

IN THE COURT OF APPEAL OF THE
EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING

COMMONWEALTH OF DOMINICA
4th February 2019

STATUS HEARINGS

Case Name: Uranus Carbon
v
The Police

[DOMMCRAP2014/0007]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	in person
Respondent:	Ms. Sherma Dalrymple with Ms Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

Type of Oral
Result / Order
Delivered
(if
applicable):

Oral Decision

Result /
Order:

IT IS HEREBY ORDERED:

1. Upon the court noting the oral application made by the appellant for legal aid in this appeal, the appellant shall place this request in writing for consideration by the court.
2. The Registrar of the High Court shall make every attempt to recover the recording of the proceedings in the High Court and cause the transcript of proceedings to be

prepared.

3. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason:

The Court noted the oral application made by the appellant for legal aid in this appeal, attempts to be made to recover the recording of the proceedings in the High Court and cause the transcript of proceedings to be prepared.

Case Name:

**Kenrick Tyson
v
The Queen**

[DOMHCRAP2015/0005]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Gina Abraham holding for Mr. Wayne Norde

Respondent:

Ms. Sherma Dalrymple with Ms Evelina Baptiste, Director of Public Prosecutions

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):**

Oral Decision

Result /

IT IS HEREBY ORDERED:

Order:

1. The Registrar of the High Court is to cause the transcript of proceedings to be prepared and served on the parties.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name: Joseph Senhouse
v
The State
[DOMHCRAP2015/0009]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Dawn Yearwood-Stewart
Respondent:	Ms Evelina Baptiste, Director of Public Prosecutions with Ms. Ann Riviere, Ms. Carlita Benjamin and Ms. Sherma Dalrymple

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Oral Decision

Result / IT IS HEREBY ORDERED:

Order:

1. The Registrar of the High Court shall cause the transcript of proceedings in this matter to be prepared and served on the parties on or before the 29th March, 2019.
2. The appellant shall file and serve written submissions with authorities on or before the 30th April 2019.
3. The respondent shall file and serve written submissions with authorities on or before the 30th May 2019.
4. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 17th June, 2019.
5. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Reason:

Transcripts of proceedings have not yet been prepared.

Case Name:

Fagan John Hope

v

The State

[DOMHCRAP2015/0004]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: in person

Respondent: Ms Evelina Baptiste, Director of Public Prosecutions with Ms. Ann Riviere, Ms. Carlita Benjamin and Ms. Sherma Dalrymple

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if
applicable):** **Oral Decision**

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

- 1. Upon the court noting the oral application made by the appellant for legal aid in this appeal, the appellant shall place this request in writing for consideration by the court.**
- 2. The Registrar of the High Court is to cause the transcript of proceedings to be prepared and served on the parties.**
- 3. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**

Reason: **The Court noted the oral application made by the appellant for legal aid in this appeal, the High Court is to cause the transcript of proceedings to be prepared.**

Case Name: **Shadrach Valerie
v
The State**

[DOMHCRA2014/0005]

Date: **Monday, 4th February 2019**

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

Appearances:

Appellant: no appearance

Respondent: Ms Evelina Baptiste, Director of Public Prosecutions with Ms. Ann Riviere, Ms. Carlita Benjamin and Ms. Sherma Dalrymple

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Adjournment

Result / Order: IT IS HEREBY ORDERED:
1. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September 2019.
2. The Registrar of the High Court shall serve the appellant personally with a copy of this order.

Reason: There was no appearance for or by the appellant so as to ascertain the status of the matter.

Case name: Ronald Vidal
v
The Government of the Commonwealth of Dominica
[DOMHCVAP2013/0010]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Bernard Wiltshire

Respondent: Ms. Tameka Burton

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Directions

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

1. The Registrar of the High Court shall serve a copy of the transcript of proceedings on the appellant on or before 15th February, 2019.
2. The appellant shall file the record of appeal as agreed by the parties on or before the 30th March, 2019.
3. The appellant shall file and serve written submissions with authorities on or before 1st May, 2019.
4. The respondent shall file and serve written submissions with authorities on or before the 3rd June, 2019.
5. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 17th June, 2019.
6. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of DOM during the week commencing 30th September, 2019.

Reason: The transcript of proceedings is prepared

Case name: **Felixia Colaire**
v
[1] Augustus Samuel Colaire
[2] Felixia James

[DOMHCVAP2008/0012]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **Ms. Hazel Johnson**
Respondent: **Mrs. Zena Moore-Dyer**

Issue: **Status of the matter**

Type of Oral
Result / Order
Delivered
(if
applicable): **Adjournment**

Result /
Order: **IT IS HEREBY ORDERED**
The matter is adjourned to the next Status Hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019.

Reason: **The status of the matter is unclear and the appellant current**
resides out of state.

Case name: **Bronwen Energy Trading Limited**

v
Calais Shipholding Co.

[DOMHCVAP20120004]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Singoalla Bloomquist-Williams holding for Mr. Duncan Stowe

Respondent: Ms. Hazel Johnson

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Oral Decision

Result and Reason: The notice of discontinuance having been filed, the matter is hereby withdrawn and dismissed as of 4th February 2019.

Case name: Joseph Raphael Le Blanc
v
The Public Service Commission

[DOMHCVAP2011/0013]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Joelle Harris

Respondent: No appearance

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Adjournment

**Result /
Order:** IT IS HEREBY ORDERED:
1. The matter is adjourned to the next Status Hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
2. The Registrar of the High Court shall serve the appellant personally with a copy of this order.

Reason: The appellant is out of state and the Court has been informed that that respondent is deceased.

Case name: Elwin Bedneau
v
Verdun David

[DOMHCVAP2012/0019]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Kondwani Williams

**Respondent/
Applicant:** Mr. Michael Bruney

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if
applicable):** **Oral Decision**

**Result /
Order:** **IT IS HEREBY ORDERED:**
The application to strike out the appeal is set down for consideration before the full court at the court of appeal sitting in the Commonwealth of Dominica on Monday 11th February, 2019.

Case Name: **Lisa Maxine
v
Deborah Henry
[DOMHCVAP2014/0020]**

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **Mrs. Dawn Yearwood Stewart**
Respondent: **Mrs. Gina Dyer-Munro**

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if
applicable):** **Directions**

Result / **IT IS HEREBY ORDERED:**

Order:

1. The Registrar of the HC is to cause the transcript of proceedings to be prepared and served on the parties.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name:

National Bank of Dominica Ltd
v
[1] Purple Turtle Development Co. Ltd
[2] Vincent Etienne
[3] Patricia Etienne
[DOMHCVAP2014/0012]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Stephen Isidore

Respondent: No appearance

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable):

Oral Decision

Result and **IT IS HEREBY ORDERED:**

Reason: Upon noting that counsel for the appellant has not made an application in relation to costs on the discontinuance of the appeal, the matter is removed from the list.

Case Name: Peter Lander
v
Fenty Laroque
[DOMHCVAP2014/0006]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Michael Bruney.
Respondent: No appearance

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Oral Decision

**Result and
Reason** IT IS HEREBY ORDERED:
Upon noting the order of the court made on 4th October, 2018 which fully disposed of the appeal, the matter is removed from the list.

Case Name: **Lennox Jervier**
v
Madge Angevin by her Attorney Carlton Phillip
[DOMHCVAP2012/0014]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **Mrs. Zena Moore-Dyer**

Respondent: **Ms. Danielle Wilson**

Issue: **Status of the matter**

Type of Oral
Result / Order
Delivered
(if
applicable): **Adjournment**

Result /
Order: **IT IS HEREBY ORDERED:**
The matter is adjourned to the next Status Hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019, for report.

Reason: **Matter adjourned for report on next occasion.**

Case Name: **[1] Glouster Pierre**
[2] Eudora Pierre
v
[1] Cecil James

[2] Nathalie James

[DOMHCVAP2012/0010]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Zena Moore-Dyer

Respondent: Ms. Joelle Harris

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Adjournment

**Result /
Order:** IT IS HEREBY ORDERED:
1. The applicant counsel shall serve the application to be removed from the record along with the accompanying affidavit in support on Glouster Pierre and Eudora Pierre and provide proof of service on or before the 28th February, 2019.
.
2. The application is adjourned to the chamber hearing scheduled for 19th March, 2019.

Reason: The application to be removed from the record has not yet been served on the relevant parties.

Case Name: Leo Mitchell
v
Rogers Gin

[DOMHCVAP2015/0019]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Singoalla Bloomquist-Williams
Respondent: Mrs. Gina Dyer-Munro

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Directions

**Result /
Order:** IT IS HEREBY ORDERED:
1. The Registrar of the High Court shall cause the transcript of proceedings to be prepared and shall inform the parties accordingly.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name: Mable M. T. Joseph
v
[1] The Attorney General of Dominica
[2] The Director of Public Prosecutions
[3] Romaine Rivierre

[DOMHCVAP2012/0020]

Date:	Monday, 4th February 2019
Before:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Ms. Gina Dyer-Munro
Respondent:	Ms. Tameka Burton
Issue:	Status of the matter
Type of Oral Result / Order Delivered (if applicable):	Directions
Result and Reason	IT IS HEREBY ORDERED: 1. Upon the court noting that the recording of the proceedings for 30th November, 2011 is unavailable, the appeal shall proceed including the use of the notes of the proceedings agreed by the parties for that day. 2. The appellant shall file a supplemental Record of Appeal including the agreed notes of the proceedings on or before the 1st April 2019. 3. The appellant shall file and serve written submissions with authorities on or before the 1st May, 2019. 4. The respondent shall file and serve written submissions with authorities on or before the 3rd June, 2019. 5. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 18th June, 2019. 6. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Case Name: **Joseph Michael George**
v
Land Sales, Builders and Financial Ltd.
[DOMHCVAP2011/0012]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **Ms. Gina Dyer-Munro**
Respondent: **Ms. Hazel Johnson**

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if
applicable):** **Adjournment**

**Result /
Order:** **IT IS HEREBY ORDERED**
The matter is adjourned to the next status hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019.

Reason: **Matter adjourned to next occasion for report.**

Case Name: **Paul Joseph**
v

Bank of Nova Scotia

[DOMHCVAP2014/0017]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. David Bruney

Respondent: Ms. Gina Dyer-Munro holding for Mr. Kondwani Williams

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Adjournment

**Result /
Order:** IT IS HEREBY ORDERED
The matter is adjourned to the next status hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019.

Reason: Matter adjourned to next occasion for report.

Case Name: Pamela Green-Lander
v
[1] Andrew Green
[2] Arnold Green

[DOMHCVAP2014/0023]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Gildon Richards

Respondents No appearance
:

Issue: Status of the matter

Type of Oral
Result / Order
Delivered
(if
applicable): Directions

Result /
Order: IT IS HEREBY ORDERED
1. Counsel for the appellant is to serve the respondents personally with the Notice of Appeal and provide proof of service to the court.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Notice of appeal has not yet been served.

Case Name: Fitzgerald Winston
v
J. Astaphan & Co (1920) Ltd
[DOMHCVAP2015/0022]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Laurina Vidal-Telemaque holding for Mr. Joshua Francis
Respondent: Ms. Hazel Johnson

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Oral Decision

**Result /
Order:** IT IS HEREBY ORDERED
1. The Registrar of the High Court shall cause the transcript of proceedings to be prepared and shall inform the parties accordingly.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared

Case Name: Benton Wyke
v
PDV Caribe (Dominica) Ltd.
[DOMHCVAP2015/0022]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Gildon Richards
Respondents Mr. S.K.M. Isidore
:

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):**

Oral Decision

**Result /
Order:**

IT IS HEREBY ORDERED:

- 1. The Registrar of the High Court shall cause the transcript of proceedings to be prepared and shall inform the parties accordingly.**
- 2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**

Reason:

Transcripts of proceedings have not yet been prepared

Case Name:

**Joseph Registe
v
The Attorney General
[DOMHCVAP2013/0011]**

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Hazel Johnson

Respondent: Ms. Tameka Burton

Issue:

Status of the matter

**Type of Oral
Result / Order**

Adjournment

**Delivered
(if
applicable):**

**Result /
Order:**

IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September 2019, for report.

Reason:

Transcripts of proceedings have not yet been prepared

Case Name:

**Arshiel Marshall
v
First Caribbean International Bank
[DOMHCVAP2013/0013]**

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Dawn Yearwood-Stewart

Respondent: Mr. Jeffrey Douglas – Murdock

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):**

Adjournment

**Result /
Order:**

IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court

in the Commonwealth of Dominica during the week commencing 23rd September 2019, for report.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name:

[1] Yoland Jno. Jules
[2] Valantine Joseph
[3] Anselm James Leblanc
[4] John Augustine
v
[1] Emmauel Royer
[2] Mona Virginia Royer
(Personally, and as Court appointed Representative
of the First Respondent)

[DOMHCVAP2011/0026]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Zena Moore-Dyer holding for Ms. Joelle Harris

Respondent: No appearance

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):**

Adjournment

**Result and
Reason**

IT IS HEREBY ORDERED:
1. Upon the court noting that the respondent was not served with a Notice of Hearing for today's proceedings, the

matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September 2019.

2. The Registrar of the High Court shall cause a copy of today's order to be served on the respondent personally.

Case Name:

**Joan Joseph
v
Pamela Lyburd**

[DOMHCVAP2012/0011]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Gildon Richards

Respondent: Mrs. Hazel Johnson

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):**

Adjournment

**Result and
Reason:**

IT IS HEREBY ORDERED:

The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September 2019, for report.

Case Name: **Dr. Vivian Moise**
v
The Attorney General of the Commonwealth of
Dominica

[DOMHCVAP2015/0012]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **Mr. David Bruney**
Respondent: **Ms. Tameka Burton**

Issue: **Status of the matter**

Type of Oral
Result / Order
Delivered
(if
applicable): **Oral Decision**

Result and
Reason **IT IS HEREBY ORDERED:**
1. Upon the court noting the oral application by the
appellant that the appeal be discontinued, the matter is hereby
withdrawn and dismissed as of 4th February, 2019.
2. By consent, there is no order as to costs.

Case Name: **Renneth Alexis**
v
Joan Etienne

[DOMHCVAP2015/0002]

Date: **Monday, 4th February 2019**

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jeffrey Douglas-Murdock

Respondent: Ms. Singoalla Bloomquist- Williams

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Adjournment

**Result /
Order:** IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name: [1] Elaine Pringle-Toulon
[2] Lease Enterprises Ltd.
v
[1] Ayanna Pringle
[2] Letitia Butler
(as the Personal Representatives of Ian Pringle)
[DOMHCVAP2015/0021]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jeffrey Douglas-Murdock holding for Mrs. Heather Felix-
Evans

Respondent: No appearance

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if
applicable):** Oral Decision

**Result /
Order:** IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court
in the Commonwealth of Dominica during the week
commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name: Vincian Lamar
v
United Distributors Ltd
[DOMHCVAP2014/0019]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Jeffrey Douglas-Murdock holding for Ms. Heather Felix-Evans

Respondent: Ms. Singoalla Bloomquist

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Oral Decision

Result / Order:

IT IS HEREBY ORDERED:

The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason:

Transcripts of proceedings have not yet been prepared.

Case Name:

Dawn Yearwood-Stewart

v

Addison Abel

[DOMHCVAP2014/0029]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Mrs. Zena Moore-Dyer

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Oral Decision

Result / Order:

IT IS HEREBY ORDERED:

1. The Registrar of the High Court shall cause the

transcript of proceedings to be prepared and shall inform the parties accordingly.

2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019 for report.

Reason: Transcripts of proceedings have not yet been prepared.

Case Name: First Domestic Insurance Co. Ltd.
v
The State

[DOMHCVAP2014/0024]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Danielle Wilson holding for Ms. Polleen Felix-Grant led by Ian Benjamin SC
Respondent:	Mr. Jeffry Douglas –Murdock holding for Ms. Heather Felix-Evans

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Directions

Result and Reason IT IS HEREBY ORDERED:
1. The parties shall file the Record of Appeal, as agreed

on or before the 29th March, 2019.

2. The appellant shall file and serve written submissions with authorities on or before 30th April, 2019.

3. The respondent shall file and serve written submissions with authorities on or before the 31st May, 2019.

4. The appellant is at liberty to file and serve written submissions, with authorities, in reply, if necessary on or before the 14th June, 2019.

5. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Case Name:

Roseau City Council

v

Safiya Shillingford

[DOMHCVAP2014/0011]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. Stephen Isidore

Respondent: No appearance

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Adjournment

Result / Order:

IT IS HEREBY ORDERED:

The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019

Reason: Matter adjourned to next occasion for report

Case Name: Rosemary Bunche
v
Walter Heitz
[DOMHCVAP2014/0008]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Hazel Johnson
Respondent: No appearance

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Adjournment

Result / Order: IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019

Reason: Matter adjourned to next occasion for report

Case name:

[1] Arthurton Martin

[2] Severin Mckenzie

[3] Joan Ettienne

v

Blaircourt Property Development Ltd

[DOMHCVAP2015/0005]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Mr. Jeffrey Douglas-Murdock holding for Mrs. Heather Felix-Evans

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result / Order:

IT IS HEREBY ORDERED:

1. The Registrar of the High Court shall cause the transcript of proceedings to be prepared and inform the parties accordingly.

2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared

Case name: [1] Police Officer Mervin Charles #258
[1] The Attorney General of the Commonwealth of
Dominica
v
[John Ross Registe
[DOMHCVAP2014/0033]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Dawn Yearwood-Stewart
Respondent: Ms. Tameka Burton

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Adjournment

Result / Order: IT IS HEREBY ORDERED:
1. The Registrar of the High Court shall cause the transcript of proceedings to be prepared and inform the parties accordingly.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Transcripts of proceedings have not yet been prepared.

Case name: Frederick Baron
v
Blaircourt Property Development Ltd.
[DOMHCVAP2015/0009]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Mr. Jeffrey Douglas-Murdock holding for Mrs. Heather Felix-Evans

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Oral Decision

Result /Order: IT IS HEREBY ORDERED

1. The Registrar shall continue to make every effort to locate the recording of the proceedings in this matter.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Recording of proceedings has not yet been located.

Case name: **E. H. Charles & Co. Ltd.**
v
Kelvin Firmin

[DOMHCVAP2015/0008]

Date: **Monday, 4th February 2019**

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

Appearances:

Appellant: **Ms. Hazel Johnson**

Respondent: **Ms. Laurina Vidal-Telemaque**

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if applicable):** **Adjournment**

Result / Order: **IT IS HEREBY ORDERED:**
1. The Registrar shall continue to make every effort to locate the recording of the proceedings in this matter.
2. The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: **Transcripts of proceedings have not yet been prepared.**

Case name: **[1] Marie Jose Edward**
[2] Paul Edwards

v
Allick Hunt

[DOMHCVAP2014/0021]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Singoalla Bloomquist –Williams

Respondent: Ms. Hazel Johnson

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Adjournment

Result / Order: IT IS HEREBY ORDERED:
The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: Matter adjourned to next occasion for report

Case Name: Peter Winston
v
Dianne Telemaque

[DOMHCVAP2012/0017]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Gina Dyer-Munro

Respondent: Ms. Hazel Johnson

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:
1. The applicant solicitor is to provide the court with affidavit evidence of personal service of the application on the respondent.
2. The application to be removed from the record as solicitor for the respondent is adjourned to the Chamber Hearing of the Court of Appeal scheduled for the 19th March, 2019.

Reason: The application to be removed from the record has not yet been served on the relevant parties.

Case Name: Clarence Guiste
v
Mitchel Prevost

[DOMHCVAP2013/0002]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Zena Moore-Dyer holding for Mrs. Gina Dyer-Munro
Respondent: No appearance

Issue:	Status of the matter
Type of Oral Result / Order Delivered (if applicable):	Adjournment
Result/Order:	IT IS HEREBY ORDERED: The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
Reason:	Matter adjourned to next occasion for report. No appearance for the respondent.

Case Name:	Liana Leanne Prince Charles v Derrickson Charles [DOMHCVAP2013/0023]
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Date:	Monday, 4th February 2019
Before:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mrs. Gina Dyer-Munro
Respondent:	Ms. Hazel Johnson

Issue:	Status of the matter
Type of Oral Result / Order Delivered	Adjournment

(if applicable):

Result/Order

IT IS HEREBY ORDERED:

The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason:

Matter adjourned to next occasion for report.

Case Name:

Ian “Teddy” Elick

v

The Police

[DOMMCRAP2014/0011]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Evelina Baptiste, Director of Public Prosecutions

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result / Order:

IT IS HEREBY ORDERED:

1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 15th April, 2019.

2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week

commencing 23rd September, 2019.

3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared..

Case Name: **Isaiah Stevens**
v
The Police
[DOMMCRAP2013/0032]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:
1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared.. .

Case Name: Isaiah Stevens
v
The Police
[DOMMCRAP2013/0035]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondent: Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:
1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared.. .

Case Name: **Isaiah Stevens**
v
The Police

[DOMMCRAP2013/0036]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:

1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared. .

Case Name:

**Elijha Tom
v
The Police**

[DOMMCRAP2013/0038]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

No appearance

Respondent:

Ms. Evelina Baptiste, Director of Public Prosecutions for the respondent

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result / Order:

IT IS HEREBY ORDERED

- 1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 15th April, 2019.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**
- 3. The Registrar of the High Court shall effect personal service of today's order on the appellant.**

Reason: The Record of Appeal has not yet been prepared. .

Case Name: Cline Williams
v
The Police
[DOMMCRAP2015/0001]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	No appearance
Respondent:	Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED

1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before the 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: **Darvin Augustus**
v
The Police

[DOMMCRAP2015/0006]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order:

IT IS HEREBY ORDERED

1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before the 15th April, 2019.

2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: **Laudrick Bruno**
v
The Police
[DOMMCRAP2013/0009]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED

1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before the 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: Glenda Bertrand
v
The Police
[DOMMCRAP2013/0018]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: No appearance
Respondents: Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED
1. The Chief Magistrate shall cause the Record of Appeal, including the reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before the 15th April, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
3. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: Anthony Gifford Reid
v
The Police
[DOMMCRAP2017/0004]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Zena Moore- Dyer

Respondents: Ms. Ann Riviere led by Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order:

IT IS HEREBY ORDERED

1. The Chief Magistrate shall cause the missing parts of the Record of Appeal, to be prepared and submitted to the Registrar of the High Court on or before 28th February, 2019, thereafter served on the parties.

2. The appellant shall file and serve written submissions with authorities on or before 28th March, 2019.

3. The respondent shall file and serve written submissions with authorities on or before 28th April, 2019.

4. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or

before the 15th May, 2019.

5. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal is incomplete as some parts are missing. .

Case Name: Ian Liverpool
v
The Police
[DOMMCRAP2013/0025 - 00029]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Zena Moore- Dyer
Respondents: Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED
1. The Chief Magistrate shall cause the completed Record of Appeal, including the notice of appeal and reasons for decision to be prepared and submitted to the Registrar of the High Court on or before 28th February, 2019.

2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: Stacia Williams
v
The Police
[DOMMCRAP2017/0007]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Gina Dyer-Munro
Respondents: Ms. Evelina Baptiste, Director of Public Prosecutions, Ms. Carlita Benjamin and Ms. Ann Riviere

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED
1. The Chief Magistrate shall cause the completed Record of Appeal, including the notice of appeal, the minutes of litigation in respect of conviction and the information on the two other defendants jointly charged, to be prepared and submitted to the Registrar of the High Court on or before 28th February, 2019.
2. The matter is adjourned to the next Status Hearing of

the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal has not yet been prepared. .

Case Name: Casworth Charles
v
The Police
[DOMMCRAP2017/0001]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Zena Moore-Dyer
Respondents: Ms. Carlita Benjamin led by Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Directions

Result / Order: IT IS HEREBY ORDERED
1. This appeal shall be consolidated with DOMMCRAP2018/0001.
2. The appellant shall file and serve written submissions with authorities on or before 5th March, 2019.
3. The respondent shall file and serve written submissions with authorities on or before the 5th of April, 2019.

4. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 22nd April 2019.

5. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Reason: The matter is ready to proceed. .

Case Name: Brad Matthew
v
The Police
[DOMMCRAP2018/0001]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mrs. Zena Moore-Dyer appearing amicus curiae
Respondents: Ms. Carlita Benjamin led by Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: Status of the matter

Type of Oral Result / Order Delivered (if applicable): Directions

Result / Order: IT IS HEREBY ORDERED
1. This appeal shall be consolidated with

DOMMCRAP2017/0021.

2. By consent the appellant Brad Matthew shall file a recognizance to prosecute the appeal on or before 15th February, 2019.

3. The appellant is at liberty to file and serve written submissions with authorities on or before 5th March, 2019.

4. The respondent shall file and serve written submissions with authorities on or before the 5th of April, 2019.

5. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 22nd April 2019.

6. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Reason: The matter is ready to proceed. .

Case Name: Peter Winston
v
The Police

[DOMMCRAP2013/0011]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondents: Ms. Carlita Benjamin and Ms. Evelina Baptiste, Director of Public Prosecutions

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if applicable):** **Adjournment**

Result / Order: **IT IS HEREBY ORDERED:**
1. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
2. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: **Matter adjourned to next occasion for report**

Case Name: **Glendel Casey**
v
The Police
[DOMMCRAP2014/0012]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **No appearance**
Respondent: **Ms. Evelina Baptiste, Director of Public Prosecutions**

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered** **Directions**

(if applicable):

Result / Order:

IT IS HEREBY ORDERED:

- 1. The Registrar of the High Court shall cause a copy of the Record of Appeal to be served on the parties and the Court's Headquarters on or before 1st March, 2019.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**
- 3. The Registrar of the High Court shall effect personal service of today's order on the appellant.**

Reason:

The Record of Appeal has not been served on the parties and is not on Record at the Court of Appeal.

Case Name:

Patrick Roberts

v

The Police

[DOMMCRAP2015/0007]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Gina Dyer-Munro

Respondent: Ms. Evelina Baptiste, Director of Public Prosecutions and Ms. Ann Riviere

Issue:

Status of the matter

Type of Oral

Adjournment

**Result / Order
Delivered
(if applicable):**

Result / Order:

IT IS HEREBY ORDERED:

The matter is adjourned to the next status hearing of the court in the Commonwealth of Dominica during the week commencing 23rd September 2019. report.

Reason:

Matter adjourned to next occasion for report.

Case Name:

Linden Nareen Lewis

v

The Police

[DOMMCRAP2013/0039]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Zena Moore-Dyer

Respondent:

Ms. Evelina Baptiste, Director of Public Prosecutions and Ms. Ann Riviere for the respondent

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result /Order

IT IS HEREBY ORDERED:

1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision, to be prepared and submitted to the Registrar of the High

Court on or before 28th February, 2019.

2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal has not yet been prepared.

Case Name: **Joanna Vidal**
v
[1] Augustine Auguiste
[2] Bernadette Auguiste
[DOMMCVAP2013/0001]

Date: **Monday, 4th February 2019**

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

Appearances:
Appellant: **No appearance**

Respondent: **No appearance**

Issue: **Status of the matter**

Type of Oral
Result / Order
Delivered
(if applicable): **Adjournment**

Result / Order: **IT IS HEREBY ORDERED:**
1. The matter is adjourned to the next status hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.
2. The Registrar of the High Court shall effect personal service of today's order on the appellant.

Reason: **No appearance of the parties.**

Case Name:

**Joseph Roberts
v**

Elick Edwards

[DOMMCVAP2016/0004]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance

Respondent: No appearance

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Adjournment

Result / Order:

IT IS HEREBY ORDERED:

- 1. The matter is adjourned to the next status hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**
- 2. The Registrar of the High Court shall effect personal service of today's order on the appellant.**

Reason:

No appearance of the parties.

Case Name:

**David Joseph
v**

Jennifer Augustine

[DOMMCVAP2018/0002]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Zena Moore-Dyer

Respondent: No appearance

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order:

IT IS HEREBY ORDERED:

- 1. The Registrar of the High Court shall cause a copy of the Record of Appeal to be served on the parties on or before 1st March 2019.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**
- 3. The Registrar of the High Court shall effect personal service of today's order on the appellant.**

Reason: The Record of Appeal has not yet been prepared.

Case Name:

**Michael Victor
v**

Sandra Ishmael

[DOMMCVAP2018/0006]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Dawn Yearwood- Stewart

Respondent: Ms. Gina Dyer-Munro

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:

1. Counsel for the appellant and the respondent shall provide the court with a list of documents which are missing from the Record of Appeal on or before 29th March, 2019.
2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal is incomplete as some documents are missing.

Case Name: Sandra Ishmael
v
Michael Victor

[DOMMCVAP2018/0005]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Dawn Yearwood- Stewart

Respondent: Ms. Gina Dyer-Munro

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result / Order:

IT IS HEREBY ORDERED:

- 1. Counsel for the appellant and the respondent shall provide the court with a list of documents which are missing from the Record of Appeal on or before 29th March, 2019.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**

Reason:

The Record of Appeal is incomplete as some documents are missing.

Case Name:

**[1] Kean Laudat
[2] Ashma Bertrand**

v

Nicole Toussaint (Welfare Division)

[DOMMCVAP2013/0006]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mrs. Zena Moore-Dyer holding for Mrs. Gina Dyer-Munro

Respondent: No appearance

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if applicable):** **Directions**

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

- 1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 28th March, 2019.**
- 2. The matter is adjourned to the next Status Hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.**
- 3. The Registrar of the High Court shall effect personal service of today's order on the appellant.**

Reason: **The Record of Appeal has not yet been prepared.**

Case Name: **Euna Darroux
v
Kent O'Brien**

[DOMMCVAP2013/0010]

Date: **Monday, 4th February 2019**

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

Appearances: **Appellant:** **Mrs. Zena Moore-Dyer**

Respondent: **Ms. Hazel Johnson**

Issue: **Status of the matter**

**Type of Oral
Result / Order** **Directions**

**Delivered
(if applicable):**

Result / Order:

IT IS HEREBY ORDERED:

- 1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 28th March, 2019.**
- 2. The Registrar of the High Court shall serve the Record of Appeal on the parties on or before 8th April, 2019.**
- 3. The appellant shall file and serve written submissions with authorities on or before 8th May, 2019.**
- 4. The respondent shall file and serve written submissions with authorities on or before 10th June, 2019.**
- 5. The appellant is at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 28th June, 2019.**
- 6. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.**

Reason:

The matter is ready to proceed.

Case Name:

**[1] Francis St. Romain
[2] Kenrick Yearwood
v
Louis Coipel**

[DOMMCVAP2013/0007]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mrs. Zena Moore-Dyer

Respondent: Ms. Tameka Burton

Issue: Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):** Directions

Result / Order: IT IS HEREBY ORDERED:
1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 29th March, 2019.
2. The matter is adjourned to the next status hearing in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: The Record of Appeal has not yet been prepared.

Case Name: [1] Francis St. Romain
[2] Kenrick Yearwood

v
Louis Coipel

[DOMMCVAP2013/0008]

Date: Monday, 4th February 2019

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances: Appellant: Mrs. Zena Moore-Dyer

Respondent: Ms. Tameka Burton

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered
(if applicable):** **Directions**

Result / Order: **IT IS HEREBY ORDERED:**
1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision, to be prepared and submitted to the Registrar of the High Court on or before 29th March, 2019.
2. The matter is adjourned to the next status hearing in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

Reason: **The Record of Appeal has not yet been prepared.**

Case Name: **Vernon Anthony
v
Clem C. Boyd**
[DOMMCVAP2014/0006]

Date: **Monday, 4th February 2019**

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

Appearances: **Appellant: No appearance**

Respondent: No appearance

Issue: **Status of the matter**

**Type of Oral
Result / Order
Delivered** **Adjournment**

(if applicable):

Result / Order:

IT IS HEREBY ORDERED:

Upon noting that the parties were not served with the Notice of Hearing of today's date

1. The matter is adjourned to the next status hearing of the Court in the Commonwealth of Dominica during the week commencing 23rd September, 2019.

2. The Registrar of the High Court is to effect personal service of this order on the parties.

Reason:

No appearance of the parties.

Case Name:

Redi Mix Concrete Ltd

v

Anora St. Louis

[DOMMCVAP2015/0002]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Ms. Singoalla Bloomquist-Williams

Respondent:

Mr. Jeffrey Douglas-Murdock

Issue:

Status of the matter

Type of Oral

Directions

Result / Order

Delivered

(if applicable):

Result / Order:

IT IS HEREBY ORDERED:

1. The Chief Magistrate shall cause the Record of Appeal, including the Notice of Appeal and Reasons for the decision,

to be prepared and submitted to the Registrar of the High Court on or before 28th February, 2019.

2. The appellant and the counter appellant shall each file and serve written submissions with authorities on or before 28th March, 2019.

3. The respondents shall file and serve written submissions with authorities on or before the 28th April, 2019.

4. The appellant and counter appellant are both at liberty to file and serve written submissions, with authorities, in reply if necessary on or before the 15th May 2019.

5. The hearing of the appeal is adjourned to the next sitting of the Court of Appeal in the Commonwealth of Dominica during the week commencing 30th September, 2019.

Reason:

The matter is not yet ready to proceed, but the Record of Appeal should be completed in due course.

Case Name:

Lenny Bellot

v

Aminah Scott

[DOMMCVAP2015/0011]

Date:

Monday, 4th February 2019

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:

Mr. Stephen Isidore

Respondent:

Issue:

Status of the matter

**Type of Oral
Result / Order
Delivered
(if applicable):**

Directions

Result / Order:

IT IS HEREBY ORDERED:

1. Upon noting that the order of Baptiste JA made on 24th April, 2018 was not served on the applicant, the applicant is granted a further extension of time to serve the respondent with the notice of appeal.

2. The applicant shall serve the respondent with the notice of appeal on or before the 21st February, 2019.

Reason:

The applicant still has time to serve the notice of appeal.