

		EASTERN CARIBBEAN SUPREME COURT
		<u>STATUS HEARING</u>
		VIDEO CONFERENCE
		SAINT CHRISTOPHER AND NEVIS
		MONDAY 31st OCTOBER 2022
Case Name:		Dwight Wilson v The King [SKBHCRAP2016/0002] (SAINT KITTS AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Jason Hamilton
	Respondent:	Mr. Bervis Burke
Issues:		Status of the matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED THAT: Upon noting the indication from the appellant that he no longer wishes to prosecute his appeal, the appeal is hereby withdrawn and discontinued.
Reason:		The appellant informed the Court that he no longer

		wished to continue with the appeal.
Case Name:		Keith Murray v The King [SKBHCRAP2017/0002] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Dr. Henry Browne, KC
	Respondent:	Mr. Bervis Burke
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 3rd February, 2023. 2. The respondent shall file and serve written submissions with authorities on or before 3rd March, 2023. 3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 20th March 2023. 4. The appeal is fixed for hearing at next Court of Appeal Sitting for the Federation of Saint

		Christopher and Nevis scheduled for the week commencing 24th April, 2023.
Reason:		The Court noted that the Record of Appeal was ready and had been served on all parties.
Case Name:		Denroy Simmonds v The King [SKBHCRAP2017/0003] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Dr. Henry Browne, KC
	Respondent:	Mr. Bervis Burke
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 3rd February, 2023. 2. The respondent shall file and serve written submissions with authorities on or before 3rd March, 2023. 3. The appellant is at liberty to file and serve written submissions with authorities in

		reply, if necessary, on or before 20th March 2023. 4. The appeal is fixed for hearing at next Court of Appeal Sitting for the Federation of Saint Christopher and Nevis scheduled for the week commencing 24th April, 2023.
Reason:		The Court noted that the Record of Appeal was ready and had been served on all parties.
Case Name:		Nicholas Riley v The King [SKBHCRAP2017/0004] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	In person
	Respondent:	Mr. Bervis Burke
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 3rd February, 2023. 2. The respondent shall file and serve written submissions with authorities on or before

		3rd March, 2023. 3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 20th March 2023. 4. The appeal is fixed for hearing at next Court of Appeal Sitting for the Federation of Saint Christopher and Nevis scheduled for the week commencing 24th April, 2023. 5. The Registrar of the High Court shall serve a copy of this order on counsel for the appellant and shall provide proof of service thereafter.
Reason:		The Court noted that the Record of Appeal was ready and had been served on all parties.
Case Name:		Melvena Kelly v The King [SKBHCRAP2012/0006] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellants:	Dr. Henry Browne, KC
	Respondents:	Mr. Bervis Burke
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 of appeal for the Federation of Saint Christopher and Nevis, scheduled for 17 th April, 2023 to allow for a psychiatric report to be provided to the Court.
Reason:		The matter was adjourned to allow for a psychiatric report to be provided to the Court.
Case Name:		Jahdell Browne v The King [SKBHCRAP2012/0008] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Dr. Henry Browne, KC
	Respondent:	Mr. Bervis Burke
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED THAT: Upon noting that the appellant is deceased, the matter is removed from the status hearing list

		to allow counsel for the appellant to take the necessary steps in relation to the progress of the appeal.
Reason:		The Court was informed that the appellant had recently become deceased.
Case Name:		[1] Monthana Mathias [2] Royston Browne v The Director of Public Prosecutions [SKBHCRAP2019/0006] [SKBHCRAP2019/0005] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellants:	Dr. Henry Browne, KC
	Respondent:	Mr. Bervis Burke
Issues:		Status of the 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 31st January 2023. 2. The respondent shall file and serve written submissions with authorities on or before 1st March 2023.

		3. The appellants are at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 16th March 2023. 4. The appeal is fixed for hearing at the next sitting of the Court of Appeal for the Federation of Saint Christopher and Nevis during the week commencing 24th April 2023.
Reason:		The Court noted that the Record of Appeal had been prepared and served and that only the parties' submissions are outstanding.
Case Name:		Shawn Richards v Nigel Carty [SKBHCVAP2019/0021] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Terence Byron
	Respondent:	Mr. Sylvester Anthony
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED: Upon noting the application filed by counsel for the appellant on 21st July 2022 to be

		removed as legal practitioner on record for the appellant, the matter is removed from the status hearing list pending the determination of the application.
Reason:		The Court noted that Counsel for the appellant filed an application to be removed from the record.
Case Name:		Beaumont Park Limited v Technology Development and Investment Ltd. [SKBHCVAP2020/0018] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Damian Kelsick
	Respondents:	No appearance
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 of appeal for the Federation of Saint Christopher Kitts and Nevis scheduled for 17th April 2023 to allow the parties to continue settlement discussions.

Reason:		The Court was informed by the parties that they are engaged in discussions and requested the matter to be adjourned.
Case Name:		Yvette Liddie v [1] Peter Liddie [2] Monique Herbert [SKBHCVAP2019/0047] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Terence V. Byron
	Respondents:	Mr. Sylvester Anthony
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 of appeal for the Federation of Saint Christopher Kitts and Nevis scheduled for 17th April 2023 to allow the parties to continue settlement discussions.
Reason:		The Court was informed by the parties that they are engaged in discussions and requested the matter to be adjourned.

Case Name:		Republic Bank (EC) Limited v Lynda-Lou Liburd et al [SKBHCVAP2019/0017] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Damian Kelsick
	Respondents:	Mr. Victor Elliot- Hamilton holding for Ms. Brittney Jeffers for the 1st respondent Ms. Miselle O'Brien for the 2nd respondent
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant shall take the necessary steps to engage an external transcriptionist to prepare the transcript of proceedings in this matter and shall inform the Chief Registrar and the Registrar of the High Court of the name of the transcriptionist. 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:		The Court noted that the transcript was still outstanding.
Case Name:		Hilton Lake v Pirate's Nest Limited [SKBHCVAP2020/0005] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Ms. Zoie Hamilton holding papers for Ms. Sharina Laws
	Respondent:	No appearance
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED THAT: Upon noting the application filed by the appellant on 28th October 2022 for time to be extended to the 18th day of November 2022 to serve the Notice of Appeal, the matter is removed from the Status hearing list pending the determination of the application.

Reason:		The Court noted that on 28 th October 2022, the appellant filed an application for time to be extended to 18 th November 2022 to serve the notice of appeal. The matter was removed from the status hearing list pending the determination of the application.
Case Name:		[1] Hastings Daniel [2] Hameron Services Ltd. v [1] Deon Daniel [2] Deon Daniel & Associates [SKBHCVAP2020/0001] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellants:	Ms. Angela Cozier
	Respondents:	Mr. Terence V. Byron
Issues:		Status of the Matter
Type of Order:		Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant shall take the necessary steps to collect the transcript of proceedings from the Registrar of the High Court, on or before 30th November 2022, notice having been given of its availability. 2. The respondents shall inform the appellant of the documents they wish to be included

		in the record of appeal in accordance with rule 62.12(2) Civil Procedure Rules, 2000 on or before 9th December 2022. 3. The matter shall thereafter proceed in accordance with the Civil Procedure Rules 2000.
Reason:		The Court noted that the transcript was ready.
Case Name:		Alanzo Carty et al v Matthew McMillan [SKBHCVAP2019/0046] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Ms. Simone Bullen Thompson, Attorney General's Chambers
	Respondent:	Mr. Jason Hamilton
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 of appeal for the Federation of St. Christopher and Nevis scheduled for 17th April 2023 to allow

		counsel for the respondent to take the necessary steps in relation to the progress of the appeal.
Reason:		Counsel for the appellants indicated that they intend to take a certain course of action which, upon filing, the matter would no longer concern the Court.
Case Name:		Wycliffe Baird v David Goldgar [SKBHCVAP2019/0038] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Mr. Christopher Hamel- Smith with Mr. Terence V. Byron and Ms. Talibah Byron
	Respondent:	Mr. Damian Kelsick
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		IT IS HEREBY ORDERED THAT: Upon noting the application filed by the respondent on 13th October 2022 to strike out the appeal, the matter is removed from the Status Hearing List pending the determination of the application.

Reason:		The Court noted that the respondent has filed an application for the appeal to be struck out.
Case Name:		Leslie Charles Adamson Salters v Bank of Nova Scotia [SKBHCRAP2015/0021] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31 st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Ms. Angela Cozier
	Respondent:	Mr. Damien Kelsick
Issues:		Status of the Matter
Type of Order:		N/A
Result / Order:		The appeal is closed as it is a nullity.
Reason:		The Court noted that the appeal was from an interlocutory order and leave was required for which none was sought or obtained. The appeal is therefore a nullity.
Case Name:		Oscar Vargas v [1] Barbara Vargas

		[2] CIBC First Caribbean International Bank (Barbados) Limited [3] Caribbean Union Bank [ANUHC VAP2020/0034] (ANTIGUA AND BARBUDA)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	Ms. Chantal Thomas- Marshall
	Respondents:	1st respondent in person
		C Debra Burnette for 2nd respondent
		No appearance for 3rd respondent
Issues:		Status of Matter
Type of Order:		Adjournment
Result / Order:		IT IS HEREBY ORDERED THAT: The matter is adjourned to the next status hearing for Antigua and Barbuda scheduled for 27th February 2023 to allow counsel for the appellant to take the necessary steps to regularize service on the respondent.
Reason:		Counsel for the appellant was allowed time to take the necessary steps to regularize service on the respondent.
Case Name:		Dwight “Dangles” Walters v

		Comptroller of Customs et al
		[SKBMCVAP2018/008A]
		(SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	No appearance
	Respondent:	Ms. Nisharma Rattan- Mack
Issues:		Status of Matter
Type of Order:		Adjournment
Result / Order:		IT IS HEREBY ORDERED THAT: 1. Upon noting that the appellant was aware of the hearing listed for today but is not present, the matter is adjourned to the next status hearing scheduled for 17th April 2023 for the appellant 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 was aware of the hearing but was not present.
Case Name:		Kevaughn Adams
		v

		Stanley Wade
		[SKBMCVAP2016/0004] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	In person
	Respondent:	In person
Issues:		Status of Matter
Type of Order:		Adjournment
Result / Order:		1. Upon noting the request from the appellant, the matter is adjourned to the next status hearing of the court for the Federation of St. Christopher and Nevis scheduled for 17th April 2023 to allow the appellant to make the necessary arrangements for 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 appellant informed the Court that he is still in the process of procuring a lawyer and requested more time to obtain legal representation.
Case Name:		Godfrey Pier v

		Azariah Buchanan et al
		[SKBMCVAP2013/0034] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	No appearance
	Respondent:	No appearance
Issues:		Status of the Matter
Type of Order:		Adjournment
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The matter is adjourned to the Full Court sitting for the Federation of St. Christopher and Nevis scheduled for Thursday 10th November 2022. 2. The Registrar of the High Court shall serve a copy of this order on the parties and shall provide proof of service thereafter.
Reason:		The bailiff informed that when serving the appellant with a notice of hearing, the appellant refused service so the document was dropped at his feet. The appellant indicated to the bailiff that he has no further interest in the matter.
Case Name:		Godfrey Roberts v

		Erlene Bedford
		[SKBMCVAP2016/0011] (SAINT CHRISTOPHER AND NEVIS)
Date:		Monday 31st October 2022
Coram:		Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:		
	Appellant:	In person
	Respondent:	Ms. Marsha Henderson
Issues:		Status of Matter
Type of Order:		Directions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant is at liberty to file and serve written submissions with authorities on or before 20th January 2023. 2. The respondent shall file and serve written submissions with authorities on or before 10th February 2023. 3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 28th February 2023. 4. The hearing of the appeal is fixed for the next court of appeal sitting for the Federation of Saint Christopher and Nevis scheduled for the week commencing 24th April 2023. 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 appellant indicated that he will be representing himself in the matter.