

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING

TERRITORY OF THE VIRGIN ISLANDS
VIDEOCONFERENCE
13th July 2020

STATUS HEARINGS

Case Name: Alberto Rosa de la Rosa
v
The Queen

[BVIHCRA2016/0001]

Date: Monday, 13th July 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Mr. Patrick Thompson and Ms. Reynela Rawlins
Respondent:	Mrs. Tiffany Scatliffe-Esprit, Director of Public Prosecutions

Issue: Status of the matter

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

Adjournment

Result / Order:

[Oral Delivery]
IT IS HEREBY ORDERED THAT:
The matter is adjourned to the next Status Hearing of
the Court of Appeal for the Territory of the Virgin
Islands scheduled for 16th November 2020.

Reason: The matter was adjourned to the next Status Hearing of the Court of Appeal as the appellant has not yet obtained the transcript of the proceedings in the court below.

Case Name: Frandi Thomas
v
The Queen

[BVIHCRA2017/0004]

Date: Monday, 13th July 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Michael Maduro
Respondent: Mrs. Tiffany Scatliffe-Esprit, Director of Public Prosecutions holding papers for Mr. O'Neil Simpson, Senior Crown Counsel

Issue: Status of the matter

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

Result / Order: [Oral Delivery]
IT IS HEREBY ORDERED:
The matter is adjourned to the next Status Hearing of the Court of Appeal for the Territory of the Virgin Islands scheduled for 16th November 2020.

Reason: The appellant has not complied with the previous order of the court directing him to file written submissions in this matter. Counsel for the appellant

informed the Court that he may wish to file amended grounds of appeal. In light of the above indication by counsel for the appellant and the fact that directions for filing written submissions had been given previously, the matter was adjourned to the next Status Hearing of the Court, without giving directions for the filing of written submissions by the appellant.

Case Name:	Kenyatta Boynes v The Queen [BVIHCRAP2017/0001]
Date:	Monday, 13th July 2020
Before:	Mrs. Michelle John-Theobalds, Chief Registrar
Appearances:	
Appellant:	Mr. Patrick Thompson and Ms. Reynela Rawlins
Respondent:	Mrs. Tiffany Scatliffe-Esprit, Director of Public Prosecutions holding papers for Mr. O'Neil Simpson, Senior Crown Counsel
Issue:	Status of the matter
Type of Oral Result / Order Delivered (if applicable):	Adjournment

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED:

The matter is adjourned to the next Status Hearing of the Court of Appeal for the Territory of the Virgin Islands scheduled for 16th November 2020.

Reason:

The matter was adjourned to the next Status Hearing of the Court of Appeal as the respondent is awaiting additional disclosure from the police in order to proceed with the hearing of appeal.

Case Name:

Doyle Guishard

v

The Queen

[BVIHCRA2015/0004]

Denzil Wheatley

v

The Queen

[BVIHCRA2015/0005]

Samuel Harris

v

The Queen

[BVIHCRA2015/0006]

Date:

Monday, 13th July 2020

Before:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants:

**Mr. Michael Maduro for the appellant Denzil Wheatley
Mr. Patrick Thompson and Ms. Reynela Rawlins for**

the appellants, Doyle Guishard and Samuel Harris

Respondent: Mrs. Tiffany Scatliffe-Esprit, Director of Public Prosecutions

Issue: Status of the matter

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

Result / Order:

[Oral Delivery]

IT IS HEREBY ORDERED:

- 1. The appellants Mr. Denzil Wheatley and Mr. Doyle Guishard shall file and serve written submissions with authorities on or before 31st July 2020.**
- 2. The respondent shall file and serve written submissions with authorities on or before the 31st August 2020.**
- 3. The appellants are at liberty to file and serve written submissions, with authorities, in reply if necessary on or before 15th September 2020.**
- 4. The hearing of the appeal is fixed for the next Court of Appeal sitting in the Virgin Islands during the week commencing 23rd November 2020.**

Reason: The Court noted that the status hearing order made on 16th March 2020 directing the appellants Mr. Denzil Wheatley and Mr. Doyle Guishard to file and serve written submissions with authorities on or before 15th May 2020 has not been complied with.

Mr. Guishard's submissions had not been filed because Mr. Thompson needs to have a discussion with Mr. Guishard to determine whether he will be in a position to continue to act for him.

Mr. Maduro informed the Court that there was some difficulty in contacting Mr. Wheatley who is out of state. Mr. Wheatley has since informed Mr. Maduro that he wishes to proceed with the matter. Mr. Maduro indicated that he would therefore proceed to file written submissions on behalf of Mr. Wheatley.

Case Name: **Global Ocean Transport Inc.**
v
Dwight Flax
[BVIHCVAP2017/0006]

Date: **Monday, 13th July 2020**

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

Appearances:
Appellant: **Mr. E. Leroy Jones**
Respondent: **Ms. Anthea Smith**

Issue: **Status of the matter**

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

Result / Order: **[Oral Delivery]**
IT IS HEREBY ORDERED:
1. The matter is adjourned to the next Status Hearing of the Court of Appeal for the Territory of the Virgin Islands scheduled for 16th November 2020.
2. The Registrar of the High Court shall serve a copy of this order on the appellant company and shall provide proof of service thereafter.

Reason:

Mr. Jones indicated to the Court that since the appellant came to collect his file and all documents relating to this matter he has had no further involvement with this matter and has not received any information from the appellant. The Court noted that although an application to be removed as legal practitioner was filed by Mr. Jones, the application was dismissed by the court as there was no service of the application on the appellant. The appellant was not served personally to attend this Status Hearing. Accordingly, the matter was adjourned to the next Status Hearing of the Court of Appeal to allow for service on the appellant.