

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
GRENADA
MONDAY, 13TH FEBRUARY 2023

Case Name: Lucy Murchie
v
George Martin

[GDAHCVAP2016/0014]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Ms. Melissa Modeste-Singh

Issues: Status of the matter

Type of Order: N/A

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting the application to dismiss the appeal for want of prosecution filed by the respondent on 9th February 2023, the matter is removed from the status hearing list pending the determination of the application.
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: All attempts to locate the appellant have been unsuccessful. The appellant was not served with notice of status hearing.

In light of the application to dismiss the appeal for want of prosecution filed by the respondent, the court removed the matter from the status hearing list pending the determination of the application.

Case Name: **Jacqueline Charles (Personal Representative
of the Estate of Joshua Thorne, deceased)
v
Emery Thorne
[GDAHCVAP2020/0014]**

Consolidated with

**Jacqueline Charles (Personal Representative
of the Estate of Joshua Thorne, deceased)
v
Emery Thorne
[GDAHCVAP2021/0038]**

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Ian Sandy

Respondent: Mr. Deloni Edwards

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The respondent shall file and serve written submissions with authorities on or before 13th March 2023.
2. The hearing of the appeal is fixed for the next Court of Appeal sitting for the state of Grenada scheduled for the week commencing 3rd July 2023.

Reason: The appellant filed written submissions in the matter.

Case Name: Garth George
v
Errol Joseph
[GDAHCVAP2016/0043]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Sabrita Khan-Ramdhani
Respondent: Ms. Sheriba Lewis

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

Upon noting that the appellant and the respondent have both passed away, the matter is adjourned to the next status hearing for the state of Grenada scheduled for 26th June 2023 to allow counsel for the appellant to take the necessary steps in relation to the representation of the appellant.

Reason: The appellant and the respondent have both passed away. Counsel for the appellant is trying to locate his relatives.

Case Name: Catherine Jessamy
v
Dexter St. Louis
[GDAHCVAP2021/0036]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Sabrita Khan-Ramdhani
Respondent: No appearance

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall continue to liaise with the parties to cause the transcript of the proceedings to be completed by the external transcriptionist and served on the parties.
2. The matter is removed from the status hearing list pending the availability of the transcript.
3. The matter will be relisted at the next status hearing upon availability of the transcript or on a date to be fixed by the Chief Registrar.
4. The Registrar of the High court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.

Reason: The transcript of proceedings is still outstanding.

Case Name: Lewis Charles et al
v
Gemma Haynes et al
[GDAHCVAP2017/0007]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Sabrita Khan-Ramdhani

Respondent: Ms. Afi Ventour de Vega and Ms. Aloytha Thomas

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The respondents shall inform the appellant of the documents that they wish to have included in the record or the core bundle in accordance with rule 62.12(2) of the Civil Procedure Rules 2000, on or before 28th February 2023.
2. The appellants shall file and serve the record of appeal on or before 14th April 2023.
3. The appellants shall file and serve written submissions with authorities on or before 5th May 2023.
4. The respondents shall file and serve written submissions with authorities on or before 2nd June 2023.
5. The appellants at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 19th June 2023.

6. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 6th July 2023.

Reason: The transcript of proceedings has been received and served on both parties.

Case Name: Finton Debourg
v
The King
[GDAHCRAP2016/0027]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Mr. Damon Joseph holding for Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall inquire from the external transcriptionist Ms. Jacqueline Ladoo whether she was engaged by the appellant to prepare a Transcript of proceedings in this matter and if so what is the status of it, and shall inform the court and the parties accordingly.

2. The matter is adjourned to the next status hearing of the court of the state of Grenada scheduled for 26th June 2023.
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 informed that he is represented by counsel Mr. Robert Kaki who is in Canada and is making the necessary arrangements to come to Grenada to represent the appellant. The Court noted that Mr. Kaki will have to be called to the bar in GDA in order to represent the appellant.

The appellant informed that the transcript was prepared by Ms Jacqueline Ladoo. The court office is not in receipt of the said transcript.

Case Name:

**Aldin Phillip
v
The King**

**[GDAHCRAP2019/0009]
(Grenada)**

Date:

Monday, 13th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Benjamin Hood holding papers for Mr. Cajeton Hood

Respondent:

Mr. Damon Joseph holding for Howard Pinnock

Issues:

Status of matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall continue efforts to cause the transcript of the proceedings to be completed and served on the parties.
2. The matter is adjourned to the next status hearing of the Court of Appeal for the state of Grenada scheduled for 26th June 2023.

Reason:

The transcript has been completed and should be ready to distribute to the parties by the end of the week. The unit is in the process of collating it.

Case Name:

Paul Duncan

V

The King

**[GDAHCRAP2016/0014]
(Grenada)**

Date:

Monday, 13th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance (Mr. Darshan Ramdhani KC with Mrs. Sabita Khan-Ramdhani on record)

Respondent:

Mr. Damon Joseph holding for Mr. Howard Pinnock

Issues:

Status of matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the court of appeal for Grenada

scheduled for 26th June 2023 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 personally and shall provide proof of service thereafter.

Reason:

Ms. Ramdhani informed that she has been unable to contact her client and does not intend to proceed. The appellant has already served his sentence. Counsel for the appellant has requested one further adjournment to allow her to make contact with the client. The respondent does not object.

Case Name:

Javid Glasgow

V

The King

**[GDAHCRAP2017/0021]
(Grenada)**

Date:

Monday, 13th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person (Mr. Jerry Edwin on record)

Respondent:

Mr. Howard Pinnock

Issues:

Status of matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellants shall file and serve written submissions with authorities on or before 14th April 2023.

2. The respondents shall file and serve written submissions with authorities on or before 19th May 2023.
3. The appellants are at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 5th June 2023.
4. The hearing of the appeal is fixed for the next court of appeal sitting for the State of Grenada scheduled for the week commencing 6th July 2023.

Reason: The supplemental transcript was served on the parties on 11th November 2022.

Case Name: **Marcus Fortune**
v
The King
[GDAHCRAP2019/0022]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. George Prime
Respondent: Mr. Damon Joseph holding for Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant has been discharged from prison and that he was served to be present today but did not attend, the matter is adjourned to the next status hearing of the court for Grenada scheduled for 26th June 2023 for the appellant to be present to indicate whether he is still interested in prosecuting his appeal.
2. This is the final adjournment for this purpose.

Reason:

The appellant has already been released from prison having served his time. There is an order for compensation, appendaged to his order which is what this appeal stems from.

Case Name:

**Albert Alexis
v
The King**

**[GDAHCRAP2017/0018]
(Grenada)**

Date:

Monday, 13th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person

Respondent:

Mr Damon Joseph holding papers for Mr. Howard Pinnock

Issues:

Status of the matter

Type of Order: **Adjournment**

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

1. The Registrar of the High Court shall serve a copy of the transcript of proceedings on the appellant personally and shall provide proof of service thereafter.
2. The matter is adjourned to the next status hearing of the court of appeal for the state of Grenada scheduled for 26th June 2023.
3. The Registrar of the High Court shall serve a copy of this order on the appellant personally and shall provide proof of service thereafter.

Reason: The record of appeal has been filed and was served on the DPP Chambers on 9th February 2022 and on Mr. Clouden.

Case Name: **Dave Benjamin**
v
The King
[GDAHCRAP2018/0002]
(Grenada)

Date: **Monday, 13th February 2023**

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

Appearances:

Appellant:	Mr. Andre Thomas
Respondent:	Mr. Damon Joseph holding papers for Mr. Howard Pinnock

Issues: **Status of the matter**

Type of Order: **Directions**

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 14th April 2023.
2. The respondents shall file and serve written submissions with authorities on or before 19th May 2023.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 5th June 2023.
4. The hearing of the appeal is fixed for the next court of appeal sitting for the State of Grenada scheduled for the week commencing 6th July 2023.

Reason:

The transcript of proceedings has been served on both parties.

Case Name:

The Commissioner of Police

V

Treverson Roberts

**[GDAMCRAP2019/0021]
(Grenada)**

Date:

Monday, 13th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Damon Joseph holding papers for Mr. Howard Pinnock

Respondent:

No appearance

Issues:	Status of the matter
Type of Order:	Adjournment
Result / Order:	IT IS HEREBY ORDERED THAT: 1. Upon noting that the respondent was not served to be present today, the matter is adjourned to the next status hearing of the court of appeal for Grenada scheduled for 26th June 2023. 2. The Registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.
Reason:	The respondent was not served with the notice of hearing or the record of appeal as he is out of state. The appellant is desirous of the respondent being served out of state.
Case Name:	Curtis Cyrus v The Commissioner of Police [GDAMCRAP2021/0007] (Grenada)
Date:	Monday, 13th February 2023
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	No appearance
Respondent:	Mr. Damon Joseph holding papers for Mr. Howard Pinnock
Issues:	Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant was not served to be present today, the matter is adjourned to the next status hearing of the court for Grenada scheduled for 26th June 2023 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 personally and shall provide proof of service thereafter.

Reason: The court needs to know what the appellant's position is regarding his appeal.

The court office has not been able to serve the appellant. The bailiff is of the belief that the appellant is evading service.

Case Name: Curtis Cyrus
v
The Commissioner of Police
[GDAMCRAP2021/0008]
(Grenada)

Date: Monday, 13th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Damon Joseph holding papers for Mr. Howard Pinnock

Issues: Status of the matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Upon noting that the appellant was not served to be present today, the matter is adjourned to the next status hearing of the court of appeal for the State of Grenada scheduled for 26th June 2023 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 personally and shall provide proof of service thereafter.**

Reason:

The court needs to know what the appellant's position is regarding his appeal.

The court office has not been able to serve the appellant. The bailiff is of the belief that the appellant is evading service.