

EASTERN CARIBBEAN SUPREME COURT

COURT OF APPEAL

CHAMBER HEARING

20th February 2024

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mr. Eddy Ventose, Justice of Appeal

Case Name: Ryan Strachan

v

The King

[GDAHCRAP2023/0021]

Grenada

Date: Tuesday, 20th February 2024

On paper:

Applicant: Mr. Jerry Edwin

Respondent: No Appearance

Issues: Application for leave to appeal against sentence

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicant shall file and serve on the office of the Director of Public Prosecutions either: (1) an amended Criminal Form 1; or (1) an affidavit in support of his application, clearly stating the grounds upon which he is seeking leave to appeal against his sentence within 28 days of service of this Order pursuant to Paragraph 3.

2. 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 provide evidence of service.
3. The application for leave to appeal against sentence is adjourned for further consideration by the Court, on papers, on 23rd April 2024.

Reason:

The Court noted that there was no evidence that the Applicant complied with the Chamber Order dated 23rd January 2024 directing the Applicant to file and serve an affidavit in support of his application for leave to appeal against his sentence and accordingly adjourned the hearing of the application to facilitate the filing and service of the affidavit in support, or in the alternative, an amended criminal form.

Before:

The Hon. Mr. Eddy Ventose, Justice of Appeal

Case Name:

Elvin Waltris

v

The King

**[GDAHCRAP2022/0007]
Grenada**

Date:

Tuesday, 20th February 2024

On paper:

Applicant: In Person

Respondent: No Appearance

Issues:

Application for bail pending appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The application for bail pending appeal is refused.

Reason:

The Court was of the view that the applicant had not provided any evidence which, on the authority of *The State v Lynette Scantlebury* (1976) 27 WIR 103, revealed any exceptional circumstances arising for the grant of bail pending the hearing and determination of the appeal.

The Court was also of the view that the date on which the record of the proceedings will be made available will facilitate the hearing of the appeal within a reasonable time.

Before:

The Hon. Mr. Eddy Ventose, Justice of Appeal

Case Name:

Arron Miller

v

The Commissioner of Police

[SVGMCRAP2024/0001]

Saint Vincent and the Grenadines

Date:

Tuesday, 20th February 2024

On paper:

Applicant:

In Person

Respondent:

No Appearance

Issues:

Application for an extension of time to file notice of appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for an extension of time within which to file a notice of appeal is granted.**
- 2. The notice of appeal filed on 30th January 2024 is deemed properly filed.**
- 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.**

Reason:

The Court noted the requirements for an application for leave to extend the time within which to appeal under section 213 (4) of the Criminal Procedure Code Cap. 172 of the Laws of Saint Vincent and the Grenadines (Revised Edition) and considered the principles on which an extension of time should be granted as adumbrated in Hyacinth v Joseph GDAHCVAP2015/0025 (delivered on 20th June 2016, unreported) and determined that the applicant has satisfied the requirements for the grant of an extension of time.