

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
SAINT CHRISTOPHER AND NEVIS
MONDAY 29th NOVEMBER 2021

Case Name:	Dwight Wilson v The Queen [SKBHCRA2016/0002] Saint Christopher and Nevis
Date:	Monday 29th, November 2021
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mr. Jason Hamilton
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 of Appeal for the Federation of Saint Christopher and Nevis scheduled for 29 th November 2021, to allow counsel for the appellant to take further instructions in this matter.
Reason	The appellant needs to take instructions from his client.

Case Name:	Jason Liddie v The Queen [SKBHCRA2019/0004] Saint Christopher and Nevis
Date:	Monday 29th, November 2021
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Greatess Gordon
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 application via letter from the appellant to be assigned legal counsel for his appeal on the respondent on or before 3rd December 2021.
2. The matter is adjourned to the next Status Hearing of the court for the Federation of Saint Christopher and Nevis, scheduled for 14th March 2022.

Reason

The appellant indicated that he wrote to the court office requesting that he be assigned an attorney but was told by the registrar that the court only appoints state attorneys for capital offences.

The court office was advised that this application should be put before a judge for determination.

The respondent has not had sight of this letter.

Case Name: **Shakeem Cranston**
v
The Queen
[SKBHCRAP2018/0006]
Saint Christopher and Nevis

Date: **Monday 29th, November 2021**

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

Appearances:

Appellant:	Mr. Jason Hamilton
Respondent:	Ms. Greatess Gordon

Issues: **Status of the matter**

Type of Order **Directions**

IT IS HEREBY ORDERED THAT:

Result / Order

1. The appellant shall file and serve written submissions with authorities on or before 21st January 2022.
2. The respondent shall file and serve written submissions with authorities on or before 21st February 2022.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 8th March 2022.
4. The hearing of the appeal is fixed for the next court of appeal sitting for the Federation of Saint Christopher and Nevis scheduled for the week commencing 21st March 2022.

Reason Submissions have not been filed by the parties.

Case Name: Keith Murray
v
The Queen
[SKBHCRAP2017/0002]
(Saint Christopher and Nevis)

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Greatess Gordon

Issues: Status of the matter

Type of Order Directions

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 14th March 2022 to allow the appellant to make an application to the court to be appointed an attorney.

Reason The record of appeal was not prepared.

Case Name: Denroy Simmonds
v
The Queen

[SKBHCRA2017/0003]
Saint Christopher and Nevis

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In person
Respondent:	Ms. Greatess Gordon

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 14th March 2022 to allow the appellant to make an application to the court to be appointed an attorney.

Reason The matters need to be transmitted to compile the Record of Appeal. The sentencing date was not transcribed.

Case Name:

Nicholas Riley
v
The Queen
[SKBHCRA2017/0004]

Saint Christopher and Nevis

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In person
Respondent:	Ms. Greatess Gordon

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 14th March 2022 to allow the appellant to make an application to the Court to be appointed an attorney.

Reason The matters need to be transmitted to compile the Record of Appeal. The sentencing date was not transcribed.

Case Name:

Melvina Kelly
v
The Queen
[SKBHCRAP2012/0006]
Saint Christopher and Nevis

Date:	Monday 29th, November 2021
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Greatess Gordon
Issues:	Status of the matter
Type of Order	Adjournment
Result / Order	The matter is adjourned to the next Status Hearing of the Court for the Federation of Saint Christopher and Nevis, scheduled for 14th March 2022 to allow for a medical report to be provided to the Court.
Reason	This appellant will be due to have a medical report prepared for the Court in 2022. The respondent has spoken to Dr. Izben Williams, the psychiatrist who has informed that he will try to have the assessment and report done by the next status hearing. The appellant indicated that Dr Brown is her attorney but counsel for the respondent indicated that she spoke with Dr Browne and he informed that he is not on record as the appellant's attorney but only assisted in the matter as a friend of the court
Case Name:	Jahdell Browne v The Queen [SKBHCRA2012/0008] Saint Christopher and Nevis

Date:	Monday 29th, November 2021
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
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 14th March 2022 to allow for a medical report to be provided to the Court.
Reason	This appellant will be due to have a medical report prepared for the court in 2022. The respondent has spoken to Dr. Izben Williams, the psychiatrist who has informed that he will try to have the assessment and report done by the next status hearing. The appellant indicated that Dr Brown is her attorney but counsel for the respondent indicate that she spoke with Dr. Browne and he informed that he is not on record as the appellant's attorney but on assisted in the matter as a friend of the court.
Case Name:	Leeward Media Group Limited v A. Michael Perkins [SKBHCVAP2012/0011] Saint Christopher and Nevis

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms Angela Cozier

Respondent: No appearance of Mr. Barnes

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 14th March 2022 for report on the progress of the production of the transcript of the proceedings in the court below

Reason The transcript of proceedings are needed by the parties.

Case Name:

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

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Angela Cozier

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 for the Federation of Saint Christopher and Nevis scheduled for 14th March 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 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Angela Cozier

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 continue efforts to cause the transcript of the proceedings to be prepared and served on the parties.
2. The matter is removed from the status hearing list pending the availability of the transcript.
3. The matter will be relisted at the next status hearing upon availability of the transcript or on a date to be fixed by the Chief Registrar.

Reason

The transcripts of proceedings are not ready in this matter.

Case Name:

Leslie Charles Adamson Salters

v

Bank of Nova Scotia

[SKBHCVAP2015/0021]

Saint Christopher and Nevis

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Anglea Cozier

Respondents:

No appearance

Issues:

Status of the matter

Type of Order

Directions

Result / Order

IT IS HEREBY ORDERED THAT:

1. The Registrar of the Court shall serve a copy of the order of Master Corbin-Lincoln dated 14th July 2015, on the appellant on or before 3rd December 2021 and shall provide proof of service thereafter.
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 14th March 2022..

Reason

Counsel for the appellant does not have a copy of the order.

Case Name:

**The Attorney General of the Federation of St.
Christopher and Nevis
v
SKN Choice Times Limited
[SKBHCVAP2019/0045]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Terrence Byron

Respondent:

Ms. Angela Cozier

Issues:

Status of the matter

Type of Order

Directions

Result / Order

IT IS HEREBY ORDERED AND DIRECTED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 20th December, 2021.
2. The respondent shall file and serve written submissions with authorities on or before 20th January, 2022.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 4th February, 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 scheduled for the week commencing 21st March 2022.

Reason

The appellant requested time to file and serve written submissions.

Case Name:

**Beaumont Park Limited
v
Technology Development and Investment Ltd.
[SKBHCVAP2020/0018]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Damian Kelsick

Respondent: Ms. Jean Dyer

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 prepared and served on the parties.
2. The matter is removed from the status hearing list pending the availability of the transcript.
3. The matter will be relisted at the next status hearing upon availability of the transcript or on a date to be fixed by the Chief Registrar.

Reason

The transcript of proceedings are outstanding for this matter.

Case Name:

**The Nevis Island Administration
v
Ocean Reef Resorts Ltd.
[SKBHCVAP2018/0006]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Terrance Byron

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 at today's hearing, the matter is adjourned to the next status hearing of the Court of Appeal for the Federation of Saint Christopher and Nevis scheduled for 14th March 2022.
2. The Registrar of the High Court shall serve a copy of this order on Mr. Collin Walwyn and shall provide proof of service thereafter.

Reason

No appearance of the parties

Case Name:

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

Date:

Monday 29th, November 2021

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 Registrar of the High Court shall take the necessary steps to ensure the completion of the transcripts of proceedings and shall serve a copy on the parties once completed.
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 14th March 2022.

Reason:

The appellant will make the necessary application in relation to the appointment of a representative for the 2nd respondent who is deceased

Case Name:

**Cecil Huggins
v
Avernelle Rogers
[SKBMCRAP2018/0007]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Natasha Grey

Respondent:

Ms. Britney Jeffers-Henderson holding for Ms. Marcha Henderson.

Issues:

Status of the matter

Type of Order

Adjournment

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 1st February 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.**
- 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 14th March 2022.**

Reason	The record of appeal is still outstanding.
--------	--

Case Name:

Joel Caines
v
Lloyd Williams
[SKBMCVAP2018/0020]
Saint Christopher and Nevis

Date: Monday 29th, November 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 of Appeal for the Federation of Saint Christopher and Nevis scheduled for 14th March, 2022 for the appellant to indicate whether he is still interested in prosecuting the appeal and to provide proof of service of the Notice of appeal on the respondent.
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 **No appearance of the parties.**

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

Date: **Monday 29th, November 2021**

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 14th March, 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

Case Name:

**Marvin Henry
v
Diana Francis Liburd
[SKBMCVAP2014/0010]
Saint Christopher and Nevis**

Date:

Monday 29th, November 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 of Appeal for the Federation of Saint Christopher and Nevis, scheduled for 14th March, 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

No appearance of the parties.

Case Name:

**Kevaghna Adams
v
Stanley Wade
[SKBMCVAP2016/0004]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. John Cato

Respondent:

No appearance, Mr. Hesketh Benjamin on record.

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 14th March, 2022, to allow counsel for the appellant to take the necessary steps in relation to his legal representation of the appellant.**
- 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

Counsel for the appellant requested to be withdrawn from the matter.

Case Name:

**St. Kitts Nevis Anguilla Trading and
Development Co. Ltd.**

v

**Diane Musgrave Hobson
[SKBMCVAP2018/0009]
Saint Christopher and Nevis**

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Benjamin Henry holing for 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 Senior Magistrate shall cause the Record of Appeal to be prepared and served on the parties on or before 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.

Reason **The record of appeal has not been completed.**

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

Date: **Monday 29th, November 2021**

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 Senior Magistrate shall cause the Record of Appeal to be prepared and served on the parties on or before 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.

Reason The record of appeal was not available.

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

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance, Mr. Hesketh Benjamin on record.
Respondent: No appearance

Issues: Status of the matter

Type of Order: **Adjournment**

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 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.**
- 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 14th March, 2022.**
- 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 record of appeal was not provided.**

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

Date: **Monday 29th, November 2021**

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

Appearances:

Appellant:	No appearance, Mr. Hesketh Benjamin on record
Respondent:	No appearance

Issues: **Status of the matter**

Type of Order: Adjournment

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 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.
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 record of appeal was not provided.

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

Date: Monday 29th, November 2021

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance, Mr. Denzil Hinds on record
Respondent:	No appearance

Issues: Status of the matter

Type of Order: **Adjournment**

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 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.
3. The Registrar of the High Court shall serve a copy of this order on the appellant and the respondents personally and shall provide proof of service thereafter.

Reason **The record of appeal was not completed.**

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

Date: **Monday 29th, November 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 Senior Magistrate shall cause the Record of Appeal to be prepared and served on the parties on or before 1st February 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.
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 record of appeal was not completed.

Case Name:

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

Date:

Monday 29th, November 2021

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance, Mr. Sylvester Anthony on record

Respondent: No appearance

Issues: Status of the matter

Type of Order: Adjournment

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 1st February, 2022, failing which an affidavit giving reasons for the non-compliance shall be filed.
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 14th March, 2022.
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 record of appeal was not completed.