

THE EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL

CHAMBER HEARING

Tuesday, 23rd July 2019

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mr. Mario Michel, Justice of Appeal

Case Name: Gavin Williams
v
The Queen

**[ANUHCRA2019/0002]
(Antigua And Barbuda)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal against conviction and sentence

Result / IT IS HEREBY ORDERED THAT:

Order:

1. The Registrar of the High Court shall provide this Court with a copy of the minute of conviction and sentence of the applicant within 14 days of the date of this order.
2. The Registrar of the High Court shall, within 14 days of the date of this order, serve on the Director of Public Prosecutions a copy of the minute of conviction and sentence of the applicant and notice of application for leave to appeal.
3. If the minute of conviction is not provided to this Court in accordance with paragraph 1 of this order, the Registrar of the High Court shall provide the Court with written reasons for his/her failure to do so.
4. The application for leave to appeal is adjourned to the next chamber sitting of the Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of compliance with the order of the Court directing the Registrar of the High Court to furnish a copy of the minute of conviction and sentence of the applicant, and to serve a copy of the minute of conviction and sentence and notice of application on the Director of Public Prosecutions.

Case Name:

Alston Gregory Rodney
v
[1] Magistrate Ngaio Emmanuel
[2] The Commissioner of Police

[ANUMCRAP2019/0002]
(Antigua And Barbuda)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Vere C Bird III

Respondents: The Director of Public Prosecutions

Issues: Application for an extension of time to file notice of appeal – Application for stay of proceedings

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall furnish this Court with a copy of the minute of conviction and sentence of the applicant within 14 days of the date of this order.
2. The Registrar of the High Court shall serve a copy of the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of the date of this order.
3. If the minute of conviction is not provided to this Court in accordance with paragraph 1 of this order, the Registrar of the High Court shall provide the Court with written reasons for his/her failure to do so.
4. The application for extension of time is adjourned to the next chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of compliance with the order of the Court directing the Registrar of the High Court to furnish a copy of the minute of conviction and sentence of the applicant.

Case Name:

**[1] Michael Fadelle
(as President of Dominica Club)
[2] Tervor Burton
(as 1st Vice President of Dominica Club)
[3] Richard Green
(as 2nd Vice President of Dominica Club)**

v

**[1] Anthony Burnett-Biscombe (as
Honorary Secretary and Member of
Dominica Club)
[2] Orland Richards (as Honorary
Treasurer and Member of Dominica
Club
[3] Kieron Pinard-Byrne
[4] Sophie Nassief
[5] Norman Pennycook
[6] Yvor Nassief**

**[DOMHCVAP2018/0011]
(Dominica)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicants:

Ms. Cara Shillingford

Respondents:

Ms. Indira St. Jean and Ms. Noelize Knight Didier

Issues:

Application for stay of execution

Result /

IT IS HEREBY ORDERED THAT:

Order:

1. A stay of the judgment of Stephenson J dated 9th November 2019 in DOMHCV2010/0022 is granted.
2. The appellants shall, within 14 days of the date of this order, furnish this Court with a copy of the judgment of Stephenson J dated 9th November 2018.

Reason:

The Court having noted the respondents' indication of their non-objection to the application for a stay of execution, was satisfied that the application should be granted in light of the parties' agreement to that course of action.

Case Name:

**Khani George
v
St. Luce Jno Lewis**

**[DOMMCVAP2019/0004]
(Dominica)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Issues:

Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant shall, within 14 days of the date of this order, furnish this Court with a copy of the decision of Magistrate Michael Bruney dated 4th May 2018.

2. The applicant shall, within 14 days of the date of this order, serve the respondent with a copy of the notice of application for leave to appeal out of time, and provide proof of service within 14 days of the date of this order.
3. The application for leave to file an appeal out of time is adjourned to the next chamber sitting of the Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of service of the application on the respondent and that there was no compliance with the order of the Court directing the applicant to furnish a copy of the decision for which leave to appeal out of time was sought.

Case Name:

Kevon Rogers

v

Estella Phillip

**[GDAHCVAP2019/0008]
(Grenada)**

Date:

Tuesday, 23rd July 2019

On paper:

Appellant/Respondent: Mr. Anselm B. Clouden

Respondent/Applicant: Deborah Mitchel & Associates

Issues:

Application for an extension of time – Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applications for extension of time and for leave to appeal the order of Glasgow J dated 27th March 2019 are granted.
2. The applicant shall file and serve a notice of appeal within 14 days of the date of this order, following which the appeal shall proceed in accordance with the Civil Procedure Rules 2000.

Reason:

The Court was satisfied that the applicant had met the requirements for the grant of an extension of time and for leave to appeal.

Case Name:

**Isaac Joseph
(Demise Charterer of M/V “Isabella” B)
v
Matthew Blair
[GDAHCVAP2019/0009]
(Grenada)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Ms. Karen M. Samuel

Respondent: In person

Issues:

Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant shall file a copy of the order of Smith J dated 3rd June 2019, for which leave to appeal is sought, within 14 days of the date of this order.
2. The application for leave to appeal is adjourned to the next chamber sitting of the Court scheduled for 24th September 2019.

Reason:

The Court noted that the order for which leave to appeal was sought was not attached to the notice of application.

Case Name:

**Donna Marcelle Lusan
v
Public Services Commission
[GDAHCVAP2019/0010]
(Grenada)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Anthony C. K. Hood

Respondent: Ms. Maurissa Johnson

Issues:

Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The application for leave to appeal the order of Smith J dated 3rd June 2019 is granted.
2. The appellant shall file a notice of appeal within 14 days of the date of this order, following which the appeal shall proceed in accordance with the Civil Procedure Rules 2000.
3. The application to treat the hearing of the application for leave to appeal as the hearing of the appeal is refused.
4. The application to have the appeal treated as a summary appeal is refused.

Reason: The Court was satisfied that that the applicant had met the requirements for the grant of leave to appeal.

Case Name:

**Chrispin Ramdeen
v
The Commissioner of Police
[GDAMCRAP2019/0011]
(Grenada)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Whether leave to appeal against sentence is required

**Result /
Order:** IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall, within 14 days of the date of this order, serve a copy of the notice of appeal and the appeal record on the Director of Public Prosecutions and furnish this Court with proof of service.
2. The notice of appeal shall be treated as the appellant's application for an extension of time to seek leave to appeal and leave to appeal against sentence.
3. The appellant shall, within 14 days of the date of this order, file by way of letter or otherwise, written reasons for his delay in filing an appeal.
4. The Registrar of the High Court shall, within 14 days of receipt, serve on the Director of Public Prosecutions the appellant's written reasons for his delay in filing an appeal.
5. The matter is adjourned to the next chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that the sentence being appealed was imposed on 23rd June 2015, and that the appellant was required to obtain an extension of time to seek leave to appeal.

Case Name:

Clive Connel
v
The Commissioner of Police

[GDAMCRAP2018/0021]
(Grenada)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Jerry Edwin

Respondent: The Director of Public Prosecutions

Issues: Application for extension of time

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant shall, within 21 days of the date of this order, file and serve on the respondent an affidavit in support of the application for extension of time to file a notice of appeal, failing which the application shall stand dismissed without further order.
2. Should the applicant file an affidavit in support of his application for extension of time in accordance with paragraph 1 of this order, the application for extension of time shall be considered at the next chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no compliance with orders of this Court directing the applicant to file an affidavit in support of the application for an extension of time.

Case Name:

Venescia Francis-Banfield

v

The Watson Group Limited

**[GDAHCVAP2016/0024]
(Grenada)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

Ms. Skeeta Chitan

Issues:

Application for stay of execution

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant shall, within 14 days of the date of this order, furnish this Court with a copy of the order of Roberts J dated 12th April 2016 for which a stay of execution is sought.
2. The applicant shall, within 14 days of the date of this order, serve the respondent with a copy of the notice of application, affidavit in support and draft order filed on 29th April 2019.
3. The application is adjourned to the next chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of compliance with the order of the Court by which the applicant was directed to furnish the Court with a copy of the order of Roberts J, for which a stay of execution was sought.

Case Name:

**Clevroy Harry
v
The Queen**

**[GDAHCRAP2019/0008]
(Grenada)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Anselm Clouden

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal against sentence

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The application for leave to appeal against sentence is granted.
2. The application for leave to appeal is deemed to be the applicant's notice of appeal.

Reason: The Court was satisfied that the applicant should be granted leave to appeal against sentence.

Case Name:

**Glanville Penn
v
The Attorney General**

**[BVIHCVAP2017/0009]
(Territory of The Virgin Islands)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Gerard Clarke

Respondent: Ms. Kaidia Edwards-Allister

Issues: Application for leave to revoke the order of the Chief Registrar

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The respondent's application for leave to revoke the order of the Chief Registrar made on 8th July 2019 shall be treated as an application to discharge the Chief Registrar's order pursuant to rule 62.16(3) of the Civil Procedure Rules 2000.
2. The application to discharge the order of the Chief Registrar dated 8th July 2019 is refused.
3. The appeal shall proceed in accordance with the directions given by the Chief Registrar on 8th July 2019.

Reason:

The Court noted rule 62.16(3) of the Civil Procedure Rules 2000 which permits a single judge to vary or discharge an order made by the Chief Registrar and further noted that leave is not required to vary or discharge an order of the Chief Registrar. The Court was not satisfied that the circumstances as outlined by the respondent warranted the discharge of the Chief Registrar's 8th July order.

Case Name:

Kenron Thomas

v
The Queen

[GDAHCRAP2019/0006]
(Grenada)

Date: **Tuesday, 23rd July 2019**

On paper:

Applicant: **Mr. Jerry Edwin**

Respondent: **The Director of Public Prosecutions**

Issues: **Application for leave to appeal**

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. Leave is granted to the applicant to appeal against his sentence.**
- 2. The notice of application for leave to appeal against sentence filed on 30th April 2019 is deemed to be the notice of appeal.**

Reason:

The Court formed the view that the applicant had met the requirements for a grant of leave to appeal against his sentence.

Case Name:

Ron Bartholomew
v
The Queen
[GDAHCRAP2019/0004]

(Grenada)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Ramdhani & Associates

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. Leave is granted to the applicant to appeal against his sentence.
2. The notice of application for leave to appeal against sentence filed on 30th April 2019 is deemed to be the notice of appeal.

Reason:

The Court formed the view that the applicant had met the requirements for a grant of leave to appeal against his sentence.

Case Name:

**Isa Charles
v
The Queen**

**[GDAHCRAP2019/0005]
(Grenada)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Ms. Sabrita Khan-Ramdhani; Ramdhani & Associates

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. Leave is granted to the applicant to appeal against his sentence.
2. The notice of application for leave to appeal against sentence filed on 30th April 2019 is deemed to be the notice of appeal.

Reason:

The Court formed the view that the applicant had met the requirements for a grant of leave to appeal against his sentence.

Case Name:

Dannel Bonaparte

v

The Queen

**[GDAHCRAP2019/0007]
(Grenada)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Ms. Sabrita Khan-Ramdhani; Ramdhani & Associates

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal

**Result /
Order:** IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve the Director of Public Prosecutions with a copy of the minute of conviction and sentence and provide proof of service within 14 days of this order.
2. The application for leave to appeal against sentence is adjourned for further consideration at the next chamber sitting scheduled for 24th September 2019.

Reason: The Court noted that there was no proof of service of the minute of conviction and sentence on the office of the Director of Public Prosecutions.

Case Name: Penelope Beaumont (In Her capacity as
Administratrix of the Estate of Martin
Beaumont, deceased)
v
Michael Radix
[GDAHCVAP2019/0014]
(Grenada)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: Ventour de Vega

Respondent: Mitchell & Co.

Issues: Application for extension of time to file notice of appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant is granted an extension of time within which to file the notice of appeal.
2. The applicant shall file the notice of appeal within 28 days of the date of this order.

Reason:

The Court was satisfied that the applicant had met the requirements for a grant of an extension of time within which to file a notice of appeal.

Case Name:

**Juliet Sutherland
v
Bank of Saint Lucia Limited**

**[SLUHCVAP2016/0005]
(Saint Lucia)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Alfred Alcide

Respondent: Mr. Leslie Prospere

Issues: Application for extension of time to file record of appeal – Application for relief from sanctions

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for an extension of time within which to file the record of appeal with written submissions is granted.
2. The applicant shall file the record of appeal, with written submissions, within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the requirements for an extension of time.

Case Name: Urban St. Brice
v
The Attorney General
[SLUHCVAP2018/0036]
(Saint Lucia)

Date: Tuesday, 23rd July 2019

On paper:
Applicant: Ms. Natalie Da Breo
Respondent: The Attorney General's Chambers

Issues: Application to file documents by email – Application to make transcript available to appellant – Application

for waiver of costs

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The appeal shall be set down for case management on a date to be fixed by Chief Registrar.

Reason:

The Court noted that there were several issues which arose on this application which required the appeal be case managed.

Case Name:

**Saint Kitts-Nevis Football Association
v
[1] SOL Island Auto Conaree Football Club
[2] Delwayne Delaney
[SKBHCVAP2019/0022]
(Saint Kitts and Nevis)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Ms. Vadeesha T.N. John (Johnson & Associates)
Respondent: Grey's Legal Chambers

Issues:

Application for matter to be listed as an urgent appeal and be considered on written briefs

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The appeal shall be set down for case management on a date to be fixed by Chief Registrar.

Reason:

The Court noted that the respondent had not filed an opposition to the application but had filed a notice of intention to oppose the appeal and therefore, the application and the appeal needed to be case managed.

Case Name:

**[1] Stephen Williams
[2] Gellizeau King
v
Kassinda Williams
(Substituted in place of Elste Elaine Williams)

[SVGHCVAP2019/0013]
(Saint Vincent & The Grenadines)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: Mr. Richard O.F. Williams

Respondent: Ms. Kassinda Williams

Issues:

Application for an extension of time within which to file notice of appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The applicant shall serve the application on the respondent within 14 days of the date of this order**

and provide proof of service thereafter.

2. The application for an extension of time to file a notice of appeal and to deem the notice of appeal properly filed is adjourned for further consideration at the next chamber sitting scheduled for 24th September 2019.

Reason:

The Court noted that there was no proof of service of the application on the respondent.

Case Name:

Nyasmeth John

v

The Queen

[SVGHCRAP2018/0010]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for bail pending appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall provide this Court with a copy of the minute of conviction and sentence within 14 days of this order.
2. The Registrar of the High Court shall serve the

Director of Public Prosecutions with a copy of the minute of conviction and sentence and provide proof of service within 14 days of this order.

3. The application for bail pending appeal is adjourned for further consideration at the next chamber sitting scheduled for 24th September 2019.

Reason:

The Court noted that that the minute of conviction and sentence was not attached to the application.

Case Name:

Ezekiel Robin

v

The Queen

[SVGHCRA2019/0013]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for bail pending appeal – Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant is granted leave to appeal against his conviction and sentence.

2. The notice of application for leave to appeal against conviction and sentence filed on 30th April 2019 is deemed to be the notice of appeal.
3. The application for bail pending appeal is denied.

Reason:

The Court was not satisfied that the applicant had met the requirements for the grant of bail pending appeal, as there was nothing provided to the Court which indicated any exceptional circumstances that would justify the granting of bail pending appeal.

Case Name:

Denzil Sam

v

The Queen

[SVGHCRAP2019/0012]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for bail pending appeal – Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the notice of application for leave to appeal against conviction and sentence, the bail application form and the minute of

conviction and sentence on the Director of Public Prosecutions and shall furnish this Court with proof of service within 14 days of the date of this order.

2. The application for leave to appeal and bail pending appeal is adjourned for further consideration at the next chamber sitting scheduled for 24th September 2019.

Reason:

The Court noted that the applications had not been served on the office of the Director of Public Prosecutions.

Case Name:

Junior Quashie

v

The Queen

[SVGHCRA2019/0018]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for extension of time to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant is granted an extension of time within which to appeal against his sentence.
2. The applicant shall file his notice of appeal within 14 days of the date of this order.

Reason:

The Court was of the view that the applicant had met the requirements for a grant of an extension of time within which to appeal.

Case Name:

Andy Quashie

v

The Queen

[SVGHCRA2019/0011]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for leave to appeal against conviction and sentence

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The application for leave to appeal against conviction and sentence is granted.
2. The notice of application for leave to appeal against sentence filed on 26th April 2019 is

deemed to be the notice of appeal.

Reason: The Court was of the view that the applicant should be granted leave to appeal his conviction and sentence.

Case Name: Terron Prince
v
The Queen

[SVGHCRA2019/0017]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal against sentence

**Result /
Order:** IT IS HEREBY ORDERED THAT:

1. The application for leave to appeal against sentence is granted.
2. The notice of application for leave to appeal against sentence filed on 17th May 2019 is deemed to be the notice of appeal.

Reason: The Court was of the view that the applicant should be

given leave to appeal against his sentence.

Case Name:

Danile Baptiste

v

The Queen

[SVGHCRAP2019/0015]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for bail pending appeal – Application for leave to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The application for bail pending appeal is refused.**
- 2. The Registrar of the High Court shall serve the Director of Public Prosecutions with a copy of the minute of conviction and sentence and furnish proof of service within 14 days of the date of this order.**
- 3. The hearing of the application for leave to appeal against conviction and sentence is adjourned to the next chamber sitting of the Court scheduled for 24th day of September 2019.**

Reason:

The Court formed the view that the application for bail did not reveal any exceptional circumstances for granting bail pending the hearing and determination of the appeal.

The Court also noted that there was no evidence of service of the minute of conviction and sentence, and therefore adjourned the application for leave to appeal.

Case Name:

Bradley Huggins

v

The Queen

[SVGHCRAP2019/0016]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for leave to appeal conviction and sentence

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The application for leave to appeal against conviction and sentence is granted.**
- 2. The notice of application for leave to appeal against conviction and sentence filed on 6th May 2019 is deemed to be the notice of appeal.**

Reason: The Court formed the view that the applicant should be granted leave to appeal against conviction and sentence.

Case Name: **Geovanni Baptiste**
v
The Queen
[SVGHCRAP2019/0037]
(Saint Vincent & The Grenadines)

Date: **Tuesday, 23rd July 2019**

On paper:

Applicant:	In person
Respondent:	The Director of Public Prosecutions

Issues: **Application for Extension of time to appeal – Application to file additional grounds of appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**

- 1. The Registrar of the High Court shall furnish this Court with a copy of the minute of conviction and sentence and serve a copy of the same on the Office of the Director of Public Prosecutions within 14 days of the date of this order.**
- 2. The application for extension of time within which to file additional grounds is adjourned for further consideration at the next chamber sitting**

scheduled for the 24th day of September 2019.

Reason: The Court noted that the minute of conviction and sentence was not attached to the application.

Case Name: **Fay-Ann Durham**
v
Brian Davis
[SVGHCVAP2015/0015]
(Saint Vincent & The Grenadines)

Date: **Tuesday, 23rd July 2019**

On paper:
Applicant: **Ms. Maia Eustace**

Issues: **Application for solicitor to be removed from record**

Result /
Order: **IT IS HEREBY ORDERED THAT:**
The application to be removed as legal practitioner is adjourned to the next chamber sitting of this Court scheduled for the 24th day of September 2019.

Reason: **The Court having noted that there was short service of the application, adjourned the matter.**

Case Name:

Wycliffe Fraser

v

The Queen

[SVGHCRAP2018/0009]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent:

The Director of Public Prosecutions

Issues:

Application for extension of time within which to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. Leave is granted to the applicant to appeal against his conviction and sentence.**
- 2. The notice of appeal shall be filed and served within 21 days of the date of this order.**
- 3. A copy of this order shall be served on the applicant and the respondent within 7 days of the date of this order.**

Reason:

The Court noted that there was no evidence of service of the minute of conviction and sentence on the office of the Director of Public Prosecutions.

Case Name:

Therdio Mckie

v

The Queen
[SVGHCAP2018/0007]
(Saint Vincent & The Grenadines)

Date: **Tuesday, 23rd July 2019**

On paper:

Applicant: **In person**

Respondent: **The Director of Public Prosecutions**

Issues: **Application for bail pending appeal – Retrial**

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The application for bail pending appeal is dismissed.

Reason:

The Court formed the view that the applicant had not met the requirements for the grant of bail pending appeal, there being no exceptional circumstances.

Case Name:

Eugene Noel

v

The Queen

[SVGHCAP2019/0001]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for bail pending appeal

**Result /
Order:** IT IS HEREBY ORDERED THAT:

The application for bail pending appeal is dismissed.

Reason: The Court was of the view that there was no indication that the circumstances of this case had changed since the Court's refusal of bail pending appeal on 1st March, 2019 and 6th May 2019.

Case Name: Benjamin Harvey
v
The Queen

[SVGHCRA2018/0011]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The application for bail pending appeal is denied.

Reason: The Court formed the view that there was no indication that the circumstances of this case had changed since the refusal of bail pending appeal on 1st March 2019.

Case Name: Molecia Hunter
v
The Commissioner of Police
[SVGMCRAP2019/0038]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:
Applicant: In person
Respondent: The Director of Public Prosecutions

Issues: Application for extension of time within which to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall serve a copy of the application filed by the applicant on 21st June 2019 and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.**
- 2. The Registrar of the High Court shall furnish proof of service of the application and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.**
- 3. The application for leave to appeal against sentence is adjourned to the next chamber hearing scheduled for the 24th day of September 2019.**

Reason:

The Court noted that there was no evidence of service of the application on the Director of Public Prosecutions.

Case Name:

**Jelani John
v
The Queen**

**[SVGHCRA2019/0020]
(Saint Vincent & The Grenadines)**

Date:

Tuesday, 23rd July 2019

On paper:

Applicant:

In person

Respondent: The Director of Public Prosecutions

Issues: Application for extension of time within which to appeal

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicant is granted an extension of time to appeal against the decision of Justice Brian Cottle dated 13th June 2019.
2. The applicant shall file the notice of appeal within 21 days of the date of this order.

Reason: The Court formed the view that that the applicant had met the requirements for a grant of an extension of time within which to appeal.

Case Name: Tyson John
v
The Queen

[SVGHC RAP2019/0019]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues:

Application for extension of time with which to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall serve a copy of the application filed by the applicant on 29th May, 2019 and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.**
- 2. The Registrar of the High Court shall furnish proof of service of the application and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.**
- 3. The application for leave to appeal against sentence is adjourned to the next chamber hearing scheduled for the 24th day of September 2019**

Reason:

The Court noted that there was no evidence of service of the application on the office of the Director of Public Prosecutions.

Case Name:

Terrence Smith

v

The Queen

[SVGHCRA2019/0006]

(Saint Vincent & The Grenadines)

Date:

Tuesday, 23rd July 2019

On paper:

Applicant: In person
Respondent: The Director of Public Prosecutions

Issues: Application for bail pending appeal

**Result /
Order:** IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application filed by the applicant on 21st June 2019 and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of the date of this order.
2. The Registrar of the High Court shall furnish proof of service of the application and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of the date of this order.
3. The application for bail is adjourned to the next chamber hearing scheduled for the 24th day of September 2019.

Reason: The Court noted that there was no evidence of service of the application for bail pending appeal on the office of the Director of Public Prosecutions.

Case Name: Allan Wilson
v
The Queen

[SVGHCRAP2019/0004]
(Saint Vincent & The Grenadines)

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for bail pending the determination of appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall serve a copy of the application filed by the applicant on 29th May 2019 and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.
2. The Registrar of the High Court shall furnish proof of service of the application and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this order.

Reason:

The Court noted that there was no evidence of service of the application for bail pending appeal on the office of the Director of Public Prosecutions.

Case Name:

**Lennox Grant
v
Sacha Thomas-Robinson**

**[SVGMCVAP2019/0007]
(Saint Vincent & The Grenadines)**

Date: **Tuesday, 23rd July 2019**

On paper:

Applicant: **In person**

Issues: **Application for extension of time within which to appeal**

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The President of the Family Court shall, within 14 days of the date of this order, provide this Court with a copy of the order of the Family Court dated 17th July 2019.**
- 2. The applicant shall, within 14 days of the date of this order, provide proof of service of the application on the respondent.**
- 3. The application is adjourned for further consideration to the next chamber sitting of this Court scheduled for the 24th day of September 2019.**

Reason:

The Court noted that the order which the applicant wished to appeal was not attached to the application and that there was no proof that the application was served on the respondent.

Case Name:

**Randy Shallow
v
Commissioner of Police**

**[SVGMCRAP2018/0035]
(Saint Vincent & The Grenadines)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for leave to amend and file additional grounds of appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The grounds of appeal contained in the Applicant's notice of application filed on 30th May 2018 shall be added to the grounds contained in the notice of appeal filed on 6th June 2017.

Reason:

The Court was satisfied that the applicant should be granted leave to file the additional grounds of appeal contained in his 30th May 2018 notice of application, there being no objection to the application by the respondent.

Case Name:

**Devon Francois
v
The Commissioner of Police**

**[SVGMCRAP2019/0023]
(Saint Vincent & The Grenadines)**

Date: Tuesday, 23rd July 2019

On paper:

Applicant: In person

Respondent: The Director of Public Prosecutions

Issues: Application for extension of time within which to appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1. The applicant shall, within 21 days of the date of this order, file evidence by way of letter or otherwise as to the reasons for his delay in filing an appeal, and his proposed grounds of appeal, failing which the application shall stand dismissed.
2. Should the applicant file evidence in accordance with paragraph 1 of this order, the application for an extension of time within which to appeal shall be considered at the chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of compliance with the orders of the Court directing the applicant to file evidence by way of letter or otherwise, as to the reasons for his delay in filing an appeal and his proposed grounds of appeal.

Case Name:

By way of claim:

- (1) RENOVA INDUSTRIES LIMITED
- (2) WEDGWOOD MANAGEMENT LIMITED

**(3) ZAPANCO LIMITED
(4) LAMESA HOLDING SA**

Claimants

and

**(1) EMMERSON INTERNATIONAL
CORPORATION
(2) TOMSA HOLDINGS LIMITED
(3) ALABASTER ASSOCIATES LIMITED
(4) GARDENDALE INVESTMENTS LIMITED
(5) MIKHAIL ABYZOV
(6) ROMOS LIMITED
(7) FRESKO FINANCIAL LIMITED**

Defendants

And by way of Counterclaim:

**(1) EMMERSON INTERNATIONAL
CORPORATION
Applicant/Claimant by way of Counterclaim**

**(2) TOMSA HOLDINGS LIMITED
(3) ALABASTER ASSOCIATES LIMITED
(4) GARDENDALE INVESTMENTS LIMITED
(5) ANDREY TITARENKO
Claimant by way of Counterclaim
– and –**

**(1) RENOVA INDUSTRIES LTD
(2) WEDGWOOD MANAGEMENT LIMITED
(3) ZAPANCO LIMITED
(4) LAMESA HOLDING SA
(5) VIKTOR VEKSELBERG
(6) INTEGRATED SYSTEMS LIMITED
(a company incorporated under the laws of
Belize)
(7) ODVIN FINANCIAL INC
(8) GOTHELIA MANAGEMENT LIMITED
(9) RENOVA HOLDING LIMITED
(10) VLADIMIR KUZNETSOV**

(11) ALEXEI MOSKOV
(12) ALEXANDER KOLYCHEV
(13) MIKHAIL SLOBODIN
(14) MAKSIM MAYORETS
(15) WITEL AG
(formerly known as RENOVA MANAGEMENT
AG)
(16) PAO T PLUS
(17) INTEGRATED ENERGY SYSTEMS
(a company incorporated under the laws of
Cyprus)
(18) CLERN HOLDINGS LIMITED
(19) STARLEX COMPANY LIMITED
(20) SUNGLET INTERNATIONAL INC.
(21) OOO RENOVA HOLDING RUS
Defendants by way of Counterclaim

And by way of Ancillary Claim:

(1) MIKHAIL ABYZOV
(2) ROMOS LIMITED
(3) FRESKO FINANCIAL LIMITED
(4) ANDREY TITARENKO
(5) GOLDFORT LIMITED
(6) EMMERSON INTERNATIONAL
CORPORATION

Claimants by way of Ancillary Claim

– and –

(1) RENOVA INDUSTRIES LTD
(2) WEDGWOOD MANAGEMENT LIMITED
(3) ZAPANCO LIMITED
(4) LAMESA HOLDING SA
(5) VIKTOR VEKSELBERG
(6) INTEGRATED ENERGY SYSTEMS LIMITED
(a company incorporated under the laws of
Belize)
(7) ODVIN FINANCIAL INC
(8) FLOPSY OVERSEAS LIMITED
(9) VLADIMIR KUZNETSOV

(10) ALEXEI MOSKOV
(11) ALEXANDER KOLYCHEV
(12) MIKHAIL SLOBODIN
(13) WITEL AG
(formerly known as RENOVA MANAGEMENT AG)
(14) RENOVA HOLDING LIMITED
(15) PAO T PLUS
(16) INTEGRATED ENERGY SYSTEMS
(a company incorporated under the laws of Cyprus)
(17) CLERN HOLDINGS LIMITED
(18) MAKSIM MAYORETS
(19) LIWET HOLDING AG
(20) BERDWICK HOLDINGS LIMITED
(21) TIWEL HOLDING AG
(22) A.B.C. GRANDESERVUS LIMITED
Defendants by way of Ancillary Claim
And by way of Third Ancillary Claim:
(1) EMMERSON INTERNATIONAL CORPORATION
Applicant/Claimant by way of Third Ancillary Claim

– and –

(1) VIKTOR VEKSELBERG
(2) INTEGRATED ENERGY SYSTEMS LIMITED
(a company incorporated under the laws of Belize)
(3) VLADIMIR KUZNETSOV
(4) EVGENY OLKHOVIK
(5) ANDREY BURENIN
(6) YAKOV TESIS
(7) ALEXEI MOSKOV
(8) IGOR CHEREMIKIN
(9) IRINA MATVEEVA
(10) PAVLINA TSIRIDES
(11) IRINA LOUTCHINA SKITTIDES
(12) PHOTINI PANAYIOTOU

**(13) ARTEMIS ARISTEIDOU
(14) A.B.C. GRANDESERVUS LIMITED
(15) STARLEX COMPANY LIMITED
(16) RENOVA INDUSTRIES LIMITED
(17) SUNGLET INTERNATIONAL INC.**

**Defendants by way of Third Ancillary Claim
[BVIHCMAP2019/0018]
(Territory of The Virgin Islands)**

Date: **Tuesday, 23rd July 2019**

On paper:
Applicants: **Ms. Colleen Farrington**

Issues: **Application for leave to appeal**

Result /
Order: **IT IS HEREBY ORDERED THAT:**

- 1. The applicant is granted leave to appeal the order of Jack J [Ag.] dated 24th May 2019.**
- 2. The applicant shall file and serve a notice of appeal within 21 days of the date of this order, following which the appeal shall proceed in accordance with the Civil Procedure Rules 2000.**

Reason: **The Court was satisfied that the applicant had met the requirements for leave to appeal.**

Case Name:
**[1] Sylvia Maduro-Dale
[2] Lucia Chalwell
v
The Registrar of Lands**

**[BVIHCVAP2010/0022]
(Territory of The Virgin Islands)**

Date: Tuesday, 23rd July 2019

On paper:

Applicants: J S Archibald

Respondent: Mrs. Joanne Williams-Roberts

Issues: Application to be removed from record as legal practitioner

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

1.The applicant shall, within 21 days of the date of this order, serve on the appellants the notice of application and affidavit in support by a method of alternative service and file an affidavit in accordance with rule 5.13(3).

2.The application for J S Archibald to be removed as legal practitioners for the appellant is adjourned to the chamber sitting of this Court scheduled for 24th September 2019.

Reason:

The Court noted that there was no evidence of service of the application and its accompanying documents on the appellants and that the circumstance giving rise to the application is that the appellants' legal practitioners have been unable to make contact with and receive instructions from the appellants. The Court was also mindful of rule 5.13 of the Civil Procedure Rules 2000.

