

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
SAINT CHRISTOPHER AND NEVIS
MONDAY 14th MARCH 2022

Case Name:	Dwight Wilson v The Queen [SKBHCRA2016/0002] Saint Christopher and Nevis
Date:	Monday 14th, March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mr. Jason Hamilton
Respondent:	Ms. Greatess Gordon-Hazel
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 13 th June 2022, to allow counsel for the appellant to take further instructions in this matter.
Reason	Counsel took instructions from the appellant however they are not complete.

Case Name:	Keith Murray v The Queen [SKBHCRAP2017/0002] Saint Christopher and Nevis
Date:	Monday 14th, March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Greatess Gordon-Hazel
Issues:	Status of the matter
Type of Order	Adjournment
Result / Order	IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall take the necessary steps to ensure the preparation of the Record of Appeal and shall serve the same on the parties.**
- 2. The matter is adjourned to the next Status Hearing for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022.**
- 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	Awaiting transmission of the transcript to compile the Record of Appeal.
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Case Name: **Denroy Simmonds**
v
The Queen
[SKBHCRA2017/0003]
Saint Christopher and Nevis

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

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

Appearances:

Appellant: **In person**

Respondent: **Ms. Greatess Gordon-Hazel**

Issues: **Status of the matter**

Type of Order **Adjournment**

IT IS HEREBY ORDERED THAT:

Result / Order

1. The Registrar of the High Court shall take the necessary steps to ensure the preparation of the Record of Appeal and shall serve the same on the parties.
2. The matter is adjourned to the next Status Hearing for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022.
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

Awaiting transmission of the transcript to compile the Record of Appeal.

Case Name: Nicholas Riley
v
The Queen
[SKBHCRAP2017/0004]
(Saint Christopher and Nevis)

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Greatess Gordon-Hazel

Issues: Status of the matter

Type of Order Adjournment

IT IS HEREBY ORDERED THAT:

Result / Order

1. The Registrar of the High Court shall take the necessary steps to ensure the preparation of the Record of Appeal and shall serve the same on the parties.
2. The matter is adjourned to the next Status Hearing for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022.
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 Transcript is completed and awaiting for transmission from being outsourced.

Case Name: Melvena Kelly
v
The Queen
[SKBHCRAP2012/0006]
Saint Christopher and Nevis

Date: Monday 14th, March 2022
Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Dr. Henry Browne
Respondent: Ms. Greatess Gordon-Hazel

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 Federation of Saint Christopher and Nevis, scheduled for 13th June 2022 to allow for a medical report to be provided to the Court.

Reason Dr. Williams indicated that he is unable to complete the report due to outstanding reports that he has to prepare.

Case Name: Jahdell Browne
v
The Queen
[SKBHCRAP2012/0008]
Saint Christopher and Nevis

Date: Monday 14th, March 2022
Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Dr. Henry Browne

Respondent: Ms. Greatess Gordon

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 Federation of Saint Christopher and Nevis, scheduled for 13th June 2022 to allow for a medical report to be provided to the Court.

Reason Dr. Williams indicated that he is unable to complete the report due to outstanding reports that he has to prepare

Case Name: Monthana Mathias
v
The DPP
[SKBHCRA2019/0006]
Royston Browne
v
DPP
[SKBHCRA2019/0005]
Saint Christopher and Nevis

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Greatess Gordon-Hazel

Issues:	Status of the matter
Type of Order	Adjournment
Result / Order	1. The matter is adjourned to the next Status Hearing of the Court for the Federation of Saint Christopher and Nevis, scheduled for 13th June 2022 to allow the appellants to regularize their legal representation. 2. The Registrar of the High Court shall serve a copy of this order on the appellants and shall provide proof of service thereafter.
Reason	The appellant is in the process of getting legal representation.

Case Name:	Leeward Media Group Limited v A. Michael Perkins [SKBHCVAP2012/0011] Saint Christopher and Nevis
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Date:	Monday 14th, March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Angela Cozier
Respondent:	Mr. Barnes

Issues:	Status of the matter
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Type of Order	Adjournment
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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 13th June 2022 for report on the progress of the production of the transcript of the proceedings in the court below.

Reason

The transcriptionist indicated there was a delay in the transcript.

Case Name:

**Dwight Cozier
v
Shauna Pemberton et al
[SKBMCVAP2019/0003]
Saint Christopher and Nevis**

Date:

Monday 14th, March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Angela Cozier

Respondent:

Ms. Nisharma Rattan Mack

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 13th June 2022 to allow the appellant to provide proof of service of the Notice of Appeal on the respondent

Reason

There was no evidence of Notice of Appeal service on the respondent.

Case Name:

Leslie Charles Adamson Salters

v

Bank of Nova Scotia

[SKBHCVAP2015/0020]

Saint Christopher and Nevis

Date:

Monday 14th, March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Angela Cozier

Respondent:

Mr. Garth Wilkin

Issues:

Status of the matter

Type of Order

Adjournment

Result / Order

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall make every effort to request from Master Corbin-Lincoln any notes which may exist in relation to the hearing of the matter in the court below on 14th July 2015, and shall serve the same on the parties.

2. The matter is adjourned to the next Status Hearing of the Court of Appeal for the Federation of Saint Christopher and Nevis scheduled for 13th June, 2022.

Reason

The transcripts of proceedings are not ready in this matter. Notes which may exist in relation to the hearing of the matter in the court below on 14th July 2015 are required

Case Name:

The Nevis Island Administration

v

Ocean Reef Resorts Ltd

[SKBHCVAP2018/0006]

Saint Christopher and Nevis

Date:

Monday 14th, March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Terrance Byron

Respondents:

Dr. Henry Browne QC

Issues:

Status of the matter

Type of Order

Adjournment

Result / Order

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the status hearing for the Commonwealth of Dominica scheduled for 11th April 2022 at 8:50 am.

Reason

Case Name: **Dwight Cozier**
v
Nevis Broadcasting Company Limited et al
[SKBHCVAP2019/0012]
Saint Christopher and Nevis

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

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

Appearances:

Appellant: **Ms. Angela Cozier**

Respondent: **No appearance,
Ms Midge Morton for the 1st respondent**

Issues: **Status of the matter**

Type of Order **Adjournment**

Result / Order **IT IS HEREBY ORDERED AND DIRECTED 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 13th June 2022

Reason **The appellant requested time to file and serve written submissions.**

Case Name: **Cecil Huggins**
v

**Avernelle Rogers.
[SKBMCRAP2018/0007]
Saint Christopher and Nevis**

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance, Ms. Natasha Grey on record

Respondent: Ms. Britney Jeffers

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 15th April 2022.
2. The respondent shall file and serve written submissions with authorities on or before 16th May 2022.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 31st May 2022.
4. The matter 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 20th June 2022.
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

Case Name: **Selmoth Rawlins**
V
Quaid James.
[SKBMCVAP2016/0014]
Saint Christopher and Nevis

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

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

Appearances:
Appellant: **No appearance**
Respondent: **In person**

Issues: **Status of the matter**

Type of Order **Directions**

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

**Upon noting the notice of discontinuance
filed by the appellant on 9th February 2022,
the matter is withdrawn and discontinued.**

Reason **There was a notice of discontinuance filed by the
appellant.**

Case Name: **Selmoth Rawlins**
V
Margaret James
[SKBMCVAP2016/0015]
Saint Christopher and Nevis

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	In person

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

Upon noting the notice of discontinuance filed by the appellant on 23rd February 2022, the matter is withdrawn and discontinued.

Reason: A Notice of Discontinuance was filed on 23 February 2022

Case Name:

Dwight “Dangles” Walters
v
Comptroller of Customs et al
[SKBMCVAP2018/0008A]
Saint Christopher and Nevis

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Ms. Nisharma Rattan Mack.

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 of Appeal for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022 for the appellant to be present and 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 respondent intends to file an application to strike out the appeal.
Case Name:	Marvin Henry v Diana Francis Liburd [SKBMCVAP2014/0010] Saint Christopher and Nevis
Date:	Monday 14th, March 2022
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	No appearance
Respondent:	No appearance

Issues: **Status of the matter**

Type of Order: **Directions**

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

1. Upon noting the notice of discontinuance filed by the appellant on 9th March 2022, the matter is withdrawn and discontinued.
2. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.

Reason **A Notice of Discontinuance was filed on 9th March 2022.**

Case Name: **Kevaughn Adams**
v
Stanley Wade
[SKBMCVAP2016/0004]
Saint Christopher and Nevis

Date: **Monday 14th, March 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 Registrar of the High Court shall serve a copy of the Record of Appeal on the appellant on or before 15th March 2022 and shall provide proof of service thereafter.

2. The matter is adjourned to the next Status Hearing for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022, to allow the appellant to take the necessary steps to regularize his legal representation.

3. 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 appellant required time to regularize his legal representation.

Case Name: **St. Kitts Nevis Anguilla Trading and Development Co. Ltd.**
v
Diane Musgrave Hobson
[SKBMCVAP2018/0009]
Saint Christopher and Nevis

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

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

Appearances:
Appellant: **Mr. Garth Wilkin**

Respondent: Mr. Victor Elliott-Hamilton

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 1st April 2022.

2. The respondent shall file and serve written submissions with authorities on or before 3rd May 2022.

3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 18th May 2022.

4. The matter 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 20th June 2022.

Reason The parties required time to file and serve submissions.

Case Name:

**Andy Williams
v
Marcashar Warner
[SKBMCVAP2016/0003]
Saint Christopher and Nevis**

Date: Monday 14th, March 2022

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person
Respondent: Ms. Yvonne Bussue-Flemming

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 Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022, to allow the appellant to take the necessary steps to get legal representation in this matter.
2. This shall be the final adjournment.
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 has requested time to seek counsel.

Case Name:

**Godfrey Pier
v
Azariah Buchanan et al
[SKBMCVAP2013/0034]
Saint Christopher and Nevis**

Date: Monday 14th, March 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 next status hearing of the Court of Appeal for the Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022 for the appellant 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 parties personally and shall provide proof of service thereafter.

Reason

The appellant has indicated that he is no longer interested in the appeal.

Case Name:

**James Flemming
v
Jasmine Lake
[SKBMCVAP2016/0006]
Saint Christopher and Nevis**

Date:

Monday 14th, March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms Renal Edwards

Respondent: No appearance

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Senior Magistrate shall cause the Record of Appeal to be prepared and served on the parties on or before 31st May, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.

2. The matter is removed from the status hearing list pending the appointment of a personal representative for the respondent.

Reason

The respondent required time for the appointment of a personal representative.

Case Name:

**Godfrey Roberts
v
Erlene Bedford
[SKBMCVAP2016/0011]
Saint Christopher and Nevis**

Date:

Monday 14th, March 2022

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person.

Respondent: Ms Brittney Jeffers

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 Federation of Saint Christopher and Nevis, scheduled for 13th June, 2022, to allow the appellant to take the necessary steps to get legal representation in this matter.

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 required time to take the necessary steps to get legal representation in this matter.