

**EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL**

CHAMBER HEARING

Tuesday 19th December 2023

MATTERS DEALT WITH ON PAPER

Before:

**The Hon. Mde. Margaret Price-Findlay, Justice of
Appeal**

Case Name:

- 1. Noel Cooper**
- 2. Sheon Jack**
- 3. John Alexander**
- 4. Mikhail John**
- 5. Lance Wiggins**
- 6. Abiola Benjamin**

V

- 1. The Director of Public Prosecutions**
- 2. The Chief Magistrate of Grenada**
- 3. The Commissioner of Police**
- 4. The Attorney General of Grenada**

**[GDAHCVAP2023/0034]
(Grenada)**

Date:

Tuesday 19th December 2023

On paper:

Applicant:

Mr. Benjamin D. Hood

Respondent: Ms. Chevaughn Spencer Joseph

Issues: Application for extension of time

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicants' application filed on 22nd November 2023 for an extension of time is refused.
2. The applicants' application filed on 2nd October 2023 for leave to appeal is dismissed as a nullity.

Reason: The Court upon considering the principles on which an extension of time is granted which are: the length of the delay; the reasons for delay; the chances of the appeal succeeding if the extension is granted; and the degree of prejudice if the application is granted, was of the view that the applicants had not satisfied the requirements for the grant of an extension of time and that the applicants' application for an extension of time should be refused. Further, the Court held that being of the view that the applicants' application for an extension of time being refused, the applicant's application for leave to appeal should be deemed a nullity.

Before: The Hon. Mde. Margaret Price-Findlay, Justice of Appeal

Case Name: Shelly McIntosh a.k.a Shelly Garraway

V
Gretel John

[SVGHCVAP2019/0020]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 19th December 2023**

On paper:

Applicant: **Ms. Anique Cummings**

Respondent: **No appearance**

Issues: **Application to be removed from record as legal practitioner**

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

Cardinal Law Firm's application filed on 19th September 2023 to be removed from the record as legal practitioner of the appellant is granted.

Reason: **The Court upon being mindful of rule 63.6 of the Civil Procedure Rules 2023 was of the view that the applicant satisfied the requirements to be removed from the record as legal practitioner.**

Before: **The Hon. Mde. Margaret Price-Findlay, Justice of Appeal**

Case Name:

Michael Jack
v
The Chief of Police
[SKBMCRAP2023/0008]
(Saint Christopher and Nevis)

Date: **Tuesday, 19th December 2023**

On paper:

Applicant: **Self-represented**

Respondent: **No appearance**

Issues: **Application for leave to appeal against sentence**

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

- 1. The Registrar of the High Court shall provide this Court with, and file and serve on the respondent, a copy of the minute of conviction and sentence of the applicant within 14 days of the date of this order.**
- 2. The application for leave to appeal against sentence is adjourned for further consideration at the next sitting of this Court scheduled for 23rd January 2024.**

3. The Registrar of the High Court shall serve a copy of this order on the applicant and the Director of Public Prosecutions and provide proof of service within 14 days of the date of this order.

Reason:

The Court noted that a copy of the minute of conviction and sentence of the applicant had not been provided to this Court and served on the respondent as directed in a previous order. Therefore the Court made the above order.

Before:

The Hon. Mde. Margaret Price-Findlay, Justice of Appeal

Case Name:

1. Sancus Financial Holdings Limited

2. Carson Wen

3. Julia Yuet Shan Fung

v

Chad Holm

[BVIHCMAP2023/0025]

(Territory of the Virgin Islands)

Date: **Tuesday, 19th December 2023**

On paper:

Applicants: **Mr. Alex Taylor Hall, KC**

Respondent/Applicant: **Mr. Oliver Clifton**

Issues: **Application for leave to appeal – Stay of execution**

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

The application for leave to appeal and a stay filed by the applicants and the application for unless orders filed by the respondent are both adjourned for further consideration at the next Chamber Sitting of this Court scheduled for 23rd January 2024.

Reason: **The Court upon reading letter dated 19th December 2023 by counsel for the respondent was of the view that there should be an adjournment to facilitate the Court's consideration of the matter.**

Before: The Hon. Mde. Margaret Price-Findlay, Justice of Appeal

Case Name: 1. Sancus Financial Holdings Limited

2. Carson Wen

3. Julia Yuet Shan Fung

v

Chad Holm

[BVIHCMAP2023/0024]

(Territory of the Virgin Islands)

Date: Tuesday, 19th December 2023

On paper:

Applicants: Mr. Alex Taylor Hall, KC

Respondent/Applicant: Mr. Oliver Clifton

Issues: Application for unless order

Result / Order: IT IS HEREBY ORDERED THAT:

Reason:

The Court upon noting the interconnectedness of the applications filed in appeal BVIHCMAP2023/0025 and BVIHCMAP2023/0024 was of the view that it was also appropriate to adjourn this matter for further consideration.