

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING

TERRITORY OF THE VIRGIN ISLANDS
16th November 2020

Case Name: **Alberto Rosa de la Rosa**
v
The Queen

[BVIHCRA2016/0001]

Date: **Monday, 16th November 2020**

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

Appearances:

Appellant:	Ms. Reynela Rawlins holding papers for Mr. Patrick Thompson Jr.
Respondent:	Mrs. Tiffany Scatliffe-Espirit, Director of Public Prosecutions

Issues: **Status of the matter**

Type of Order: **Directions**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The appellant shall file and serve written submissions with authorities on or before 31st December 2020.**
- 2. The respondent shall file and serve written submissions with authorities on or before 1st February 2021.**
- 3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th February 2021.**
- 4. The hearing of the appeal is fixed for the next Court of Appeal sitting in the Territory of the**

Virgin Islands during the week commencing
22nd February 2021.

Reason:

The transcript of the trial proceedings has been prepared and payment for the transcript was made by the appellant. The transcript had not been received by the appellant following payment therefor due to an administrative error by the appellant in making the payment. The resulting administrative difficulties attendant on that error have not yet been rectified.

Case Name:

Frandi Thomas

v

The Queen

[BVIHCRA2017/0004]

Date:

Monday, 16th November 2020

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Michael Maduro

Respondent:

Mrs. Tiffany Scatliffe-Espirit, Director of Public Prosecutions holding papers for Mr. O'Neil Simpson, Principal Crown Counsel [Ag.]

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The respondent shall serve on the appellant a copy of the written submissions with authorities filed by the respondent on 30th May 2020 on or before 30th November 2020.
2. The matter is adjourned to the next status hearing of the Court of Appeal for the Territory of the Virgin Islands scheduled for 15th

February 2021.

Reason: The transcript of the trial proceedings has been prepared and filed. Both the appellant and respondent expressed difficulty locating certain documents which had been filed by the previous Director of Public Prosecutions in this matter.

Case Name: **Kenyatta Boynes**
v
The Queen

[BVIHCRAP2017/0001]

Date: **Monday, 16th November 2020**

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

Appearances:

Appellant:	Ms. Reynela Rawlins holding papers for Mr. Patrick Thompson Jr.
Respondent:	Mrs. Tiffany Scatliffe-Espirit, Director of Public Prosecutions holding papers for Mr. O'Neil Simpson, Principal Crown Counsel [Ag.]

Issues: **Status of the matter**

Type of Order: **Directions**

Result / Order: **[Oral Delivery]**

IT IS HEREBY ORDERED THAT:

- 1. The respondent shall provide the appellant with all outstanding disclosure including the CCTV footage relating to the offence and the information on the location of the cell towers on or before 15th December 2020.**
- 2. The appellant shall file and serve written submissions with authorities on or before 31st**

December 2020.

3. The respondent shall file and serve written submissions with authorities on or before 1st February 2021.
4. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 15th February 2021.
5. The hearing of the appeal is fixed for the next Court of Appeal sitting in the Territory of the Virgin Islands during the week commencing 22nd February 2021.

Reason:

On the last occasion, the Court was made aware that the delay in prosecuting this appeal was due to the fact that the police had not yet delivered to the appellant the CCTV footage and cell tower data used in the court below. The record of appeal has been prepared and served.

Case Name:

**Global Ocean Transport Inc.
v
Dwight Flax**

[BVIHCVAP2017/0006]

Date:

Monday, 16th November 2020

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. E. Leroy Jones

Respondent: Ms. Anthea Smith

Issues:

Status of the matter

Type of Order:

Adjournment

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to next status hearing of the Court of Appeal for the Territory of the Virgin Islands scheduled for 15th February 2021.
2. The Registrar of the High Court shall serve a copy of this order on the appellant-company and shall provide proof of service thereafter.

Reason:

Counsel for the appellant had previously filed an application to be removed as legal practitioner on record for the appellant. The application came on for hearing on several occasions and was dismissed in July 2020 on account of the failure of counsel to furnish the Court with proof of service on the appellant of the notice of application. Counsel for the appellant indicated his intention to file a new application to be removed from the record.