

EASTERN CARIBBEAN SUPREME COURT
STATUS HEARING
AUDIO CONFERENCE

MONTSERRAT
Wednesday, 17th June 2020

STATUS HEARING

Case Name: David Duberry
v
Glenworth Prince
MNILTAP2016/0002

Date: Wednesday, 17th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. Hogarth Sergeant
Respondent: No appearance

Issue: The status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The appellant shall file and serve written submissions with authorities on or before 17th July 2020.
2. The respondent is at liberty to file and serve written submissions with authorities on or before 17th September 2020.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 2nd October 2020.

4. The hearing of appeal is fixed for the next sitting of the Court of Appeal in the Territory of Montserrat during the week commencing 25th January 2021.
5. The Registrar of the High Court shall serve a copy of this order on the respondent personally and shall provide proof of service thereafter.

Reason: The respondent has since left the Territory and his current whereabouts are unknown.

The Court was of the view that the record of appeal having been filed, further directions were required for the matter to proceed.

Case Name: St. Augustine Primary School
v
Evelyn Gibson
MNILTAP2019/0003

Date: Wednesday, 17th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Mr. Jean Kelsick
Respondent:	In person

Issue: The status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next status hearing of the Court on a date to be fixed by the Chief Registrar.

Reason: The Labour Tribunal has not yet provided the transcript of evidence.

Case Name: Ismael Farrell
v
The Commissioner of Police
MNIMCRAP2017/0002

Date: Wednesday, 17th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	In person (No appearance of counsel on record, Mr. Hogarth Sergeant)
Respondent:	Mr. Oris Sullivan, Director of Public Prosecutions

Issue: The status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Chief Magistrate shall cause the Record of Appeal including the Notice of Appeal, notes of evidence and reasons for decision to be prepared and submitted to the Registrar of the High Court on or before 31st August 2020 failing which the Chief Magistrate shall provide an affidavit giving reasons for non-compliance.
2. The matter is adjourned to the next Status Hearing of the Court of Appeal in the Territory of

Montserrat on a date to be fixed by the Chief Registrar.

Reason: The Record of Appeal has not been prepared and served on the parties by the Magistrate's Court.

Case Name: Johnathan Daly
v
John Gage T/A Gages Car Rental
MNIMCVAP2018/0001

Date: Wednesday, 17th June 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: In person

Respondent: Ms. Marcelle Watts

Issue: The status of the matter

Type of Order: Directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The Registrar of the High Court shall provide a copy of the Record of Appeal to the appellant on or before 24th June 2020.
2. The appellant shall file and serve written submissions with authorities on or before 17th September 2020.
3. The respondent shall file and serve written submissions in reply on or before 19th October 2020.

4. The appellant is at liberty to file written submissions in reply, if necessary, on or before 3rd November 2020.
5. The hearing of the appeal is fixed for the next sitting of the Court of Appeal in the Territory of Montserrat during the week commencing 25th January 2021.

Reason:

The Record of Appeal has been filed but the appellant has not been able to receive a copy from his former attorney. The Court was of the view that the record of appeal having been filed, further directions were required for the matter to proceed.