

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
CHAMBER HEARING

20th July 2023

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mr. Mario Michel, Justice of Appeal

Case Name: In the Matter of Karen Anderson and Peter
Mahlstedt

[DOMHCVAP2023/0008]
[Commonwealth of Dominica]

Date: Tuesday, 20th July 2023

On paper:

Applicant: Singoalla Blomqvist-Williams

Respondent: No appearance

Issue: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:

The application for leave to appeal against the order of
Astaphan J [Ag] issued on 3rd May 2023 is granted.

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

Case Name: Anthony Goodman

v
Joann Goodman

[GDAHCVAP2023/0018]
(Grenada)

Date: Tuesday, 20th July 2023

Appearances:

Applicant: Mr. Jerry Edwin

Respondent: No appearance

Issues: Application for stay of execution

Result /
Order: IT IS HEREBY ORDERED THAT:

1. The applicant shall file written submissions in support of the application for a stay of execution of the order of Glasgow J dated 14th April 2023.
2. The applicant shall serve the notice of application, affidavit in support, draft order and written submissions in support, together with the authorisation code generated by the Electronic Litigation Portal in accordance with rule 13 of the Eastern Caribbean Supreme Court (Electronic Litigation Filing and Service Procedure) (Amendment) Rules, 2019, on the respondent and shall provide proof of service thereof within 14 days of the date of this order.
3. The application for a stay of execution of the order of Glasgow J dated 14th April 2023 is adjourned for consideration at the next Chamber Sitting of this Court scheduled for 20th July 2023.

Reason: The Court noted that there was no evidence that the authorisation code generated by the Electronic Litigation Portal was served on the respondents in accordance with sub-rule (3) of the Eastern Caribbean Supreme Court (Electronic Litigation Filing and Service Procedure) (Amendment) Rules 2019. The Court was also of the view that written submissions in support of the application ought to be filed.

Case Name: Devon Ford

v
The Director of Public Prosecutions

[SKBHCRA2023/0007]
(Saint Kitts and Nevis)

Date: **Tuesday, 20th July 2023**

Appearances:

Applicant:	In person
Respondent:	In person

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

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

- 1. The applicant shall file and serve on the Director of Public Prosecutions a notice of application for an extension of the time within which to apply for leave to appeal.**
- 2. The applications for an extension of time and for leave to appeal sentence are adjourned to the next Chamber Sitting of the Court scheduled for 26th September 2023.**
- 3. The Registrar of the High Court shall serve a copy of this order on the applicant and the respondent within 7 days and shall provide proof of service thereof.**

Reason: **The Court noted that the application for leave to appeal was out of time and was not accompanied by application for an extension of time to apply for leave to appeal.**

Case Name: **Joffrey James**
v
The King

[SVGHCRAP2023/0008]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th July 2023**

Appearances:

Applicant:	In person
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Respondent: Ms. Tammika Da Silva - Mc Kenzie, Office of the Director of Public Prosecutions

Issues: Application for legal aid

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall provide this Court with an affidavit evidencing his financial means within 21 days of the date of this order.
2. The application by way of letter seeking legal aid is adjourned for consideration at the next Chamber Sitting of this Court scheduled for 26th September 2023.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and provide this Court with proof of service thereof.

Reason: The Court noted that the appellant failed to provide evidence to satisfy the Court that he does not have sufficient means to enable him to obtain legal representation.

Case Name: Charmaine Rosan-Bunbury
v
[1] Attorney General
[2] Commissioner of Police
[BVIHCVAP2015/0017]
(Territory of the Virgin Islands)

Date: Tuesday, 20th July 2023

Appearances:
Applicant: Mr. David Penn
Respondents: No appearance

Issues: Application for substitution of party

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicant shall provide evidence of the consent of Mr. Joseph Mathieu Rosan to the applicant proceeding on his own to represent the Estate of Charmaine Rosan-Banbury within 21 days of the date of this order.
2. Further consideration of this application is adjourned to the next Chamber Sitting of the Court scheduled for 26th September 2023.

Reason:

The Court noted that Mr. Joseph Mathieu Rosan is of the advanced age of 96 years and may not be able to participate in the proceedings, but that there was no evidence of his consent to the application.