

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
SAINT LUCIA
VIDEOCONFERENCE
Monday 1st – Tuesday 2nd March 2021

Case Name: [1]Perline Fanfane
[2]Desire Khodra
[3]Curlyna St. Ville
[4]Nadia Louis
v
AIM – U Medversity Inc
[SLUHCVAP2018/0021]
(Saint Lucia)

Date: Monday, 1st March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant:	Mr. Horace Fraser
Respondent:	No appearance

Issues: Status of matter

Type of Order: Adjournment

Result: IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next status hearing of the Court for Saint Lucia scheduled for 21st June 2021, unless a notice of discontinuance is sooner filed.

Reason:

Counsel for the appellant indicated that the appellants were not assisted by counsel in this matter. Further, certain paperwork would have to be filed during the upcoming week in relation to this matter in support of the appellants intention to discontinue the appeal.

**Dr. Keith Mondesir
v
Hyacinth Dwarkasingh**

**[SLUHCVAP2018/0023]
(Saint Lucia)**

Case Name:

Date:

Monday, 1st March 2021

Coram:

Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant:

Mr. Horace Fraser

Respondent:

Mr. Saleem Charles

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 Saint Lucia scheduled for 21st June 2021.

Reason: Counsel for the appellant indicated that the appellant refused to accept service of a letter from the counsel for the appellant. Counsel says that the appellant has turned his back on the appeal.

Mr. Charles, counsel for the respondent indicated that Mrs. Esther Greene Ernest has primary conduct of this matter and intended to file an application to strike out the appeal. However, at that moment she was indisposed.

Case Name: Evariste Ambrose
v
Antoine Baptiste
[SLUHCVAP2015/0029]
(Saint Lucia)

Date: Monday, 1st March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:
Appellant: Mrs. Wauneen Louis Harris
Respondent: Ms. Leandra Verneuil

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 Saint Lucia scheduled for 21st June 2021.

Reason:

Counsel for the respondent indicated to the Court that the respondent is deceased. She explained that her Chambers did not have any information as to whether there was a legal personal representative for the respondent's estate.

Counsel for the appellant advised that from their last communication, the appellant wanted to proceed however the appellant was involved in an accident. The matter was as such adjourned.

Case Name:

First Caribbean International Bank

v

[1]Sunset Village Inc.

[2]Moshe Yovel

[3]Digby Ambris

[SLUHCMAP2019/0006]

(Saint Lucia)

Date:

Monday, 1st March 2021

Coram:

Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant:

Ms. Marie-Ange Symmonds

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 Saint Lucia scheduled for 21st June 2021 to allow the appellant to continue efforts to serve the application for an extension of time on the 2nd respondent.

Reason: Counsel for the appellant was unable to serve the notice of application on the 2nd respondent. Counsel for the appellant as such asked for an adjournment to the next status hearing to allow for more time to serve the 2nd respondent.

Case Name: Sebastian Marcus Day
v
The Attorney General
[SLUHCVAP2020/0023]
(Saint Lucia)

Date: Monday, 1st March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:
Appellant: Mr. David Moyston

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 Saint Lucia scheduled for 21st June 2021, unless a notice of discontinuance is sooner filed.

Reason: The appellant withdrew the case on the ELP but did not file a notice of discontinuance in accordance with the Civil Procedure Rules 2000. However, counsel for the appellant indicated to the Court that the notice of discontinuance would be filed by the end of the week.

Case Name: Adelaide Joseph

v

Computron Limited

[SLUHCVAP2019/0017]

(Saint Lucia)

Date: Monday, 1st March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant: No appearance
Respondent: Ms. Paulette Francis

Issues: Status of matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

The matter is fixed for hearing at the sitting of the Court of Appeal for Saint Lucia during the week commencing on Monday, 28th June 2021.

Reason: Counsel for the respondent indicated that the matter was ready for the hearing of the appeal.

Case Name: [1]Organisation of Eastern Caribbean States
[2]Maxine Alexander Nestor
v
Barbara Vargas

[SLUHCVAP2018/0012]
(Saint Lucia)

Date: Monday, 1st March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:
Appellant: Ms. Ann Alicia Fagan
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 Saint Lucia scheduled for 21st June 2021.

Reason:

Counsel for the appellant indicated that the appellant intended to make an application for substituted service to serve the respondent personally. Service of the application to migrate the matter to the portal to be subsumed in the application for substituted service.

Case Name:

**Lazarus Paul
v
Raquel Willie-Trotman
[SLUHCVP2017/0049]
(Saint Lucia)**

Date:

Monday, 1st March 2021

Coram:

Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant:

No appearance

Respondent:

Mrs. Wauneen Louis-Harris

Issues:

Status of 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 Saint Lucia scheduled for 21st June 2021, unless a consent order is sooner filed.

Reason:

Counsel for the respondent informed the Court that the parties are still engaged in settlement discussion.

Case Name:

Kendall Caul

v

The Queen

[SLUHCRA2017/0007]

(Saint Lucia)

Date:

Tuesday, 2nd March 2021

Coram:

Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant:

In person

Respondent:

Ms. Isa Cyril

Issues:

Status of the matter

Type of Order

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next status hearing of the Court of Appeal for Saint Lucia scheduled for 22nd June 2021 so that inquires can be made of the Legal Aid Board on the status of the appellant's application for legal aid.
2. The Registrar of the High Court shall cause a copy of this order to be served on the appellant personally and shall provide proof of service thereafter.

Reason:

The High Court Office indicated that the Legal Aid Board advised that it was not in receipt of an application from Mr. Caul for Legal Aid. Mr. Caul however confirmed that he had made his application in writing.

Case Name:

Curlan Joseph

v

The Queen

[SLUHCRA2015/0004]

Clinton Gilbert

v

The Queen

[SLUHCRA2015/0005]

(Saint Lucia)

Date:

Tuesday, 2nd March 2021

Coram:

Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant: Mr. David Moyston for Curlan Joseph and holding papers for Mr. Lorne Theophilus for Mr. Clinton Gilbert

Respondent: Ms. Isa Cyril

Issues: Status of the matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall serve the joint written submissions filed on 1st March 2021 on the Director of Public Prosecutions or before Friday, 5th March 2021.
2. The matter is fixed for hearing at the next sitting of the Court of Appeal for Saint Lucia scheduled for the week commencing Monday, 28th June 2021.

Reason: The joint submissions were filed however the submissions were not served on the Crown. The Court therefore gave the above directions.

Case Name: Neil Wilson
v
The Queen

[SLUHCRA2018/0001]

(Saint Lucia)

Date: Tuesday, 2nd March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:

Appellant: In person

Respondent: Ms. Isa Cyril

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 Saint Lucia scheduled for 22nd June 2021 to allow the appellant to make an application for Legal Aid.
2. The Registrar of the High Court shall cause a copy of this order to be served on the appellant personally and shall provide proof of service thereafter.

Reason: The matter was adjourned to allow the appellant to make an application for legal aid.

Case Name: Baston Duncan

v

The Police

[SLUMCRAP2018/0015]

(Saint Lucia)

Date: Tuesday, 2nd March 2021

Coram: Mr. Carlos Michel, Chief Registrar (Ag.)

Appearances:
Appellant: Mr. David Moyston

Respondent: Ms. Isa Cyril

Issues: Status of the matter

Type of Order Directions

Result / Order: IT IS HEREBY ORDERED THAT:

The matter is fixed for hearing at the next sitting of the Court of Appeal for Saint Lucia scheduled for the week commencing on Monday, 28th June 2021.

Reason: Counsel for the appellant indicated that the appellant was still interested in prosecuting the appeal. However, the appellant was severely injured in accident which rendered him indisposed for some time.

Case Name: Lon Octave

v

WPC 816 Mangal
[SLUMCRAP2018/0004]

[SLUMCRAP2018/0005]

(Saint Lucia)

Date: **Tuesday, 2nd March 2021**

Coram: **Mr. Carlos Michel, Chief Registrar (Ag.)**

Appearances:

Appellant: **Mr. Carlton Amsterdam**

Respondent: **Ms. Isa Cyril**

Issues: **Status of the matter**

Type of Order **Directions**

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

- 1. The matter is fixed for hearing at the next sitting of the Court of Appeal for Saint Lucia scheduled for the week commencing on Monday, 28th June 2021.**
- 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 indicated to counsel that he was interested in proceeding with the appeal. Further, the directions given previously for the filing of submissions were complied with by the appellant.**