

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
GRENADA
THURSDAY, 8TH SEPTEMBER 2022

Case Name: Lucy Murchie
v
George Martin

[GDAHCVAP2016/0014]
(Grenada)

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

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

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 of the Court scheduled for the 13th February 2023 for the appellant to be present to indicate whether she is still interested in prosecuting the appeal or for the respondent to make any applications deemed necessary.

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.

The respondent informed that she intends to put in an application for dismissal.

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:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Ian Sandy

Respondent:

Mr. Deloni Edwards

Issues:

Status of the matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The appellant shall take the necessary steps to procure the transcript of proceedings in the court below.
2. The matter is adjourned to the next status hearing of the Court for Grenada scheduled for 13th February 2023.

Reason:

Counsel for the appellant indicated that the transcripts should be prepared shortly.

Case Name:

**Lewis Charles & Another
v
Gemma Haynes et al**

**Civil Appeal No. 7 of 2017
(Grenada)**

Date:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:

Respondents:

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 on or before 30th September 2022.

2. The appellants shall file and serve written submissions with authorities on or before 31st October 2022
3. The respondents shall file and serve written submissions with authorities on or before 1st December 2022.
4. The appellants at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 16th December 2022.
5. The hearing of the appeal is fixed for the next court of appeal sitting in the State of Grenada scheduled for the week commencing 20th February 2023.

Reason: N/A

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

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In person
Respondent: Mr. Howard Pinnock for the Director of Public Prosecutions

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 of the Court for Grenada scheduled for 13th February 2023, to allow the appellant to continue make the necessary arrangements in relation to his legal representation and for the procurement of the transcript of proceedings.
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 appellant informed the Court that he does not want a private transcript. He represented that the issue is not one of affordability, but one of preference- he simply refuses to pay for one that was prepared externally. The appellant also informed that he will not proceed to the appeal on a private transcript. He will not make an application to the court for any release on the private transcript.

The Registrar informed that there is correspondence from Mr. Edwin who was the appellant's lawyer, asking Ms. Ratoo to prepare the transcript. There is also correspondence whereby Ms Ratoo sought permission for the transcript to be prepared externally. This was granted.

The Registrar is to inquire from Ms Ratoo whether she would be willing to accept payment using the local rate for internal transcription services.

Case Name:

**Aldin Phillip
v
The King**

**[GDAHCRAP2017/0009]
(Grenada)**

Date:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person
Respondent: Mr. Howard Pinnock

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 the proceedings to be completed and served on the parties.
2. Alternatively, if the transcript of proceedings is unavailable, the Registrar of the High Court shall take the necessary steps to obtain the judge's notes of evidence in the court below.
3. The matter is adjourned to the next status hearing of the Court for Grenada scheduled for 13th February 2023.

Reason: The Court noted that the transcript was prepared externally, but upon review the CRU noted only one day had been typed. Efforts are being made to locate the audio but to date unsuccessful. The court is also trying to get the judge's notes.

Case Name:

**Arthur Braveboy
v
The King**

**[GDAHCRAP2017/0003]
(Grenada)**

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the sitting of the full court for the State of Grenada on Wednesday 21st September 2022.
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 could not be located to give notice of the hearing.

Case Name:

Paul Duncan

v

The King

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

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: 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 for Grenada scheduled for 13th February 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 appellant cannot be located to be served and the Court was unable to serve him with the amended notice of hearing for 8th September 2022.

Case Name: Jude Lessey
v
The King

[GDAHCRAP2016/0015]
(Grenada)

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Howard Pinnock

Issues: Status of matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall take the necessary steps to serve the Record of Appeal on the parties on or before 30th September 2022.
2. The matter shall thereafter proceed in accordance with the Rules.
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 transcript to be printed and served as it was re-done and completed.

Case Name:

Javid Glasgow

v

The King

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

Date:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person

Respondent:

Mr. 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 proceedings to be prepared and served on the parties.
2. The matter is adjourned to the next status hearing of the court in Grenada scheduled for 13th February 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:

Additional audio has been retrieved and being typed. However, a portion of Sentence is still outstanding. The court reporting unit indicated that the sentencing portion was not reported. The court office has requested the judge's notes to assist with the completion of the transcript.

Case Name:

Marcus Fortune

v

The King

**[GDAHCRAP2019/0022]
(Grenada)**

Date:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. George Prime

Respondent:

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 not served to be present today, the matter is adjourned to the next status hearing of the court for Grenada scheduled for 13th February 2022 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 noted that the appellant has been discharged from prison. The transcript was only completed afterwards, privately but the appellant has not paid for it. Counsel has made several efforts to get in contact with the appellant but without success. He had prepared all the necessary submissions.

The appeal is against sentence and conviction. The appellant spent 2 years and 6 months (prison time) There is a compensation order associated with the order. The appellant was ordered to pay \$40,000.00 or in default 3 months in prison. This is still alive.

Case Name:

The Commissioner of Police

V

Treverson Roberts

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

Date:

Thursday, 8th September 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Howard Pinnock holding for Ms. Crisann Greenidge

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 for Grenada scheduled for 13th February 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 who resides in the USA was not served. Counsel for the appellant indicated that he is requesting assistance from his colleagues overseas to try to locate the respondent.

Case Name: Curtis Cyrus
v
The Commissioner of Police
[GDAHCRAP2021/0007]
(Grenada)

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Herricia Willis
Respondent: 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 13th February 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 appellant was not served with the amended date of hearing.

Ms. Willis indicated that the appellant informed that he has not retained her and that another lawyer may be representing him, that being the same lawyer in the court below. She also advised that she has not been able to contact him but when she did speak to him several months ago he was seeking medical assistance outside of Grenada.

Counsel was unable to advise whether the appellant has actually left the jurisdiction or when he will return. He has not answered the two phone numbers that she had for him and he is no longer at the address on record.

Case Name: Curtis Cyrus
v
The Commissioner of Police

**[GDAHCRAP2021/0008]
(Grenada)**

Date: Thursday, 8th September 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Herricia Willis

Respondent: Mr. Howard Pinnock

Issues: Status of the matter

Type of Order: Directions

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 13th February 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 appellant was not served with the amended date of hearing.

Ms. Willis indicated that the appellant informed that he has not retained her and that another lawyer may be representing him, that being the same lawyer in the court below. She also advised that she has not been able to contact him but when she did speak to him several months ago he was seeking medical assistance outside of Grenada.

Counsel was unable to advise whether the appellant has actually left the jurisdiction or when he will return. He has not answered the two phone numbers that she had for him and he is no longer at the address on record.