

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING
VIDEOCONFERENCE

SAINT LUCIA
Tuesday, 30th June 2020

STATUS HEARING

Case Name: Kendall Caul
v
The Queen
SLUHCRA2017/0007

Date: Tuesday, 30th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Mr. Bernick Faisal

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 in Saint Lucia scheduled for 2nd December 2020.

Reason: The appellant indicated at the last Status Hearing held on 3rd March 2020 that he cannot afford an attorney and requested legal aid. The Court, having queried whether the appellant has obtained legal representation, was

informed that an application for legal aid was made. Accordingly, the Court was of the view that an adjournment was appropriate in the circumstances.

Case Name: Crown Prosecution Service
v
The Hon. Georgis Taylor-Alexander
SLUHCRA2017/0004

Date: Tuesday, 30th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Bernick Faisal
Respondent: No appearance

Issue: The status of the matter

Type of Order: Oral Decision

Result / Order: IT IS HEREBY ORDERED THAT:
The appeal is dismissed as a nullity.

Reason: The Court noted that the Notice of Appeal which was filed on 31st March 2017 has not been served on the respondent and the time for doing so has expired. The Court also noted that the last order directed that the matter shall stand dismissed as a nullity unless an application was made to the Court for an extension of time to serve the Notice of Appeal on or before 23rd April 2019. There being no compliance with this order, the appeal was accordingly dismissed.

Case Name:

**Jabez Frederick
v
PC 600 St. Aimee
SLUMCRAP2014/0015**

Date:

Tuesday, 30th June 2020

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Mr. Bernick Faisal

Issue:

The status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The Senior Magistrate shall continue efforts to cause the Record of Appeal to be prepared and served on the parties on or before 1st October 2020.**
- 2. The matter is adjourned to the next Status Hearing of the Court of Appeal in Saint Lucia scheduled for 2nd December 2020.**
- 3. 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 Magistrate in the matter was given possession of the typed notes of evidence and the notebook for approval but he has not returned them. Efforts have been and are being made by the Registrar to ascertain where the typed notes are and whether they can be used to create the Record of Appeal.

Case Name: Baston Duncan
v
The Police
SLUMCRAP2018/0015

Date: Tuesday, 30th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. David Moyston

Respondent: Mr. Bernick Faisal

Issue: The status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Senior Magistrate shall cause to be included in the Record of Appeal the full testimony of the Virtual Complainant, Mr. Keenan Occulie and the defence witness Mr. Rachid Biroo and all of the other witnesses in the matter, on or before 1st September 2020.
2. The matter is adjourned to the next Status Hearing of the Court of Appeal in Saint Lucia scheduled for 2nd December 2020.

Reason:

Both Mr. Occulie and Mr. Biroo's full testimonies are missing from the Record of Appeal. Both counsel agreed that the full testimonies were required for the justice of this case and not just portions of it as referred to by the Magistrate in her decision.