

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

SAINT VINCENT AND THE GRENADINES
VIDEOCONFERENCE
Monday, 7th June 2021

Case Name: **Alicia Browne**

v

RBTT Bank Caribbean Limited

SVGHCVAP2015/0018

Date: **Monday, 7th June 2021**

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

Appearances:
Appellant: **Mr. Richard Williams**

Respondents: **Mr. Akin John**

Issue: **The 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 Saint Vincent and the Grenadines scheduled for 17th January 2022, unless a Notice of discontinuance is sooner filed.

Reason:

Counsel for the appellant informed the Court that he intends to file a Notice of Discontinuance in this matter.

Case Name:

Brandon Lynch

v

Kenrick Isaacs

SVGHCVAP2016/0030

Date:

Monday, 7th June 2021

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Samantha Robertson holding for Mr. Ronald Marks

Respondent:

Ms. Vynnette Frederick and Mr. Michael Wyllie

Issue:

The 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 Saint Vincent and the Grenadines scheduled for 17th January 2022, unless a consent order is sooner filed.

Reason: **The Court noted the indication of counsel that a consent position has been reached by the parties and will be forwarded to the Court for consideration.**

Case Name: **Angus Dennie**
v
St. Vincent & the Grenadines Small Business & Microfinance Co-Operative Ltd

SVGHCVAP2017/0013

Date: **Monday, 7th June 2021**

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

Appearances:
Appellant: **Ms. Samantha Robertson**
Respondent: **Mr. Julian Jack**

Issue: The status of the matter

Type of Order: Directions

Result/Order: IT IS HEREBY ORDERED THAT:
1. The appellant shall file and serve the Record of Appeal on or before 30th June 2021.
2. The matter shall thereafter proceed in accordance with the Civil Procedure Rules 2000.

Reason: Counsel for the appellant informed that she intends to file the Record of appeal shortly. The parties have agreed to meet to settle the documents to be included in the Record of Appeal.

Case Name: Representative of Winston Knights
v
Leroy Knights

SVGHCVAP2018/0002

Date: Monday, 7th June 2021

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Samantha Robertson

Respondent: Ms. Rochelle Forde

Issue: The 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 Saint Vincent and the Grenadines scheduled for 17th January, 2022, to allow the parties to engage in settlement discussions.

Reason: The Court noted the indication and agreement of both counsel that the parties are still open to engaging in settlement discussions. Although they would have wanted directions for the filing of submissions to be given in the event that settlement discussions were not fruitful, they agreed that in order for them not to be put in difficulty regarding the timelines for filing submissions, it may be best for the matter to be adjourned to the next status hearing.

Case Name:

**Nia Grecia
v
Malicia Nererson**

SVGHCVAP2019/0002

Date:

Monday, 7th June 2021

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: No appearance

Issue:

The 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 State of Saint Vincent and the Grenadines scheduled for 17th January 2022, for the appellant to be present to indicate whether she is still interested in prosecuting the 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:

Due to the appellant's absence, despite being served with notice of the hearing, the Court adjourned the matter to the next status hearing to give the appellant an opportunity to indicate whether or not she is interested in prosecuting the appeal.

Case Name:

Ian Fraser

v

[1] Bruce Brown

[2] Ernest Brown

SVGHCVAP2019/0003

Date:

Monday, 7th June 2021

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: No appearance

Issue:

The status of the matter

**Type of
Order:**

Adjournment

Result/Order:

IT IS HEREBY ORDERED THAT:

- 1. Upon the court noting that the appellant was served to be present at this hearing, but he is not, the matter is adjourned to the next status hearing of the court of appeal for the state of Saint Vincent and the Grenadines scheduled for 17th January 2022, for the appellant to be present to indicate whether he is still interested in prosecuting the 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:

Due to the appellant's absence, despite being served with notice of the hearing, the Court adjourned the matter to the next status hearing to give the appellant an opportunity to indicate whether or not he is interested in prosecuting the appeal.

Case Name:

**Francis Robinson
v
Tasca Abbott**

SVGMCVAP2019/0006

Date: Monday, 7th June 2021

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	In person

Issue: The status of the matter

Type of Order: Adjournment

Result/Order: IT IS HEREBY ORDERED THAT:

1. Upon the Court noting that the appellant could not be located to be served to be present at this hearing, the matter is adjourned to the next Status Hearing of the court for the state of Saint Vincent and the Grenadines scheduled for 17th January 2022, for the appellant to be present to indicate whether he is still interested in prosecuting the 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 appellant could not be located to be served with the last order of the Court made on 6th January 2021 adjourning the matter to today.

Case Name: Marshall Phillips
v
The Queen
SVGHCRAP2017/0013

Date: Monday, 7th June 2021

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: In person
Respondent: Ms. Tammika McKenzie

Issue: The 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 state of Saint Vincent and the Grenadines scheduled for 17th January 2022 to allow the appellant to regularise his legal representation.

Reason:

The appellant indicated that he intends to get an attorney but could not afford one. On the last occasion, the Court asked the appellant to put his request to be assigned an attorney in writing. He indicated that he wrote a letter requesting legal aid and gave it to a Prison officer to be transmitted to the Registrar of the High Court. The Court is not in receipt of that letter and neither is the Registrar of the High Court.

The appellant was asked to write another letter so that his application can be placed before the court.

Case Name:

**Reynold Young
v
The Queen**

SVGHCRAP2016/0009

Date:

Monday, 7th June 2021

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Tammika McKenzie

Issue: The status of the matter

Type of Order: N/A

Result/Order: IT IS HEREBY ORDERED THAT:

The matter is listed before the full court at the next Sitting of the court for Saint Vincent and the Grenadines scheduled for the week commencing 14th June 2021.

Reason: The Registrar of the High Court informed the Court that the appellant could not be located for service of the last order adjourning the matter to today.

Counsel for the respondent informed that the Office of the Director Public Prosecutions made checks with the Port authority to see whether

the appellant is on island but a response has not been received.

The appellant served 4 years and 4 months of a 5 year sentence. His earliest date of release was 3rd November 2016. By order of Thom JA on 4th May 2017, the appellant was granted Bail in the sum of \$5,000 with one surety.

Considering the fact that the appellant has served his term, the Crown is asking that the appeal be removed from the court's list.

Case Name:

Osrick Young

v

The Queen

SVGHCRAP2017/0002

Date:

Monday, 7th June 2021

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Tammika McKenzie

Issue:

The status of the matter

Type of Order: N/A

Result/Order: IT IS HEREBY ORDERED THAT:

The matter is listed before the full court at the next Sitting of the court for Saint Vincent and the Grenadines scheduled for the week commencing 14th June 2021.

Reason: The Registrar of the High Court informed that the appellant could not be located for service of the last ordering adjourning the matter to today.

Counsel for the respondent informed that the Office of the Director of Public Prosecutions made checks with the Port authority to see whether the appellant is on island but a response has not been received.

On 21st February 2013, he was convicted for murder and possession of a firearm. There was a re-trial and the sentence of murder was commuted to manslaughter. He was sentenced to 12 years and 5 years for possession of a firearm to run concurrently. 7 years and 4 months were deducted as time served, leaving him with 4 years and 8 months. In all, he has served 8 years and 9 months from 29th July 2009 to 6th April 2018.

Considering the fact that the appellant has served his term, the Crown is asking that the appeal be removed from the Court's list.