

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
CHAMBER HEARING

10th July 2023

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

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

Date: Monday, 10th 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.
2. Further consideration of this application is adjourned to the next Chamber Sitting of the Court scheduled for Thursday 20th July 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.

Case Name:

**Phoenix Southwell
v
Director of Public Prosecutions**

**[SKBHCRAP2023/0006]
(Saint Kitts and Nevis)**

Date: **Monday, 10th 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 an application for an extension of time to seek leave to appeal, within 21 days of the date of this order.**
- 2. The applicant shall file an amended application for leave to appeal, which should state the offences for which sentence is being appealed and the sentence imposed for each offence, within 21 days of the date of this order.**
- 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 the order and shall provide proof of service thereof.**

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