

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING
COMMONWEALTH OF DOMINICA
14th November 2022

Case Name: Liana Leanne Prince Charles

v

Derrickson Charles

**[DOMHCVAP2013/0023]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Gina Dyer-Munro

Respondent: Ms. Hazel Johnson

Issues: Status of the matter

Type of Order: Adjournment

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

The matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023, for report.

Reason: The Court upon noting the indication from counsel that the parties are attempting settlement discussions, adjourned the matter.

Case Name: **Paul Joseph**

v

Bank of Nova Scotia

**[DOMHCVAP2014/0017]
(Commonwealth of Dominica)**

Date: **Monday, 14th November 2022**

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

Appearances:

Appellant: **Mr. David Bruney**

Respondent: **Ms. Hazel Johnson holding papers for Mr. Kondwani Williams**

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

The matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023 to allow counsel for the respondent to take necessary steps to be removed as legal practitioner on record for the respondent.

Reason: **The counsel for the respondent indicated to the Court that he intended to remove himself from the record and as such needed time to take the necessary steps in accordance with the Rules of Court.**

Case Name: **Pamela Green-Lander**

v

[1] Andrew Green
[2] Arnold Green
(As personal representative of the Estate of Daniel Green (Deceased))

[DOMHCVAP2014/0023]
(Commonwealth of Dominica)

Date: **Monday, 14th November 2022**

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

Appearances:

Appellant: **Mr. Gildon Richards**

Respondent: **Ms. Joelle Harris**

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

The matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023 for counsel for the appellant to take the necessary steps in relation to the appellant's participation in this appeal.

Reason: **The Court was of the view that the appellant would need some time to settle some internal matters, necessary for her participation in the appeal.**

Case Name: [1] Public Works Corporation et al

v

Matthew Nelson

[DOMHCVAP2020/0001]
(Commonwealth of Dominica)

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Lisa De Freitas

Respondents : Ms. Kayla Jean Jacques holding papers for Mrs. Cara Shillingford-Marsh

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall make a request in writing to the Registrar of the High Court for the Master's notes of evidence in the court below on or before 21st November 2022.
2. The matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023.

Reason: The Court was of the view that the matter should be adjourned so as to allow the appellant to obtain the Master's notes of evidence, which would facilitate the preparation of the record of appeal.

Case Name: [1] Mathias Peltier
[2] West Indies Communication Enterprises Limited

v

Matthew LeBlanc

**[DOMHCVAP2020/0006]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellants: Ms. Kayla Jean Jacques holding papers for Mrs. Cara Shillingford -Marsh
Respondent: Mr. Jeffry Douglas-Murdock

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The respondent shall inform the appellants of the documents that they wish to have included in the record of appeal in accordance with rule 62.12(2) on or before 9th January 2023.
2. The matter shall thereafter proceed in accordance with the Civil Procedure Rules 2000.

Reason: The record of appeal needed to be settled by the parties.

Case Name: Harold Tyson

v

The State

**[DOMHCRAP2017/0001]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Daina Matthew

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 efforts to cause the transcript of proceedings to be prepared and served on the parties.
2. The matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 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 transcript of proceedings in the court below had not been processed due to the unavailability of a transcriptionist. As such, the matter was adjourned.

Case Name: Clarence Lewis

v

The State

**[DOMHCRAP2016/0004]
(Commonwealth of Dominica)**

Date: Monday, 14th November, 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Kerron Bruney

Respondent: Ms. Daina Matthew

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 14th November 2022.
2. The appellant shall file and serve written submissions with authorities in reply on or before Thursday 17th November 2022.
3. The appeal is listed for hearing at the sitting of the Court of Appeal during the week commencing 21st November 2022.

Reason: Counsel for the appellant indicated the appellant's time spent on remand was an issue to be addressed in the appeal. As such, the office of the Director of Public Prosecutions indicated that it was prepared to file submissions on this issue.

Case Name: Irvin George

V

The Police

**[DOMMCRAP2021/0003]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Kayla Jean Jacques holding papers for Mrs. Cara Shillingford Marsh

Respondent: Ms. Daina Matthew

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 16th January 2023.
2. The respondent shall file and serve written submissions with authorities on or before 17th February 2023.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 6th March 2023.
4. The hearing of the appeal is fixed for the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 8th May 2023.

Reason: The Court noted that the appeal was ready to proceed and gave directions for its progression.

Case Name:

Omari Jules

v

The Police

**[DOMMCRAP2020/0006]
(Commonwealth of Dominica)**

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Daina Matthew

Issues:

Status of the matter

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. Upon noting that the appellant has served his sentence and is not present at today's hearing although he was served with the Notice of Hearing, the matter is adjourned to the next status hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 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 and shall serve a copy of this order on the appellant and shall provide proof of service thereafter.**

Reason:

The Court, upon noting that the appellant served his sentence and was not present at the hearing, adjourned the matter to the next status hearing of the Court for the Commonwealth of

Dominica scheduled for 2nd May 2023 for the appellant to indicate whether he is still interested in prosecuting his appeal.

Case Name:

Anthony Gifford Reid

v

The Police

**[DOMMCRAP2017/0004]
(Commonwealth of Dominica)**

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Gina Dyer Munro holding papers for Mrs. Zena Moore-Dyer

Respondent: Ms. Daina Matthew

Issues:

Status of the matter

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023 for report.

Reason: The appellant made a request for an adjournment so as to settle the record of appeal.

Case Name: Glendel Casey

v

The Police

**[DOMMCRAP2014/0012]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Daina Matthew

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant has served his sentence and is not present at today's hearing, although he was served with Notice of today's hearing, the matter is adjourned to the next status hearing for the Commonwealth of Dominica scheduled for 3rd May 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 and shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason: The Court upon noting that the appellant served his sentence and was not present at today's hearing, adjourned the matter.

Case Name: Evance Reynolds

v

The Police

**[DOMMCRAP2019/0001]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Daina Matthew

Issues: Status of the matter

**Type of
Order:** N/A

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

1. Upon noting the indication from the appellant that has served his sentence and is no longer interested in prosecuting his appeal, the appeal is hereby withdrawn and discontinued.
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: The appellant was no longer interested in prosecuting his appeal, and the appeal was hereby withdrawn and discontinued.

Case Name:

Guyver Henry

v

The Police

**[DOMMCRAP2019/0002]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms Gina Dyer-Munro holding for Ms Zena Moore- Dyer

Respondent: Ms. Daina Matthew

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall provide the parties with the copies of the documents which are missing from the record of appeal on or before 15th November 2022.
2. The parties shall inform the Registrar of the High Court as to whether there are any further documents missing on or before 30th November 2022.

3. The matter is adjourned to the next Status Hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023.

Reason: The Court gave directions and adjourned the matter so that missing parts of the record of appeal could be retrieved.

Case Name:

**Guyver Henry
v
The Police
[DOMMCRAP2019/0003]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Gina Dyer-Munro holding for Ms Zena Moore- Dyer

Respondent: Ms. Daina Matthew

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall provide the parties with the copies of the documents which are missing from the record of appeal on or before 15th November 2022.

2. The parties shall inform the Registrar of the High Court as to whether there are any further documents missing on or before 30th November 2022.
3. The matter is adjourned to the next Status Hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023.

Reason: The Court gave directions and adjourned the matter so that missing parts of the record of appeal could be retrieved.

Case Name:

**Guyver Henry
v
The Police
[DOMMCRAP2019/0004]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Gina Dyer-Munro holding for Ms Zena Moore- Dyer

Respondent: Ms. Daina Matthew

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall provide the parties with the copies of the documents which are missing from the record of appeal on or before 15th November 2022.
2. The parties shall inform the Registrar of the High Court as to whether there are any further documents missing on or before 30th November 2022.
3. The matter is adjourned to the next Status Hearing of the Court for the Commonwealth of Dominica scheduled for 2nd May 2023.

Reason: The Court gave directions and adjourned the matter so that missing parts of the record of appeal could be retrieved.

Case Name:

**Kassim Shillingford
v
The Police
[DOMMCRAP2020/0001]
(Commonwealth of Dominica)**

Date: Monday, 14th November 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Daina Matthew

Issues: Status of the matter

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. Upon noting that the appellant has served his sentence and is not present at today's hearing although he was served with the Notice of Hearing, the matter is adjourned to the next status hearing of the court scheduled for 2nd May 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 and shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

The Court adjourned the matter so that the appellant could indicate whether he is still interested in prosecuting his appeal.

Case Name:

**Philsbert Ettienne
v
The Police
[DOMMCRAP2021/0010]
(Commonwealth of Dominica)**

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Daina Matthew

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 at today's hearing, the matter is adjourned to the next status hearing for the Commonwealth of Dominica scheduled for 2nd May 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 and shall serve a copy of this order on the appellant and shall provide proof of service thereafter.**

Reason:

The Court adjourned the matter so that the appellant could indicate whether he is still interested in prosecuting his appeal.

Case Name:

**Alexander Beaupierre
v
The Police
[DOMMCRAP2019/0009]**

(Commonwealth of Dominica)

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wayne Norde

Respondent: Ms. Daina Matthew

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

The matter is adjourned to the next status hearing of the court for the Commonwealth of Dominica scheduled for 2nd May 2023 to allow the appellant to file an application for leave to argue an additional ground of appeal.

Reason: **Counsel for the appellant indicated his intention to file an additional ground of appeal.**

Case Name:

Teddy Ian Ellick

v

The Police

[DOMMCRAP2021/0012]

(Commonwealth of Dominica)

Date: **Monday, 14th November 2022**

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

Appearances:

Appellant: **In person**

Respondent: **Ms. Daina Matthew**

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

Upon noting the indication from the appellant that he is no longer interested in prosecuting his appeal, the appeal is withdrawn and discontinued.

Reason: **The appellant was no longer interested in prosecuting his appeal.**

Case Name:

Lenny Bellot
v
Aminah Simon
[DOMMCVAP2015/0011]

(Commonwealth of Dominica)

Date: **Monday, 14th November 2022**

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

Appearances:

Appellant: **Ms Hazel Johnson holding for Mr. Stephen Isidore**

Respondent: **Ms Kayla Jean Jacques holding for Ms Cara Shillingford-Marsh**

Issues: **Status of the matter**

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next status hearing of the court for the Commonwealth of Dominica scheduled for 2nd May 2023, unless a notice of discontinuance is sooner filed.

Reason:

Counsel for the appellant informed the Court that the appellant no longer wished to prosecute the appeal and that a notice of discontinuance would be filed at a later date.

Case Name:

**Murphy George
v
Winston Warrington
[DOMMCVAP2019/0005]
(Commonwealth of Dominica)**

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Mr. R. Riviere, Power of Attorney

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 at today's hearing, the matter is adjourned to the next status hearing for the Commonwealth of Dominica scheduled for 2nd May 2023.
2. The Registrar of the High Court and shall serve a copy of this order on the appellant and shall provide proof of service thereafter.

Reason:

The appellant was not served to be present at the status hearing

Case Name:

**Isaline Carbon
v
Lestrade Lamothe
[DOMMCVAP2020/0003]**

(Commonwealth of Dominica)

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: In person

Issues:

Status of the matter

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next status hearing for the Commonwealth of Dominica scheduled for 2nd May 2023 to allow the appellant to finalize her legal representation.
2. The Registrar of the High Court and shall serve a copy of this order on the parties and shall provide proof of service thereafter.

Reason:

The appellant had to finalize legal representation.

Case Name:

**Sandra Ishmael
v
Michael Victor
[DOMMCVAP2018/0005]**

(Commonwealth of Dominica)

Date:

Monday, 14th November 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms Gina Dyer-Munro

Respondent: Mrs Dawn Yearwood -Stewart

Issues:

Status of the matter

**Type of
Order:**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next status hearing of the court for the Commonwealth of Dominica scheduled for 2nd May 2023.

Reason:

The parties indicated that they needed time to meet to agree on the notes of evidence.