

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
THE COMMONWEALTH OF DOMINICA
VIDEOCONFERENCE
Monday 19th April 2021

Case Name: Felixia Colaïre
v
1. Augustus Samuel Colaïre
2. Felixia James

[DOMHCVAP2008/0012]
(The Commonwealth of Dominica)

Date: Monday, 19th April 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Lisa de Freitas
Respondents:	Mrs. Zena Moore-Dyer for the 1st Respondent, No appearance for 2nd Respondent

Issues: Status of matter

Type of Order: Directions

Result: IT IS HEREBY ORDERED THAT:
1. Counsel for the appellant is to take the
necessary steps as required in relation to the

filing an affidavit before the Court as intimated, on or before 4th May 2021.

- 2. The second named respondent is at liberty to file and serve written submissions with authorities on or before 3rd June, 2021.**
- 3. The first named respondent shall file and serve supplemental written submissions with authorities on or before 3rd June, 2021.**
- 4. The appellant is at liberty to file and serve written submissions with authorities, in reply, if necessary, on or before 25th June, 2021.**
- 5. The hearing of the appeal is fixed for the next sitting of the Court of Appeal in the Commonwealth of Dominica scheduled for the week commencing 22nd November 2021.**
- 6. The Registrar of the High Court shall serve a copy of this order on the second named respondent personally and shall provide proof of service thereafter.**

Reason:

Counsel for the appellant informed the Court that she wanted to file an affidavit before the Court. The Court noted this and informed counsel that they were to take the necessary steps to adopt the proper posture before the Court to file the affidavit in this matter.

Joseph Raphael Le Blanc

v

James S. W. Cyrille

[DOMHCVAP2012/0003]

(The Commonwealth of Dominica)

Case Name:

Date: Monday, 19th March 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In person
Respondent:	No appearance

Issues: Status of the 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 secure the Judge's notes of evidence in this matter.
2. Alternatively, counsel on record for the appellant shall prepare and file her notes of evidence in this matter on or before 30th July 2021.
3. The matter is adjourned to the next Status Hearing of the Court of Appeal in the Commonwealth of Dominica scheduled for 15th November 2021, for the appellant, to take the necessary steps to regularize his legal representation.

Reason: The appellant indicated that he was still interested in prosecuting his appeal. The appellant expressed disappointment in the system. He informed the Court that he had been in discussions with another attorney at law as he wished to part ways with his present attorney at law.

Case Name:

**Lennox Jervier
V
Madge Angevin by her Attorney Carlton
Phillip**

**[DOMHCVAP2012/0014]
(The Commonwealth of Dominica)**

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mrs. Zena Moore-Dyer

Respondent:

Ms. Danielle Wilson

Issues:

Status of the matter

Type of Order:

N/A

Result / Order:

IT IS HEREBY ORDERED THAT:

The matter is removed from the Court's list until the determination of the application to be removed as counsel on the record filed by counsel for the respondent on 16th April, 2021.

Reason:

On 16th April, 2021, counsel for the respondent filed an application to be removed as counsel on the record.

Case Name: Joseph Michael George
V
Land Sales, Builders and Financial Ltd.

[DOMHCVAP2011/0012]
(The Commonwealth of Dominica)

Date: Monday, 19th April 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Gina Dyer-Munro

Respondent: Ms. Hazel Johnson

Issues: Status of the matter

Type of Order N/A

Result / Order: IT IS HEREBY ORDERED THAT:

The matter is listed for hearing before the Full Court in the Commonwealth of Dominica on Friday 30th April 2021.

Reason: The appellant is deceased and his Counsel was unable to make contact with any member of his estate to take instructions relative to the appeal. Counsel intimated to the Court that she considered removing herself as counsel on record however, there was no person to serve such an application with and she had no instructions to do so.

As such, both counsel for the appellant and the respondent agreed that it would be best to place the matter before the Full Court to deal for resolution.

Further, the Record of Appeal in this matter had not been filed and this was one of the matters where the recordings of the proceedings were destroyed by Hurricane Maria

Case Name:

**Paul Joseph
v
Bank of Nova Scotia**

**[DOMHCVAP2014/0017]
(The Commonwealth of Dominica)**

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. David Bruney

Respondent:

Mr. Kondwani Williams

Issues:

Status of the matter

Type of Order

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Counsel for the parties shall meet to agree to the notes of evidence in the court below and shall file these before the Court on or before 30th July, 2021.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of**

Dominica scheduled for 15th November 2021, for counsel for the respondent to take the necessary steps to either obtain instructions from the respondent or to regularize his legal representation of the respondent in this matter.

Reason:

Counsel for the appellant and the respondent agreed that they would begin the process of jointly constructing the notes of evidence in the matter to file with the court.

Counsel for the respondent informed the Court that he would thereafter be making an application to be removed from the record as he was unable to get instructions from the respondent.

Case Name:

Pamela Green-Lander

v

1. Andrew Green

2. Arnold Green

[DOMHCVAP2014/0023]

(The Commonwealth of Dominica)

Date:

Monday, 19th April 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Gildon Richards

Respondents:

Mrs. Noelize Knight-Didier

Issues:

Status of matter

Type of Order

Adjournment

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The parties are to make a copy of the transcript of proceedings in this matter available to the court office on or before 23rd April, 2021.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica scheduled for 15th November 2021 for the parties to advise on how they intend to proceed with the matter.**

Reason:

Counsel for the appellant received the transcript of proceedings from Mr. Isidore's Chambers who was originally counsel for respondents in the court below. The court's file however did not have a copy of this transcript of proceedings. Counsel for the appellant also informed the Court that the parties were interested in engaging in settlement discussions.

- 1. Yoland Jno. Jules**
- 2. Valantine Joseph**
- 3. Anselm James Le Blanc**
- 4. John Augustine**

v

- 1. Emmanuel Royer**
 - 2. Mona Virginia Royer**
- (Personally, and as Court appointed Representative of the First Respondent)**

**[DOMHCVAP2011/0026]
(The Commonwealth of Dominica)**

Case Name:

Date:

Monday, 19th April 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: Mrs. Noelize Knight-Didier

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 Commonwealth of Dominica scheduled for 15th November 2021 to allow the appellant to take the necessary steps to further the appeal.

Reason: The matter was adjourned as the appellants do not have any information as to whether legal personal representatives have been appointed to represent the respondents' estates.

Case Name:

1. Marie Jose Edward
2. Allick Griffin Edward Byron Hunt
(also known as Edward Hunt)

v

Allick Hunt

[DOMHVCAP2014/0021]
(The Commonwealth of Dominica)

Date: Monday, 19th April 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: Mr. Kondwani Williams

Respondent: Ms. Lisa de Freitas

Issues: Status of matter

Type of Order N/A

Result / Order: IT IS HEREBY ORDERED THAT:

Counsel for the parties are to file a consent order in relation to the agreed position for mediation on or before 4th May 2021.

Reason: The Court was of the opinion that counsel should file a consent order to reflect the parties agreement.

Case Name:

Mable M. Joseph

v

**The Attorney General of the Commonwealth
of Dominica**

[DOMHCVAP2012/0020]

(The Commonwealth of Dominica)

Date: Monday, 19th April 2021

Coram: Mrs. Michelle Theobalds- John, Chief Registrar

Appearances:

Appellant: Mrs. Gina Dyer-Munro

Respondent: Ms. Nadira Lando

Issues: Status of the matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. Upon the Court noting that the recording of the proceedings for 30th November, 2011 is unavailable, and that the appeal shall proceed using the notes of the proceedings agreed by the parties for that day, the parties shall file the agreed notes of the proceedings for 30th November, 2011, on or before 18th June 2021.
2. The appellant shall file and serve written submissions with authorities on or before 31st August 2021.
3. The respondent shall file and serve written submissions with authorities on or before 30th September, 2021.
4. The appellant is at liberty to file and serve written submissions, with authorities, in reply, if necessary, on or before 15th October, 2021.

Reason: The Court noted that the recording of the proceedings for 30th November, 2011 was unavailable, and as such counsels for both parties agreed to use the notes of the proceedings.

Case Name: Ronald Vidal

v

**The Government of the
Commonwealth of Dominica
[DOMHCVAP2013/0010]**

(The Commonwealth of Dominica)

Date: Monday, 19th March 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Bernard Wiltshire

Respondent: Ms. Nadira Lando

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 Commonwealth of Dominica scheduled for 15th November 2021 for the appellant to indicate whether she is still interested in prosecuting the appeal or for counsel for the appellant to take whatever steps he deems necessary in relation to his representation the appellant.

Reason: Counsel Mr. Wiltshire informed the Court that he appeared for the appellant in the court below but has not been instructed for the appeal. The Court however noted that the Notice of Appeal was filed by Mr.

Wiltshire and accordingly he would be counsel on record for the appellant. Mr. Wiltshire however informed the Court that he had not recently heard from the appellant and he believed that the appellant was overseas. In light of this, the Court made an order adjourning the matter to allow Mr. Wiltshire to take instructions from his client.

Case Name:

**Anthony Gifford Reid
v
The Police
[DOMMCRAP2017/0004]**

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mrs. Zena Moore-Dyer

Respondent:

Ms. Sherma Dalrymple, The Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

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 Commonwealth of Dominica scheduled for 15th November 2021.

Reason:

In compliance with a previous order, the Chief Magistrate indicated in a letter (subsequently served on the appellant on 27th January 2021), that there were no missing parts of the Record of appeal and that all the notes in relation to this matter were included. However, counsel for the appellant intimated to the Court that she did not have sight of this letter and would therefore need time to conduct internal inquiries into the whereabouts of the letter.

Counsel for the respondent also requested that the matter be adjourned to the next sitting. The Court consequently acceded to this request.

Case Name:

Laudrick Bruno

v

The Police

[DOMMCRAP2013/0009]

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Sherma Dalrymple, The Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

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 the Commonwealth of Dominica scheduled for 15th November, 2021 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 and shall provide proof of service thereafter.

Reason:

The previous order of the Court had not been served on the appellant.

Linden Nareen Lewis

V

The Police

[DOMMCRAP2013/0039]

Case Name:

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mrs. Gina Dyer-Munro

Respondent:

Ms. Sherma Dalrymple, the Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

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 the Commonwealth of Dominica scheduled for 19th April, 2021 for counsel to indicate whether the notes of evidence can be produced by the parties.

Reason:

The Court was informed by the Chief magistrate that the notes of evidence have been destroyed this matter. As such counsel for the respondent agreed to speak to the Police Prosecutor to determine whether the notes can be re-constructed. Counsel for the appellant indicated that she would do the same.

Peter Winston

v

The Police

[DOMMCRAP2013/0011]

Case Name:

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Sherma Dalrymple, the Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

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 the Commonwealth of Dominica scheduled for 19th April, 2021 for counsel to indicate whether the notes of evidence can be produced by the parties.

Reason:

Counsel requested an adjournment to regularise the filing of an application for dismissal for want of prosecution.

Stacia Williams

v

The Police

[DOMMCRAP2017/0007

Case Name:

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mrs. Gina Dyer-Munro

Respondent:

Ms. Sherma Dalrymple, the Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

Issues:

Status of the matter

Type of Order

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. Counsel for the parties shall file agreed notes of evidence relative to the other defendants jointly charged with the appellant on or before 30th July, 2021.
2. The appellant shall file and serve written submissions with authorities on or before 31st August 2021.
3. The respondent shall file and serve written submissions with authorities on or before 30th September 2021.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th October, 2021.
5. The hearing of the appeal is scheduled for the next sitting of the court of appeal for the Commonwealth of Dominica scheduled for the week commencing 22nd November 2021.

Reason:

Counsel for the parties agreed to construct the notes of evidence jointly.

Cline Williams

v

The Police

[DOMMCRAP2015/0001]

Case Name:

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Sherma Dalrymple, the Director of Public Prosecutions (Ag.) and Ms. Daina Matthew

Issues: **Status of the matter**

Type of Order **Directions**

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

1. The respondent shall file and serve written submissions with authorities on or before 31st May, 2021.
2. The appellant is at liberty to file written submissions with authorities in reply, if necessary, on or before 15th June 2021.
3. The hearing of the appeal is fixed for the next sitting of the court of appeal in the Commonwealth of Dominica scheduled for the week commencing 22nd November 2021.

Reason: **The appeal was able to proceed to hearing.**

Glendel Casey
v
The Police
[DOMMCRAP2014/0012]

Case Name: **(The Commonwealth of Dominica)**

Date: **Monday, 19th March 2021**

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

Appearances:

Appellant: **No appearance**

Respondent: **Ms. Sherma Dalrymple, the Director of Public Prosecutions (Ag.) and Ms. Daina Matthew**

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 Commonwealth of Dominica scheduled for 15th November, 2021 to allow 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 respondent indicated an intention to file an application to dismiss for want of prosecution and as such request an adjournment to do so.

Lennox Honore

V

- 1. Hubert Alexander**
- 2. Marcel Copiel**

[DOMMCVAP2019/0001]

(The Commonwealth of Dominica)

Case Name:

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondents:

Mr. Bernard Wiltshire

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 the Commonwealth of Dominica scheduled for 15th November 2021 to allow counsel for the respondent to take the necessary steps in relation to this appeal.
2. 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: **Counsel for the respondent informed the Court that he intended to make an application to have the matter struck out for want of prosecution and as such sought an adjournment.**

Lenny Bellot
v
Aminah Simon
[DOMMCVAP2015/0011]
(The Commonwealth of Dominica)

Case Name:

Date: **Monday, 19th March 2021**

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

Appearances:

Appellant: **No appearance of Mr. Stephen Isidore**

Respondent: **No appearance of Ms. Cara Shillingford**

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 the Commonwealth of Dominica scheduled for 15th November 2021.
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: **There was no appearance of counsel or the parties.**

Joseph Roberts
v
Elick Edwards
[DOMMCVAP2016/0004]

Case Name: **(The Commonwealth of Dominica)**

Date: **Monday, 19th March 2021**

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

Appearances:

Appellant: **No appearance**

Respondent: **Mr. Glen Ducreay**

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 the Commonwealth of Dominica scheduled for 15th November 2021 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:

Counsel for the respondent made an oral application for the matter to be dismissed for want of prosecution. However, the court informed counsel that such an application should be made in writing.

Joanna Vidal

v

Augustine Auguste

Bernard Auguste

Case Name:

**[DOMMCVAP2013/0001]
(The Commonwealth of Dominica)**

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: In person

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 the Commonwealth of Dominica scheduled for 15th November 2021 for the appellant to be present to indicate whether she 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 respondents intimated to the Court that they have been coming to the Court in relation to this matter for some time however the appellant had not appeared. Further that they were being deprived of their judgment and wanted the matter to be struck out for want of prosecution.

**Christine Sebastian
Renwar Toussaint**

V

**Alpheus Robin
[DOMMCVAP2019/0002]**

Case Name:

(The Commonwealth of Dominica)

Date:

Monday, 19th March 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants: 2nd Appellant in person

Respondent: In person

Issues: Status of the matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellants are at liberty to file and serve written submissions with authorities on before 19th May, 2021.
2. The respondent is at liberty to file and serve written submissions with authorities on before 21st June, 2021.
3. The appellants are at liberty to file and serve written submissions with authorities in reply, if necessary, on before 6th July, 2021.
4. The hearing of the appeal is fixed for the next sitting of the court of appeal in the Commonwealth of Dominica scheduled for the week commencing 22nd November 2021.

Reason: The parties informed the Court that the appeal was ready to proceed.

Murphy George

v

Winston Warrington

[DOMMCVAP2019/0005]

Case Name: (The Commonwealth of Dominica)

Date: Monday, 19th March 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:

1. The matter is adjourned to the next Status hearing of the court for the Commonwealth of Dominica scheduled for 15th November 2021 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 parties personally and shall provide proof of service thereafter.

Reason: There was no appearance by the parties.

Sandra Ishmael

v

Michael Victor

[DOMMCVAP2018/0005]

Case Name: (The Commonwealth of Dominica)

Date: Monday, 19th March 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Gina Dyer-Munro

Respondent: No appearance of Mrs. Dawn Yearwood Stewart

Issues: Status of the matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. Counsel for the parties are to meet to as far as possible to agree to the re-construction of the notes of evidence which are missing in relation to this matter and shall file the same on or before 30th July, 2021.
2. The appellants shall file and serve written submissions with authorities on before 15th September, 2021.
3. The respondent shall file and serve written submissions with authorities on before 15th October, 2021.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on before 1st November, 2021.
5. The hearing of the appeal is fixed for the next sitting of the court of appeal in the Commonwealth of Dominica scheduled for the week commencing 22nd November 2021.
6. The Registrar of the High Court shall serve a copy of this order on the respondent and shall provide proof of service thereafter.

Reason: Counsel for the appellant informed the court that parts of the notes of evidence were missing. As such, both counsel for the parties agreed meet to re-construct the notes of evidence.

**David Joseph
v
Jenifer Augustine
[DOMMCVAP2018/0002]**

Case Name: (The Commonwealth of Dominica)

Date: Monday, 19th March 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Zena Moore-Dyer

Respondent: In person

Issues: Status of the matter

Type of Order N/A

Result / Order: IT IS HEREBY ORDERED THAT:

Upon noting the indication from counsel for the appellant that the appellant is no longer interested in pursuing the appeal, the appeal is hereby withdrawn and discontinued.

Reason: Counsel for the appellant informed the Court that the appellant no longer wished to prosecute the appeal.

**Tino Victor
v
Hubert Alexander
Marcel Copiel
[DOMMCVAP2018/0004]**

Case Name: (The Commonwealth of Dominica)

Date: Monday, 19th March 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Mr. Bernard Wiltshire

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 the Commonwealth of Dominica scheduled for 15th November 2021 to allow counsel for the respondent to take the necessary steps in relation to this appeal.
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:

Counsel for the respondent informed the Court that the appellant never appeared in the matter and appeared to have no interest in the matter.

As such, counsel for the respondent informed the Court that he intended to make an application to have the matter struck out for want of prosecution.