

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING
ANTIGUA AND BARBUDA
1st February 2021

Case Name: **Treetops Garden Centre Limited**

v

St. John's Development Corporation

[ANUHCVAP2014/0033]

Date: **Monday, 1st February 2021**

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

Appearances:

Appellant: **Ms. Joanne Massiah**

Respondent: **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 in Antigua and Barbuda scheduled for 10th May 2021, unless a consent order is sooner filed.

Reason: **Counsel for the appellant indicated that she continues to be in negotiations with counsel for the respondent. The Court noted that the board of the respondent company has changed, and this has posed some difficulty for the respondent where more time is needed to discuss the**

settlement. Counsel therefore requested an adjournment in light of the ongoing negotiations.

Case Name: **Jessica Hood**

v

[1] Free Trade and Processing Zone Commission

[2] Houghton Forde

[3] Vere Carbon

[4] Angella Gonsalves

[ANUHCVP2012/0018]

Date: **Monday, 1st February 2021**

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

Appearances:

Appellant: **Dr. David Dorsett**

Respondents: **Ms. Chantal Thomas for the 3rd respondent**
No appearance for the other respondents

Issues: **Status of the matter**

Type of Order: **Adjournment**

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

Upon the court noting the indication from counsel for the 3rd respondent that a Notice of Discontinuance will be filed in this matter, the matter is adjourned to the next Status Hearing of the court for Antigua and Barbuda scheduled for the 10th May, 2021 unless the Notice of Discontinuance is sooner filed.

Reason: **Counsel for the third respondent indicated to the Court that she received a letter from the third respondent on 26th**

January 2021 indicating that he wishes to withdraw his counter notice of appeal. In the circumstances, the Court adjourned the matter to allow for counsel to file a notice of discontinuance.

Case Name:

**Johnson Jervier
v
Eastern Caribbean Amalgamated Bank**

[ANUHCVP2020/0007]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Kyle Kentish holding for Mr. Kendrickson Kentish

Respondent: Mr. Jomokie Phillips

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Counsel for the appellant shall file a corrected transcript request form to accurately reflect the dates of the trial on or before 15th February, 2021.**
- 2. Counsel for the appellant shall take the necessary steps to make payment of the deposit for the transcript of the proceedings on or before 1st March, 2021.**
- 3. The Registrar of the High Court shall continue efforts to cause the transcript of the proceedings to be prepared and served on the parties.**
- 4. The matter is removed from the Status Hearing list pending the availability of the transcript.**

5. The matter will be listed at the next Status Hearing of the court on the availability of the transcript or on a date to be fixed by the Chief Registrar.

Reason: The Court noted that there are still some further corrections to be made in the transcript request form. In the circumstances, the Court gave directions to facilitate the filing of the corrected transcript request form.

Case Name: **Secraton Limited**
v
Port Authority
[ANUHCVP2020/0001]

Date: **Monday, 1st February 2021**

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: **IT IS HEREBY ORDERED THAT:**

The matter is adjourned to the next Status Hearing of the court for Antigua and Barbuda scheduled for the 10th May, 2021 to allow counsel for the appellant to provide proof of service of the Notice of Appeal on the respondent.

Reason: The Court noted that counsel for the respondent informed that it has not been served with the Notice of Appeal in this matter, but merely saw the matter listed on the cause list. The Court therefore adjourned the matter to allow counsel for the appellant to provide proof of service of the Notice of Appeal on the respondent.

Case Name: Gerald Barnes

v

CIBC First Caribbean Limited

[ANUHCVAP2020/0002]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: Mr. Justin L. Simon, QC

Respondent: Mr. Clement Bird

Issues: Status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The parties shall agree to the documents to be filed in the Record of Appeal on or before 17th February, 2021.
2. The appellant shall file and serve the Record of Appeal along with written submissions and authorities on or before 15th March, 2021.

3. The respondent shall file and serve written submissions with authorities on or before 15th April 2021.
4. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary, on or before 30th April, 2021.
5. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

Reason: The Court was of the view that directions were necessary for the filing of the record of appeal and written submissions by both parties.

Case Name: Jose Humphreys
v
The Medical Council
[ANUHCVP2020/0003]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Kyle Kentish
Respondent: Ms. E. Ann Henry, QC

Issues: Status of the matter

Type of Order: N/A

Result / Order: IT IS HEREBY ORDERED THAT:

Upon the court noting that there is a pending application before the court, the matter is removed

from the Status Hearing cause list pending the determination of the application.

Reason: The Court noted that there was a pending application filed 28th January 2021 to strike out the appellant's appeal. The Court was therefore of the view that the matter ought to be removed from the Status Hearing cause list pending the determination of the application.

Case Name: Collin Hope Jr

v

Edmond Lake

[ANUHCVP2020/0022]

Date: Monday, 1st February 2021

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: IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the court for Antigua and Barbuda scheduled for the 10th May, 2021 to allow counsel for the appellant to provide proof of service of the Notice of Appeal on the respondent.

Reason: The Court noted that the affidavit of service filed by the appellant on 14th December 2020 speaks to service on the respondent of a claim form and statement of claim in a different matter. Counsel for the appellant indicated that this was an error as the respondent has been served and the affidavit of service has been prepared, however the incorrect document was uploaded on the Portal.

Case Name: Auto Hub

v

Caribbean Union Bank Ltd.

[ANUHCVP2019/0014]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Kyle Kentish holding for Mr. Kenrdickson Kentish

Respondent: Mr. Jomokie Phillips holding for Mrs. Kalisia Marks

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 1st March 2021.
2. The respondent shall file and serve written submissions with authorities on or before 1st April 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary, on or before 16th April, 2021.

4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

Reason: The Court noted that the record of appeal was filed on 1st July 2020, however written submissions were still outstanding. Accordingly, the Court gave directions for the progress of the appeal.

Case Name: Ian Hughes

v

The Queen

[ANUHCRA2018/0003]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jomokie Phillips holding for Mrs. Tana'ania Small-Davis, QC

Respondent: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 Antigua and Barbuda scheduled for 10th May 2021 to allow counsel for the appellant to

continue efforts to retrieve the file in this matter from previous counsel.

Reason:

The Court noted that there has been some progress in obtaining the files for the matter from the previous counsel in this matter, Mr. Fuller. However, this had not been completed. Counsel for the appellant requested a further adjournment in this matter to facilitate retrieval of the files. The Court also considered that counsel for the respondent did not object to the request for an adjournment.

Case Name:

Joseph Peters

v

The Queen

[ANUHCRA2018/0001]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendel Robinson

Respondent: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 Antigua and Barbuda scheduled for 10th May 2021 to allow counsel for the appellant to provide an update on the payment of the transcript in this matter.

Reason:

The Court noted that the appellant's indication that he is still interested in the prosecution of the appeal. He was a serving member of the Police Force for many years and so it is in his interest to pursue the appeal. He has however been unable to find work and is therefore having a hard time to get funds to pay for the transcript of proceedings.

Counsel for the appellant requested an adjournment to allow him time to deal with the aspect of payment for the transcript. The Court accordingly granted the adjournment.

Case Name:

Josh Lucian

v

The Queen

[ANUHCRA2019/0009]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Sherfield Bowen holding for Mr. Michael Archibald

Respondent: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 in Antigua and Barbuda scheduled for 10th May, 2021 to allow counsel for the appellant to obtain instructions from the appellant relative to the payment of the transcript of proceedings.

Reason:

The Court noted that the transcript of proceedings had not been paid for. The Court also noted that counsel with conduct of the matter does not have any instructions as to when it will be paid. The Court therefore adjourned the matter to allow counsel for the appellant to obtain instructions from the appellant relative to the payment of the transcript of proceedings.

Case Name:

Calvin James

v

The Queen

[ANUHCRA2020/0004]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Justin L. Simon, QC

Respondent:

Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 1st March, 2021.
2. The respondent shall file and serve written submissions with authorities, on or before 1st April 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 16th April, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

Reason:

The Court noted that directions for the filing of submissions were required for the further progress of the appeal.

Case Name:

The Director of Public Prosecutions

v

Emzie Harris

[ANUHCRA2019/0007]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

Respondent:

No appearance

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 19th March 2021.
2. The respondent is at liberty to file and serve written submissions with authorities on or before 23rd April 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 10th May, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.
5. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.

Reason: **The Court noted that directions for the filing of submissions were required for the further progress of the appeal.**

Case Name: **Joel Kwame Seraphin**
v

[1]The Queen

[ANUHCRA2018/0006]

Date: **Monday, 1st February 2021**

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

Appearances:
Appellant: **Mr. Andrew O’Kola**

Respondents: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 5th February, 2021.
2. The respondent shall file and serve written submissions with authorities in response, on or before 5th March, 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary, on or before 16th April, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

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

Case Name: George Thomas

v

The Queen

[ANUHCRA2018/0018]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Andrew O’Kola

Respondent: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 5th February, 2021.
2. The respondent shall file and serve written submissions with authorities, on or before 12th March, 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary, on or before 20th April, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

Reason: The Court noted that counsel for the appellant had intended to make an application to adduce fresh evidence, however there has been a delay in filing same. Counsel for the appellant indicated that he had difficulty meeting with a witness in order to complete the application. The Court considered that in the interim directions ought to be given for the filing of submissions and furtherance of the appeal.

Case Name: Tejah Armstrong

v

The Queen
[ANUHCRA2016/0003]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Sherfield Bowen

Respondents: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 8th March 2021.
2. The respondent shall file and serve written submissions with authorities, on or before 9th April 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 26th April, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.

Reason: The Court noted that counsel for the appellant, Mr. Sherfield Bowen was unable to see the appellant to obtain instructions from him relative to his appeal. Counsel therefore does not wish to proceed without proper instructions.

Counsel for the appellant requested that the appellant be brought to court to indicate what his position is in relating to the appeal. The appellant attended the hearing thereafter and confirmed that he is still interested in pursuing the appeal.

On that basis the Court gave directions for the filing of submissions.

Case Name:

Alex Joseph

v

The Commissioner of Police

[ANUMCRAP2018/0003]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Wendel Robinson holding for Mr. Lawrence Daniels

Respondent:

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 in Antigua and Barbuda scheduled for 10th May 2021 for the appellant to provide proof of service of the Notice of Appeal on the respondent.

Reason:

The Court noted Mr. Warren Cassell's indication that he is no longer with the chambers with conduct of the matter and it appears that he had previous conduct in this matter. He, however, did not have clear instructions on the matter and therefore requested an adjournment.

Case Name: Marwan Chehadeh

v

The Commissioner of Police

[ANUMCRAP2019/0001]

Date: Monday, 1st February 2021

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:

Upon the indication from the Registrar of the High Court that there was no service on the parties to be present at this hearing, the matter is adjourned to the next Status Hearing of the court in Antigua and Barbuda scheduled for 10th May, 2021.

Reason: The Court noted that there was an Affidavit of non-service filed on 29th January 2021 informing that the appellant could not be located for service as he appears to be out of the jurisdiction. There is also no proof of service of the notice of appeal on the respondent in this matter. The Court therefore adjourned the matter for service to be regularized.

Case Name:

Alston Gregory Rodney

v

[1]Magistrate Ngaio Emmanuel

[2]Commissioner of Police

[ANUMCRAP2019/0002]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Vere Bird III

Respondents: 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 in Antigua and Barbuda scheduled for 10th May 2021 for the appellant to provide proof of service of the Notice of Appeal on the first respondent.**
- 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 Court noted that counsel for the appellant made an appearance, however, was unable to conclude the hearing

due to internet difficulties. The Court also noted that there was no proof of service of the notice of appeal on the first respondent. The Court therefore adjourned the matter for service to be effected.

Case Name:

Deon Browne

v

The Commissioner of Police

[ANUMCRAP2019/0004]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

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

Respondent: No appearance

Issues:

Status of the matter

Type of Order:

N/A

Result / Order:

N/A

Case Name:

Sheldon Aird

v

The Commissioner of Police

[ANUMCRAP2019/0016]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Wendell Robinson

Respondent: Ms. Shannon Jones-Gittens holding for the Director of Public Prosecutions

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 Notice of Appeal on the Magistrate's court on or before 5th February 2021.
2. The Chief Magistrate shall cause the Record of Appeal, to be prepared and submitted to the Registrar of the High Court on or before 31st March, 2021 failing which the Chief Magistrate shall provide an affidavit giving reasons for non-compliance.
3. The matter is adjourned to the next Status Hearing of the Court in the state of Antigua and Barbuda scheduled for 10th May, 2021.

Reason: The Court noted that the Magistrate's court had still not provided a copy of the notes of evidence in order for the appeal to proceed and that the notice of appeal had not been served on the Magistrate's court. The Court therefore adjourned the matter to give time for the notice of appeal to be served on the Magistrate's Court and for the record of appeal to be prepared.

Case Name: Marie-Anne Nelson Wilson

v

The Chief Magistrate

[ANUMCRAP2015/0005]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Lawrence Daniels

Respondent: Ms. Shannon Jones-Gittens holding for Ms. Rilys Adams

Issues: Status of the 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, in reply if necessary, on or before 26th February, 2021.
2. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.
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 Court noted that the matter was ready to proceed to the hearing of the appeal. The Court accordingly gave directions for the appellant to file submissions in reply if necessary and fixed a date for the hearing of the appeal.

Case Name: Saran Andre

v
The Commissioner of Police
[ANUMCRAP2009/0007]

and

Kevin Millet
v
The Commissioner of Police
[ANUMCRAP2009/0006]

and

Clarence Baptiste
v
The Commissioner of Police
[ANUMCRAP2009/0008]

and

Jerome Athill
v
The Commissioner of Police
[ANUMCRAP2009/0009]

Date: **Monday, 1st February 2021**

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:

Upon noting the indication from the Registrar of the High Court that the appellant could not be located for service of the hearing today, the matter is adjourned to the next Status Hearing of the court in Antigua and Barbuda scheduled for 10th May, 2021.

Reason: The Court noted that the court office has not been able to locate the appellants to be served with the record of appeal. The matter was therefore adjourned for service to be effected.

Case Name: Janice Evans-Graham

v

Ruth Graham

[ANUMCVAP2018/0001]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Chantal Thomas holding for Mr. Hugh Marshall

Respondent: Mr. Septimus Rhudd with Ms. Aisha McLean

Issues: Status of the matter

Type of Order: N/A

Result / Order:

IT IS HEREBY ORDERED THAT:

Upon the court noting the indication from counsel for the respondent that the respondent is deceased, the matter is removed from the Status Hearing cause list until a representative has been appointed for the respondent.

Reason:

The Court noted the indication from counsel for the respondent that the respondent has passed away. The matter was therefore removed from the Status Hearing cause list until a representative has been appointed for the respondent.

Case Name:

Waltham Lewis

v

John Dubbery

[ANUMCVAP2018/0002]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Pete-Semaj McKnight

Issues:

Status of the matter

Type of Order:

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall cause the Record of Appeal, to be prepared and submitted to the Registrar of the High Court on or before 30th April 2021, failing which the Chief Magistrate shall provide an affidavit giving reasons for the non-compliance.
2. The matter is adjourned to the next Status Hearing of the Court in the state of Antigua and Barbuda scheduled for 10th May, 2021.
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 Court noted that the record of appeal still had not been prepared and submitted. The matter was therefore adjourned to facilitate preparation and submission of the record of appeal.

Case Name: Azizi Looby Harris
v
Louis Shopping Center
[ANUMCVAP2019/0001]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Pete-Semaj McKnight
Respondent: 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 in Antigua and Barbuda scheduled for 10th May, 2021 for the appellant to provide proof of service of the Notice of Appeal on the respondent.

Reason: Counsel for the appellant was unable to confirm proof of service of the notice of appeal on the respondent. The matter was filed by a different attorney who was no longer with the chambers with conduct of the case. The matter was therefore adjourned to give the appellant time to provide proof of service of the notice of appeal.

Case Name: Peta-Ann Kelsick

v

Mario Winter t/a Island Press

[ANUMCVAP2019/0002]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Chantal Thomas holding for Ms. Kema Benjamin
Respondents:	Mr. Kwame L. Simon

Issues: Status of the matter

Type of Order: Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall cause the Record of Appeal, to be prepared and submitted to the Registrar of the High Court on or before 30th April, 2021, failing which the Chief Magistrate shall provide an affidavit giving reasons for the non-compliance.
2. The matter is adjourned to the next Status Hearing of the Court in the state of Antigua and Barbuda scheduled for 10th May, 2021.

Reason:

The Court noted that the Magistrate's Court had not yet prepared and submitted the record of appeal.

The matter was therefore adjourned to allow for the Magistrate's Court to prepare and submit the record of appeal to the High Court.

Case Name:

Wayne Thomas

v

Karen Gardner

[ANUMCVAP2019/0004]

Date:

Monday, 1st February 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Wattisa Rose

Respondents: In person

Issues:

Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall cause the Record of Appeal, to be prepared and submitted to the Registrar of the High Court on or before the 1st April, 2021, failing which the Chief Magistrate shall provide an affidavit giving reasons for the non-compliance.
2. The matter is adjourned to the next Status Hearing of the Court in the state of Antigua and Barbuda scheduled for 10th May, 2021.

Reason: The Court noted that the record of appeal was not yet prepared and submitted to the High Court. The Court therefore gave directions for the Magistrate's Court to provide the record of appeal.

Case Name: Maridette Roberts

v

Jowawa Spencer

[ANUMCVAP2017/0001]

Date: Monday, 1st February 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Wattisa Rose

Respondents: No appearance

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 26th February, 2021.
2. The respondent is liberty file and serve further written submissions with authorities in response, if necessary, on or before 1st April 2021.
3. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 16th April, 2021.
4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Antigua and Barbuda during the week commencing 17th May, 2021.
5. 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 Court noted that directions for the filing of submissions were required for the further progress of the appeal.