

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

VIDEOCONFERENCE
ANTIGUA AND BARBUDA
MONDAY, 27TH FEBRUARY 2023

Case Name: Jessy Khouly

v

Edmond Mansoor

[ANUHCVAP2019/0010]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Dr. David Dorsett

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps with the Registry of the High Court to arrange for the transcript of proceedings.
2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.
3. The matter is removed from the Status Hearing list pending the availability of the transcript.
4. 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.
5. The Registrar shall serve a copy of this order on the appellant and provide proof of service thereafter.

Reason:

The Court noted the indication of counsel for the respondent that the transcript is available as it is the same transcript from a previous matter. Accordingly, it is for the appellant to take the necessary steps to progress the appeal.

Case Name:

Treetops Garden Centre Limited

v

St. John's Development Corporation

[ANUHCVP2014/0033]

Date:

Monday, 27th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Joanne Messiah

Respondent:

No appearance

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the parties to continue settlement discussions, unless a consent order is sooner filed.

Reason: **Counsel for the appellant indicated that the parties were engaged in settlement discussions and would likely be in a position to file a consent order before the next status hearing.**

Case Name: **George Kaersenhout**

v

Domitilia James

[ANUHLTAP2018/0010]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **Ms. Latoya Letlow**

Respondent: **No appearance**

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to make an application to be removed as counsel on record for the appellant.

Reason: The Court noted that counsel for the appellant requested an opportunity to make an application to be removed from the record.

Case Name: **Police Service Commission**

v

Wendell Glenroy Robinson

[ANUHCVP2018/0037]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **Dr. David Dorsett**

Respondent: **No appearance**

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the parties to provide an update on the progress of the appeal.

Reason: The Court noted that the transcript of proceedings has not yet been requested. Further, counsel for the appellant requested an adjournment to allow the parties to provide an update on the progress of the appeal.

Case Name: **Trevor Santos**

v

Horizon Construction Limited

[ANUHCVP2011/0015]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **Ms. E. Ann Henry KC**

Respondent: Ms. Talia DaCosta and Mr. Craig Jacas

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

Upon noting the application filed by the appellant on 24th February 2023 to amend the grounds of appeal, the matter is removed from the Status Hearing list pending the determination of the application.

Reason: The Court noted that the appellant filed an application to amend the grounds of appeal and the matter ought to be removed from the Status Hearing list pending the determination of the application.

Case Name: Sharon Philip

v

Cecil Phillip

[ANUHC VAP2021/0006]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. E. Ann Henry KC

Respondent: Mrs. Tracy Benn-Roberts

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to take instructions from her client in relation to the progress of the appeal.

Reason: The Court noted that the transcript of proceedings has not been requested and that counsel for the appellant is still awaiting full instructions from her client.

Case Name: Telly Cornelius

v

The Attorney General

[ANUHC VAP2021/0009]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Joy Dublin appearing amicus curiae

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to provide proof of service of the Notice of Appeal and related documents on the respondent.

Reason: Counsel from the Attorney General's Chambers appeared amicus curiae to indicate that they have not been formally served with the proceedings.

Case Name: Sylvia O'Marde

v

[1] ABI Bank Ltd
[2] The Eastern Caribbean Central Bank
[3] The Attorney General

[ANUHCVP2021/0010]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Dr. David Dorsett

Respondent: Mr. Justin Simon KC for the first respondent
Ms. E. Ann Henry KC for the second respondent
Ms. Joy Dublin holding papers for Mrs. Carla Brookes-Harris for the third respondent

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to take instructions from the appellant as to the progress of the appeal.

Reason: The Court noted that the transcript of proceedings has not been requested and that counsel for the appellant has yet to receive full instructions from his client.

Case Name: Everton Welsh

v

The Attorney General

[ANUHCVAP2021/0011]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Dr. David Dorsett

Respondent: Ms. Joy Dublin holding papers for Mrs. Carla Brookes-Harris

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel to take instructions in relation to the need for a transcript of proceedings in this matter.

Reason: The Court noted that this is a constitutional matter and that appellant intends to proceed in the absence of the transcript of proceedings. However, counsel for the respondent does not have such instructions and requested time to take instructions on the same.

Case Name: Aldy Cornelius
(as lawful attorney of Marilyn Cornelius)

v

Eustace Cornelius

[ANUHCVP2021/0012]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander holding papers for Mr. Sherfield Bowen

Respondent: Mrs. Andrea Smithen-Henry

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps with the Registry of the High Court to arrange for the transcript of proceedings.
2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.
3. The matter is removed from the Status Hearing list pending the availability of the transcript.
4. 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.

Reason: The Court noted that no steps have been taken to progress the appeal from the date of the filing of the Notice of Appeal in May of 2021.

Case Name:

Antigua Flight Training Center Inc

v

**[1] Anthony Greer
[2] Greer and Co. Solicitors**

Norman Aviation Flight Training Academy Inc

v

**[1] Anthony Greer
[2] Greer and Co. Solicitors**

[ANUHCVAP2020/0016]

Date:

Monday, 27th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Lawrence Daniels appearing amicus curiae

Respondent: Mr. Sylvester Carrott

Issues:

Status of the Matter

Type of Order:

Adjournment

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the appellant to sort out her legal representation and for her new counsel to review the file.

Reason:

Mr. Daniels indicated that the appellant recently sought his representation in the matter and that he needed time to obtain full instructions and review the file.

Case Name:

Antigua Flight Training Center Inc

v

**[1] Eric Philip
[2] Pauline Grayman**

Antigua Flight Training Center Inc

v

**[1] Enique Williams
[2] Laetitia Nathaniel**

Antigua Flight Training Center Inc

v

**[1] Anse Henry
[2] Shirrine Gillon**

[ANUHCVP2020/0021]

Date:

Monday, 27th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Lawrence Daniels appearing amicus curiae

Respondent: Mrs. Lisa John-Weste holding papers for Loy Weste for the second respondent
Third respondent in person
Mr. Lenworth Johnson for the fifth and sixth respondents

Issues:

Status of the Matter

Type of Order:

Adjournment

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the appellant to sort out her legal representation and for her new counsel to review the file.
2. The Registrar of the High Court shall serve a copy of this order on the respondents and shall provide proof of service thereafter.

Reason:

Mr. Daniels indicated that the appellant recently sought his representation in the matter and that he needed time to obtain full instructions and review the file.

Case Name:

Ian Hughes

v

The King

[ANUHCRA2018/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jomokie Phillips holding papers for Mrs. Tana'ania Small-Davis KC

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal scheduled for 30th May 2023 to allow counsel for the appellant to take the necessary steps to progress the appeal.

Reason: Counsel for the appellant indicated that he intends to file an application to amend the Notice of Appeal before the next Status Hearing.

Case Name: Shelton Hunte

v

The King

[ANUHCRA2018/0004]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 for the appellant to be present to indicate whether he is still interested in prosecuting the 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 noted that the appellant had not been served to appear and that his presence was required to determine whether he was still interested in prosecuting the appeal.

Case Name: **Director of Public Prosecutions**

v

[1] Dalianne Richardson
[2] Shanique Dwyer
[3] Shimmea Welsh
[4] Larsheka Gray

[ANUHCRA2020/0002]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens**

Respondents: **Mr. Lawrence Daniels for the first and fourth respondents**
Third respondent in person
No appearance of the second respondent

Issues: **Status of the Matter**

Type of Order: **Directions**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall file and serve written submissions with authorities on or before 27th March 2023.**

2. The respondents shall file and serve written submissions with authorities on or before 28th April 2023.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary on or before 15th May 2023.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting for Antigua and Barbuda scheduled for the week commencing 5th June 2023.
5. The Registrar of the High Court shall serve a copy of the order on Shanique Dwyer and Shimmea Welsh personally, and shall provide proof of service thereafter.

Reason: The Court noted that directions for the filing of submissions were necessary to progress the appeal.

Case Name: Colin Murraine

v

The King

[ANUHCRA2020/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Pete-Semaj McKnight holding papers for Mr. Lawrence Daniels

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for the 30th of May 2023 to allow the appellant to take the necessary steps with the Registry of the High Court to make payment for the transcript of proceedings.

Reason: Counsel for the appellant requested an adjournment to allow the appellant to take the necessary steps to pay for and obtain the transcript.

Case Name: Millicent C. Roberts

v

The King

[ANUHCRA2020/0008]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander appearing amicus curiae

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: **Status of the Matter**

Type of Order: **N/A**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall take the necessary steps to arrange for the transcript of proceedings in this matter.**
- 2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.**
- 3. The matter is removed from the Status Hearing list pending the availability of the transcript.**
- 4. 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.**

Reason: **Counsel for the appellant indicated that the appellant could not afford the transcript and requested time to make the necessary application.**

Case Name: **Dorian Marshall**

v

The King

[[ANUHCRA2020/0001]]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: Mr. Wendel Alexander

Respondent: Ms. Rashida Jones holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to file an application to amend the grounds of appeal.
2. This is the final adjournment for this purpose.

Reason: Counsel for the appellant indicated that, upon a reading of the transcript, he wished to amend the grounds of appeal and needed time to do so.

Case Name: Errol Phillips

v

The King

[ANUHCRA2021/0002]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander appearing amicus curiae

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps to arrange with the Registry of the High Court for the transcript of proceedings.
2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.
3. The matter is removed from the Status Hearing list pending the availability of the transcript.
4. 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.
5. 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 Court noted that the transcript of proceedings has not yet been requested.

Case Name: Ryan Samuels

v

The King

[ANUHCRA2021/0004]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander appearing amicus curiae

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps to arrange with the Registry of the High Court for payment of the deposit for the transcript of proceedings.
2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.
3. The matter is removed from the status hearing list pending the availability of the transcript.
4. 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.

5. 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 Court noted that the transcript of proceedings has been requested but the deposit has not yet been paid.

Case Name: Director of Public Prosecutions

v

Kathy Ann Isaac

[ANUHCRA2021/0005]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Rashida Jones holding papers for Mrs. Shannon Jones-Gittens

Respondent: Mr. Wendel Alexander

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall continue efforts to cause the transcript of proceedings to be completed 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.

Reason: Counsel for the appellant indicated that the parties are still awaiting the transcript of proceedings.

Case Name: Terrance Weatherhead

v

The King

[ANUHCRA2021/0006]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall take the necessary steps to arrange with the Registry of the High Court for payment of the deposit for the transcript of proceedings.**
- 2. The Registrar of the High Court shall thereafter take the necessary steps to obtain the transcript of proceedings in this matter.**
- 3. The matter is removed from the Status Hearing list pending the availability of the transcript.**
- 4. 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.**

Reason:

The Court noted that the transcript of proceedings has been requested but the deposit has not yet been paid.

Case Name:

De Andre Henry

v

The King

[ANUHCRA2022/0004]

Date:

Monday, 27th February 2023

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Jan Peltier holding papers for Mr. Warren Cassell

Respondent:

Ms. Rashida Jones holding papers for Mrs. Shannon Jones-Gittens

Issues:

Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the appellant to sort out the relevant issues in relation to the progress of the appeal.

Reason: Counsel for the appellant requested an adjournment to sort out the appellant's legal representation and the respondent did not object.

Case Name: Omari Phillip

v

The King

[ANUHCRA2016/0008]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Jan Peltier holding papers for Mr. Warren Cassell

Respondent: Ms. Rashida Jones holding papers for Mrs. Shannon Jones-Gittens

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the appellant to sort out the relevant issues in relation to the progress of the appeal.

Reason: **Counsel for the appellant requested an adjournment to get all matters in place for the progress of the appeal and the respondent did not object.**

Case Name: **Alston Gregory Rodney**

v

[1] Magistrate Ngaio Emmanuel
[2] Commissioner of Police

[ANUMCRAP2019/0002]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **No appearance**

Respondent: **Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens**

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall provide the High Court Office with a copy of the Record of Appeal in this matter on or before 31st March 2023 and shall thereafter serve a copy on the parties.
2. The Registrar of the High Court shall serve a copy of the Magistrate's reasons for decision on the parties on or before 3rd March 2023.
3. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023.

Reason: **The Court noted that the Magistrate's reasons for decisions were filed but the court was still not in possession of the Record of Appeal.**

Case Name: **Nassor Hodge**

v

The King

[ANUMCRAP2020/0001]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: Mr. Andrew O’Kola

Respondent: No appearance

Issues: Status of the Matter

Type of Order: N/A

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is removed from the Status Hearing cause list until the appellant shows proof of service of the Notice of Appeal on the respondent.
2. The matter will be relisted at the next Status Hearing upon the appellant proving service on the respondent, or on a date to be fixed by the Chief Registrar.

Reason: The Court noted that the Notice of Appeal had not been served on the respondent and the matter was removed from the list to allow the appellant to regularize service.

Case Name: Alex Joseph

v

The Commissioner of Police

[ANUMCRAP2018/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Pete-Semaj McKnight appearing amicus curiae

Respondent: Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel Mr. McKnight to take instructions in relation to the progress of the appeal.

Reason: Mr. McKnight indicated that he had not received full instructions from the appellant in relation to the progress of the appeal.

Case Name: Commissioner of Police

v

Magistrate Emanuel

[ANUMCRAP2016/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Rashida Jones holding papers for Mrs. Shannon Jones-Gittens
Respondent:	No appearance

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow counsel for the appellant to look into the status of this appeal.

Reason: Counsel for the appellant indicated that she needed time to take further instructions in relation to this matter and to do some investigations as to whether it should continue.

Case Name:

[1] Wayne Burton
[2] Hesketh Daniel
[3] Chaz Askie

V

Magistrate Dexter Wason

[ANUMCRAP2021/0002]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellants: **Mr. Wendel Alexander**

Respondent: **Ms. Rashida Jonas holding papers for Mrs. Shannon Jones-Gittens**

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023, unless a Notice of Discontinuance is sooner filed.**

Reason: **Counsel for the appellants indicated that he intends to file a notice of discontinuance before the next Status Hearing.**

Case Name: **Anderson Carty**

V

Gentiste Christian

[ANUMCVAP2019/0005]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: No appearance

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 to allow the appellant to make the necessary arrangements in relation to his legal representation.
2. The Registrar of the High Court shall serve a copy of this order on the parties personally and shall provide proof of service thereafter.

Reason: The Court noted that the respondent was not served to appear as he is out of state. The appellant also indicated that he needed an opportunity to regularize his legal representation.

Case Name: **Careem Bedminister**

v

[1] Arlene Simmons

[2] Damani Simmons

[ANUMCVAP2021/0001]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **Mrs. Cherissa Roberts-Thomas**

Respondents: **Mr. Pete-Semaj McKnight holding papers for Mr. Lawrence Daniels**

Issues: **Status of the Matter**

Type of Order: **Adjournment**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The Chief Magistrate shall provide the High Court Office with a copy of the Record of Appeal in this matter on or before 30th March 2023, failing which an affidavit shall be provided stating the reason for non-compliance.**
- 2. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023.**

Reason: Counsel for the appellant indicated that the parties are still awaiting the written judgment and the transcript of proceedings from the Magistrate's Court.

Case Name: Alwyn Carr

v

Magistrate Veronica Thomas

[ANUMCVAP2021/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Alexander

Respondent: Ms. Joy Dublin

Issues: Status of the Matter

Type of Order: Adjournment

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next Status Hearing of the Court of Appeal for Antigua and Barbuda scheduled for 30th May 2023 unless a Notice of Discontinuance is sooner filed.

Reason: Counsel for the appellant indicated that the matter should properly be before the High Court and that he intended to file a notice of discontinuance.

Case Name: **Eurenda Jeremiah**

v

Karen Firth

[ANUMCVAP2020/0007]

Date: **Monday, 27th February 2023**

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

Appearances:

Appellant: **In person**

Respondent: **In person**

Issues: **Status of the Matter**

Type of Order: **Directions**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The respondent is at liberty to file and serve written submissions with authorities on or before 27th March 2023.**

2. The appellant is at liberty to file and serve written submissions with authorities, in reply, if necessary, on or before 17th April, 2023.
3. The hearing of the appeal is fixed for the next Court of Appeal sitting for Antigua and Barbuda during the week commencing 5th June 2023.

Reason: The appellant indicated that written submissions were filed and served on the respondent and further directions were needed to progress the appeal.

Case Name: [1] Chanel Abbott
[2] Anisha Abbott

v

Larry Abbott

[ANUMCVAP2020/0003]

Date: Monday, 27th February 2023

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellants: Mr. Wendel Alexander
Respondent: In person

Issues: Status of the Matter

Type of Order: Directions

Result / Order: [Oral Delivery]

IT IS HEREBY ORDERED THAT:

- 1. The appellants shall file and serve written submissions with authorities on or before 27th March 2023.**
- 2. The respondent shall file and serve written submissions with authorities on or before 28th April 2023**
- 3. The appellants are at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th May 2023.**
- 4. The hearing of the appeal is fixed for the next Court of Appeal sitting for Antigua and Barbuda scheduled for the week commencing 5th June 2023.**

Reason:

The Court noted that directions were needed to progress the appeal.