

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING
SAINT VINCENT AND THE GRENADINES
Thursday, 10th September 2020

Case Name: Kevin Porter
v
The Commissioner of Police
[SVGHCRAP2012/0014]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Ms. Rose-Ann Richardson

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 Saint Vincent and the Grenadines scheduled for 7th January 2021.
2. The Registrar of the High Court shall serve a copy of the order on the appellant and shall provide proof of service thereafter.

Reason A copy of the order made on 17th February 2020 was not served on the appellant as the High Court was not able to locate the appellant. The Court also noted that the Record of Appeal has not yet been filed.

Case Name: **Randan Matthews**
V
The Commissioner of Police
[SVGMCRAP2013/0004]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Rose-Ann Richardson

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 Saint Vincent and the Grenadines scheduled for 7th January 2021.
2. The Registrar of the High Court shall serve a copy of the order on the appellant personally and shall provide proof of service thereafter.

Reason: A copy of the order made on 17th February 2020 was not served on the appellant as the High Court was not

able to locate the appellant. The Court also noted that the Record of Appeal has not yet been filed.

Case Name: Keith Shadow Labban
v
The Commissioner of Police
[SVGMCRAP2016/0031]
(Saint Vincent and the Grenadines)

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Rose-Ann Richardson

Issues: Status of the matter

Type of Order Directions

Result / Order IT IS HEREBY ORDERED THAT:

1. Upon the court noting that the appellant has already served his sentence, the matter is adjourned to the next status hearing of the Court in Saint Vincent and the Grenadines scheduled for 7th January 2021 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 the order on the appellant personally and shall provide proof of service thereafter.

Reason	The Court noted that the Record of Appeal has not yet been filed.
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Case Name:

Saville Thomas
V
The Commissioner of Police

[SVGMCRAP2016/0042]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

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

Appearances:	
Appellant:	No appearance
Respondent:	Ms. Rose-Ann Richardson

Issues:	Status of the matter
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Type of Order	Directions
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Result / Order	IT IS HEREBY ORDERED THAT: 1. Upon the Court noting that the appellant has served his sentence, the matter is adjourned to the next status hearing of the Court in Saint Vincent and the Grenadines scheduled for 7th January 2021 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 the order on the appellant personally and shall provide proof of service thereafter.
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Reason The Court was informed by the Registrar that the appellant was released on 5th October 2019 after serving his sentence.

Case Name: Glenroy Providence
V
The Commissioner of Police
[SVGHCRAP2016/0061]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In person
Respondent: Ms. Rose-Ann Richardson

Issues: Status of the matter

Type of Order Oral judgment

Result / Order IT IS HEREBY ORDERED THAT:

The appeal is withdrawn and dismissed.

Reason The Court noted the appellant's indication that he no longer wishes to pursue the appeal.

Case Name: Tedford Baptiste
V
The Commissioner of Police

[SVGMCRAP2017/0044]
Saint Vincent and the Grenadines

Date:	Thursday, 10th September 2020
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Rose Ann Richardson
Issues:	Status of the matter
Type of Order	Directions
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 31st October 2020 failing which the Chief Magistrate shall provide an affidavit giving reason for the non-compliance. 2. The matter is adjourned to the next Status Hearing of the Court in the State of Saint Vincent and the Grenadines scheduled for 7th January 2021.
Reason	The Court noted that no Record of Appeal was prepared in this matter.

Case Name: **Raul Boyde**

V

The Commissioner of Police

**[SVGMCRAP2018/0034]
Saint Vincent and the Grenadines**

Date:	Thursday, 10th September 2020
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	In person
Respondent:	Ms. Rose Ann Richardson
Issues:	Status of the matter
Type of Order	Directions
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 31st October 2020 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 Saint Vincent and the Grenadines scheduled for 6th January 2021.
Reason	The Court noted that the Record of Appeal has not yet been prepared.

Case Name:

Sjada Daniel

v

The Commissioner of Police

[SVGMCRAP2019/0035]

Saint Vincent and the Grenadines

Date:

Thursday, 10th September 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Grant Connell

Respondent:

Ms. Rose Ann Richardson

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 23rd October 2020.**
- 2. The respondent shall file and serve written submissions with authorities on or before 23rd November 2020**
- 3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before, 8th December 2020.**
- 4. The hearing of this appeal is fixed for the next sitting of the Court of Appeal in Saint Vincent and the Grenadines during the week commencing 11th January 2021.**

Reason: The preparation of the Record of Appeal is complete. The Court accordingly gave directions for the matter to proceed.

Case Name: Kimani Joe
v
The Queen

[SVGHCRA2019/0010]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Rose Ann Richardson

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

Reason: The Court noted that the transcript of proceedings had not been completed.

Case Name: Andy Quashie
v
The Commissioner of Police
[SVGHCRAP2019/0011]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Rose-Ann Richardson

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 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 the transcript of proceedings has not been completed.

Case Name: Terron Prince
v
The Queen
[SVGHCRA2019/0017]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In person
Respondent: Ms. Rose Ann Richardson

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 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 listed at the next status hearing upon availability of the transcript or on a date to be fixed by the Chief Registrar.

Reason

The Court noted that the preparation of the transcript of proceedings has not been completed.

Case Name:

Junior Quashie

v

The Queen

[SVGHCRAP2019/0018]

Saint Vincent and the Grenadines

Date:

Thursday, 10th September 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

In person

Respondent:

Ms. Rose Ann Richardson

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 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 Court noted that the preparation of the transcript of proceedings has not been completed.

Case Name: Osrick Young
v
The Queen

[SVGHCRAP2017/0002]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Rose Ann Richardson

Issues: Status of the matter

Type of Order Directions

Result / Order IT IS HEREBY ORDERED THAT:

1. Upon the court noting that the appellant has served his sentence, the matter is adjourned to the next Status Hearing of the court in the State of St. Vincent and the Grenadines scheduled for 7th January, 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 The Court noted that the appellant had been released after spending 8 years and 9 months in prison.

Case Name: Symcy Williams
v
The Queen

[SVGHCRAP2017/0011]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. John Coombs holding for Mr. Duane Daniel
Respondent: Ms. Rose Ann Richardson

Issues: Status of the matter

Type of Order Directions

Result / Order IT IS HEREBY ORDERED THAT:
1. The appellant shall settle payment of the transcript of proceedings on or before 23rd October 2020.
2. The matter shall thereafter proceed in accordance with the Rules.

Reason The Court noted that the preparation of the transcript of proceedings has been completed and the High Court is awaiting payment to prepare the record of

appeal. The appellant informed the Court that he will be in a position to pay for the transcript within a month's time.

Case Name: **Anthony Edwards**
v
The Queen
[SVGHCRAP2018/0001]
Saint Vincent and the Grenadines

Date: **Thursday, 10th September 2020**

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

Appearances:
Appellant: **In person**
Respondent: **Ms. Rose Ann Richardson**

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 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 Court noted that the preparation of the transcript of proceedings has not been completed.**

Case Name:	Patrick Lovelace v The Queen
	[SVGHCRAP2009/0017] Saint Vincent and the Grenadines
Date:	Thursday, 10th September 2020
Coram:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Kay Bacchus-Baptiste appearing with the Firm of Simons, Muirhead and Burton
Respondent:	Ms. Rose Ann Richardson
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 state of Saint Vincent and the Grenadines scheduled for 7th January 2021.
Reason	Both the trial and sentencing portions of the transcript are ready. The Court was told that when persons are on death row, the State pays for the transcript. However, the Registrar indicated that she was not aware of any policy in that regard. Accordingly, the matter was adjourned to allow the Registrar of the High Court is to inquire what the authority is regarding payment of transcripts by persons on death row.

Case Name:

**Nia Grecia
v
Malicia Nererson**

**[SVGMCVAP2019/0002]
Saint Vincent and the Grenadines**

Date:

Thursday, 10th September 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Kay Bacchus-Baptiste on record

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 scheduled for 6th January 2021.**
- 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

This Court was informed that the High Court was unable to locate both parties to serve them. The High Court is also to confirm whether the Record of Appeal has been served on both parties.

Case Name:

**Ian Fraser
v
[1] Bruce Brown**

[2] Ernest Brown

**[SVGMCVAP2019/0003]
Saint Vincent and the Grenadines**

Date: Thursday, 10th September 2020
Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Kay Bacchus-Baptiste

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 scheduled for 6th January 2021 for the appellant to be present to indicate whether he is 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 Court noted that the appellant was not present at the hearing as the court office was not able to locate him to serve him with the notice of hearing.

Case Name: Cameron Balcombe
v
Rawlston Stewart

[SVGMCVAP2014/0013]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Ronnia Durham-Balcombe
Respondent:	Mr. Ronald Marks

Issues: Status of the matter

Type of Order Directions

Result / Order IT IS HEREBY ORDERED THAT:

The appeal is fixed for hearing before the Full Court on Tuesday 15th September 2020.

Reason The Court noted the indication from counsel for the respondent that the respondent does not intend to contest the appeal and will file documents to this effect by Friday 11th September 2020. Counsel requested that the matter be listed for hearing next week at the Court of Appeal sitting.

Case Name: Desmond Llewellyn
v
Rent & Drive

[SVGMCVAP2014/0016]
Saint Vincent and the Grenadines

Date: Thursday, 10th September 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Ronald Marks

Respondent: No appearance

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 in Saint Vincent and the Grenadines scheduled for 6th January 2021.
2. The Registrar of the High Court shall serve a copy of the order on the respondent and on counsel for the respondent and provide proof of service thereafter.

Reason:

The Court was informed that given the passing of counsel for the respondent, it is doubtful whether this matter can be attended to and prepared for hearing at the next sitting.