment in full by 30th April 2024 in the sum of \$3600.00. The Court adjourned the matter so that the parties may file a consent order to represent the same.

Case Name: Hollinda Allen Arthur

v

Raymond Volney

[SLUMCVAP2018/0002]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:	No Appearance
Respondent:	No Appearance

Issues: 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 24th June 2024 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 notice of today's hearing and adjourned the matter to determine whether the appellate is still interested in prosecuting the appeal.

Case Name: Rock Jean

v

Saint Lucia Civil Service Credit Union Limited

[SLUMCVAP2019/0002]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In Person

Respondent: Ms. Marie-Ange Symmonds

Issues: Status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The parties shall inform the Registrar of the High Court in writing, of the deficiencies in the Record of Appeal, including the documents which are missing from the Record of Appeal, on or before 30th April 2024.
2. The matter is adjourned to the next status hearing of the Court of Appeal for Saint Lucia scheduled for 24th June 2024.
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 noted that there existed some deficiencies with the Record of Appeal, specifically, there were documents which were served that have not been included in the record. Additionally the bill of sale if not included in the bundle and although the written decision is present, the appellant noted that the order is missing. The Court directed the parties to inform the Registrar of the High Court of the

deficiencies in the Record of Appeal and adjourned the matter to give them time to do so.

Case Name:

Flavia Cherry

v

**Ezekiel Mason
[SLUMCVAP2021/0004]**

Date: **Monday 4th March 2024**

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

Appearances:

Appellant: **Mr. Dexter Theodore KC**

Respondents: **In person**

Issues: **Status of the matter**

Type of Order: **Directions**

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

IT IS HEREBY ORDERED THAT:

- 1. The respondent is at liberty to file and serve written submissions with authorities in support of the application to strike out the appeal and in response to the application to amend the grounds of appeal on or before 4th April 2024.**
- 2. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 19th April 2024.**
- 3. The application to strike out is listed for hearing at the next Court of Appeal Sitting for Saint**

Lucia scheduled for the week commencing 1st July 2024.

Reason: The Court noted that there were several outstanding applications to be heard in this matter before it could be listed for hearing, including an application to strike out the appeal filed on 27th July 2022. The Court directed that submissions be filed in this application and listed it for the next Court of Appeal Sitting for Saint Lucia commencing the week of the 1st of July 2024.

Case Name: Kendall Caul
v
The King
[SLUHCRA2017/0007]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person
Respondent: Mr. Linton Robinson

Issues: 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 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. The registrar of the High Court shall assist the appellant in obtaining a copy of the Criminal Form 15 and having the same filed at the court office.
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 24th June 2024.

Reason:

On the last occasion the appellant indicated that he was no longer interested in prosecuting his appeal. He was ordered to file a Form 15 Notice of Abandonment. The appellant informed that his position remains the same and that he has signed the form and given it to the prisons to file.

Case Name:

Samuel Clairmont

v

The King

[SLUHCRA2020/0005]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Marie-Ange Symmonds holding papers for Ms. Floreta Nicholas

Respondent:

Mr. Linton Robinson

Issues:

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), 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 Saint Lucia scheduled for 24th June 2024.**

Reason:

Counsel holding for the appellant informed that the appellant's regular counsel had run into some challenge whereby she was unable to file the Form 15 but she intended to get it filed by another attorney on her behalf. The Court noted that the appellant was still interested in abandoning his appeal.

Case Name:

Kervin Deveau

v

The King

[SLUHCRA2021/0002]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. David Moyston

Respondent:

Mr. Linton Robinson

Issues:

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 provide a copy of the authorisation code on counsel for the appellant Mr. David Moyston, on or before 8th March 2024.**
- 2. Upon noting the application made by the appellant on 6th February 2024 for a waiver of the fees for the transcript of proceedings in his appeal, the matter is removed from the status hearing list pending the hearing of the application.**
- 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:

Counsel for the appellant indicated that the original appeal was filed by the appellant in person and as a result he did not have the authorisation code. The appellant had filed a letter to the Court on 6th February 2024 for the waiver of his transcript fees. The Court determined that this application should be placed on the Chamber Hearing list and be removed from the Status Hearing list pending the hearing of that application.

Case Name:

Sherrington Burnie Preville

v

The King

[SLUHCRA2019/0001]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. David Francis

Respondent: Mr. Linton Robinson

Issues: 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 Saint Lucia scheduled for 24th June 2024.

Reason: A notice of withdrawal signed by the appellant's lawyer was filed on 30th October 2024. The Court indicated that this does not constitute a withdrawal of the appeal and a Notice of Abandonment must be filed and signed by the appellant in Criminal Form 15. Counsel for the appellant indicated that he had not been able to get the document signed by the appellant and stated that he would physically bring the hard copy to the prison for signing. The Court directed the appellant to do so.

Case Name: Don Ismael

The King

Date:	Monday 4 th March 2024
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	Appellant: Mr. David Francis
	Respondent: Mr. Linton Robinson
Issues:	Status of the matter
Type of Order:	Adjournment
Result/Order:	[Oral Delivery]

The matter is adjourned to the next Status Hearing for the state of Saint Lucia scheduled for 24th June 2024 to allow counsel for the appellant to hold discussions with and take instructions from the appellant.

Reason: Counsel for the appellant requested some more time in this matter as he had not been able to meet with the appellant as yet. There was no objection by the respondent and the Court granted the adjournment to facilitate the appellant.

Case Name: Leroyson Gilbert

The King

[SLUHCRAP2021/0005]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Alberta Richelieu holding papers for Mr. Alberton Richelieu
Respondent:	Mr. Linton Robinson

Issues: Status of the matter

Type of Order: Adjournment

Result/Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. Counsel for the appellant shall provide the respondent with a copy of the authorisation code in this matter on or before 8th March 2024.
2. The matter is adjourned to the next Status Hearing for the state of Saint Lucia scheduled for 24th June 2024 to allow counsel for the appellant to make the necessary application for a waiver of the fees for the transcript of proceedings.

Reason: The appellant indicated that he is in receipt of the notice of availability of transcript, however the matter is state assigned and nothing has yet been done to ensure that the transcript fees are waived. Counsel for the appellant requested an adjournment so that the requisite application can be made. In addition to this adjournment, the Court ordered, at the respondent's request, that the authorisation be forwarded to the respondent.

Case Name: Jeromine Jones

v

Director of Public Prosecutions

[SLUHCRA2021/0001]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Alberta Richelieu

Respondent: Mr. Linton Robinson

Issues: 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 provide the parties with a copy of the authorisation code in this matter on or before 8th March 2024.
2. The matter is adjourned to the next status hearing for the state of Saint Lucia scheduled for 24th June 2024 to allow the appellant to make the necessary applications in relation to the matter.

Reasons: On the last occasion counsel for the appellant requested an adjournment to two applications concerning the appellant's inability to pay for the lawyer and to waive transcript fees. The crown had no objections. The position is the same on this occasion and the Court granted the requested adjournment.

Case Name: Kurtly Garvey Cadette

v

The King

[SLUHCRA2023/0001]

Date: **Monday 4th March 2024**

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

Appearances:

Appellant: **Mr. Al Elliot**

Respondent: **Mr. Linton Robinson**

Issues: **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 take the necessary steps to obtain the missing portion of the transcript of proceedings in relation to the sentence indication given by Justice Taylor-Alexander on or around 21st June 2024.**
- 2. The matter is adjourned to the next Status Hearing for the Court of Appeal for the State of Saint Lucia scheduled for 24th June 2024.**

Reason: **The appellant agreed to a consent order allowing the respondent to file submissions. The respondent indicated that parts of the transcript of proceedings regarding the sentencing was incomplete. The Court granted an adjournment to allow the Registrar of the High Court to obtain the missing portion of the transcript.**

Case Name:

Kirby Lima

v

The King

[SLUHCRA2022/0007]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Al Elliot holding papers for Mr. Jeannot-Michel Walters

Respondents:

Mr. Linton Robinson

Issues:

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 Saint Lucia scheduled for 24th June 2024 to allow counsel to review the record of appeal to ensure that it is in order.

Reason:

Counsel for the parties requested time to review the record of appeal. The Court subsequently granted the adjournment for this purpose.

Case Name:

Jabez Frederick

v

PC 600 St. Aimee

[SLUMCRAP2014/0015]

Date: Monday 4th March 2024

Appearances:

Appellant: No appearance

Respondents: Mr. Linton Robinson

Issues: 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 to be present at today's hearing the matter is adjourned to the next Status Hearing of the Court of Appeal for Saint Lucia scheduled for 24th June 2024 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 had not been served and a notice of non-service was filed indicating that he could not be located. The Court adjourned the matter to locate the appellant and determine whether he is still interested in prosecuting his appeal.

Case Name: Lon Octave

v

WPC 816 Mangal

[SLUMCRAP2018/0004]
[SLUMCRAP2018/0005]

Date: Monday 4th March 2024

Appearances:

Appellant: In person

Respondents: Mr. Linton Robinson

Issues: 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 Saint Lucia scheduled for 24th June 2024 to allow the appellant to settle his legal representation.
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 appellant indicated that he is in discussion with an attorney-at-law and was advised that she should request an adjournment to seek legal representation. The Court granted the adjournment.

Case Name: Clouds Poyotte

v

PC711 Byron

[SLUMCRAP2019/0005]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:	Ms. Alberta Richelieu
Respondent:	Mr. Linton Robinson

Issues: Status of the matter

Type of Order: Directions

Result: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 8th April 2024.
2. The respondent shall file and serve written submissions with authorities on or before 9th May 2024.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary on or before 24th May 2024.
4. The appeal is fixed for hearing at the next sitting of the Court of Appeal for the state of Saint Lucia during the week commencing 1st July 2024.

Reason: Counsel for the parties indicated that they were ready to proceed, and the Court provided directions for the filing of their submissions.

Case Name: Ernest George

v

PC600 St. Aimee

[SLUMCRAP2014/0012]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Linton Robinson

Issues: 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 no later than 15th May 2014, failing which an affidavit giving reasons for non-compliance shall be filed.**
- 2. The matter is adjourned to the next status hearing of the Court of Appeal for Saint Lucia scheduled for 24th June 2024.**
- 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: There was no service of the notice of hearing on the appellant as he could not be found. The Court noted that the record of appeal is still outstanding and the matter was subsequently adjourned.

Case Name:

Byron Nicholas

v

PC600 St. Aimee

[SLUMCRAP2014/0014]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Linton Robinson

Issues:

Status of the matter

Type of Order:

Adjournment

Result/Order

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. Upon noting the affidavit filed by the senior magistrate informing that the record of proceedings is unavailable in this matter, the matter is adjourned to the next status hearing of the Court of Appeal in Saint Lucia scheduled for 24th June 2024 to allow the appellant to give an indication on how he intends to proceed with 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 an affidavit of non-service was filed as the appellant could not be located and that there has been no update concerning the notes of evidence. The Court adjourned the matter to allow the

appellant to indicate how he intends to proceed with his appeal.

Case Name:

Wilfred Karl Daniel

v

The King

[SLUMCRAP2018/0007]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Mr. Linton Robinson

Issues:

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 to be present at today's hearing the matter is adjourned to the next Status Hearing of the state of Saint Lucia scheduled for 24th June 2024 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:

The Court noted that an affidavit of non-service was filed as the appellant could not be located. The Court

subsequently adjourned the matter to allow the appellant to indicate whether he is still interested in his appeal.

Case Name:

Kim Didier

v

The Police (WPC Eliau)

[SLUMCRAP2022/0001]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:

Mr. Alberton Richelieu

Respondent:

Mr. Linton Robinson

Issues:

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 no later than 15th May 2014, failing which an affidavit giving reasons for non-compliance shall be filed.**
- 2. The matter is adjourned to the next status hearing of the Court of Appeal for Saint Lucia scheduled for 24th June 2024.**

Reason: The Court noted that the senior magistrate was served with the last order of the Court dated 15th January 2024 but there has been no response. The Court adjourned the matter, directing that the senior magistrate prepare and serve the record of appeal on the parties.

Case Name: Delmarnet St. Clair
v
Ashley Peter PC 211
[SLUMCRAP2019/0001]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellants: No appearance
Respondent: Mr. Linton Robinson

Issues: Status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. Upon noting the notice of discontinuance filed by counsel for the appellant on 31st July 2023, stating 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 Saint Lucia scheduled for 24th June 2024.

Reason: The Court noted that the appellant had filed a notice of discontinuance indicating that he no longer wished to prosecute his appeal and directed that he file a notice of abandonment in accordance with section 59(1), Court of Appeal Rules 1968.

Case Name: Kurt Cadette
v
Irving Charlery CPL 690
[SLUMCRAP2019/0002]

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Linton Robinson

Issues: Status of the matter

Type of Order: N/A

Result / Order: N/A

Reason: Notice of abonnement filed on 4th March 2024. No order to be made.

Case Name: Ian Paul
v
SPC 144 Leon

Date: Monday 4th March 2024

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Mr. Linton Robinson

Issues: 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 and authorities on or before 30th April 2024.
2. The respondents shall file and serve written submissions with authorities on or before 31st May 2024.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary on or before 17th June 2024.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting for Saint Lucia scheduled for the week commencing 1st July 2024.
5. The Registrar of the High Court shall serve a copy of this order on the appellant and provide proof of service thereafter.
6. There shall be no further adjournments in this matter for the failure to file written submissions

Reason: At case management conference on 25th September 2023, the respondent requested an adjournment to file submissions. The respondent did not object. The court adjourned the matter to the Status Hearing on 30th October 2024. The matter however was not heard in October. The Court directed that the parties file and serve submissions in preparation of the hearing of the appeal in July 2024.

Case Name: Avice Charle Inglis

v

Corporal of Police 618 (Roberto Harrison)

[SLUHCRA2020/0003]

Date: Monday 4th March 2024

Coram Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Leslie Prospere

Respondent: Mr. Linton Robinson

Issues: Status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Senior Magistrate shall cause the missing portion Record of Appeal which is the reasons for decisions dated 20th January 2020, to be prepared and served on the parties by no later than 15th May 2024, 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 Saint Lucia scheduled for 24th June 2024.

Reasons:

The Court noted that the reasons for decision are not included in the record of appeal. The Court issued directions to ensure that the deficiencies in the record of appeal are rectified and adjourned the matter to the next status hearing.

Case Name:

Brant Jn Marie

v

The King

[SLUHCRA2023/0003]

Date:

Monday 4th March 2024

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Alberton Richelieu

Respondent:

Mr. Linton Robinson

Issues:

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 serve a copy of the authorisation code on the respondent on or before 8th March 2024.
2. Upon noting the indication by counsel for the appellant that the appellant no longer wishes to proceed with his appeal against conviction but

only against sentence, the appellant shall take the necessary steps to file a Notice of Abandonment in accordance with section 59(1), Court of Appeal Rules 1968.

3. The appellant shall file and serve written submissions with authorities on or before 15th April 2024.
4. The respondent shall file and serve written submissions with authorities on or before 16th May 2024.
5. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 31st May 2024.
6. The appeal is fixed for hearing at the next sitting of the Court of Appeal for the state of Saint Lucia scheduled for the week commencing 1st July 2024.

Reasons

Counsel for the appellant indicated that the appellant only intended to appeal against sentence and not against conviction. The Court indicated that the appellant needs to file a notice of abandon his appeal against conviction and file submissions in relation to his appeal against sentence only to advance his appeal. The Court directed accordingly.