

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
STATUS HEARING

SAINT KITTS AND NEVIS

AUDIO CONFERENCE

2nd June 2020

Case Name:

Karin Colt

v

Gary Colt

SKBHCVAP2017/0024

Date:

Tuesday, 2nd June 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Ms. Kurlyn Merchant

Respondent: Ms. Marlene Uter Bent

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

The matter is adjourned to the next Status Hearing of the Court of Appeal in Saint Kitts and Nevis scheduled for the 19th October, 2020 to allow the Registrar of the High court to take the necessary steps to obtain the judge's notes of evidence in this matter or the reasons for the decision dated 4th December 2017.

Reason: The parties indicated that the judge did not give reasons for her decision, there was no transcript and there was no recording of the proceedings from which the transcript could be produced. The Deputy Registrar of the High Court of Saint Kitts and Nevis indicated that she will liaise with the trial judge in order to address these issues and obtain the notes of evidence or the reasons for the judge's decision.

Case Name: **Ulmar Everton Paton**
v
Lorna Paton

SKBHCVAP2014/0019

Date: **Tuesday, 2nd June 2020**

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

Appearances:
Appellant: **No appearance, Mr. Jefferey Nisbett on record**
Respondent: **Ms. Marlene Uter Bent**

Issues: **Status of the matter**

Type of Order: **Directions**

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

The matter is fixed for the Sitting of the Full Court in Saint Kitts and Nevis during the week commencing 8th June 2020 unless a Notice of Discontinuance is filed before.

Reason: **Counsel for the respondent indicated that the matter had been settled but Mr. Nisbett had not yet filed a notice of discontinuance.**

Case Name:

**Otis French
v
Dujon Bassue trading as High Tech Solutions
SKBMCVAP2018/0019**

Date:

Tuesday, 2nd June 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. John Cato

Respondent: Mr. Jason Hamilton

Issues:

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 2nd July, 2020.**
- 2. The respondent shall file and serve written submissions with authorities on or before 3rd August, 2020.**
- 3. The appellant is at liberty to file and serve written submissions, with authorities, in reply, if necessary, on or before 18th August, 2020.**
- 4. The hearing of the appeal is fixed for the Court of Appeal sitting in St. Kitts and Nevis during the week commencing 26th October, 2020**

Reason:

N/A

Case Name:

Frederick La Chance

v

Michel Chayer

SKBMCVAP2018/0004

Date:

Tuesday, 2nd June 2020

Coram:

Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: No appearance, Ms. Stacey Ann Aberdeen-Sargeant on record

Respondent: No appearance, Ms. Natasha Gray on record

Issues:

Status of the matter

Type of Order:

Directions

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall serve a copy of the record of appeal on the appellant personally and shall provide proof of service thereafter.**
- 2. The matter is adjourned to the next status hearing of the Court of Appeal in Saint Kitts and Nevis scheduled for 19th October, 2020.**
- 3. The Registrar of the High Court shall serve a copy of this order on the parties personally and provide proof of service thereafter.**

Reason: The court was informed that counsel on record for the appellant no longer resides or practices in the jurisdiction of Saint Kitts and Nevis. The appellant was therefore not served personally with the Record of Appeal as it has been difficult for the court office to locate him.

Case Name: Dwight “Dangles” Walters
v
Comptroller of Customs
SKBMCVAP2018/0008A

Date: Tuesday, 2nd June 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Mr. O’Grenville Browne
Respondent: No appearance

Issues: Status of the matter

Type of Order: Adjournment

Result / Order: IT IS HEREBY ORDERED THAT:

1. The matter is adjourned to the next status hearing of the Court of Appeal in Saint Kitts and Nevis scheduled for 19th October, 2020, for counsel for the appellant to take the necessary steps to be removed as legal practitioner on record.
2. The Assistant Registrar of the High Court in Nevis shall serve a copy of this order on the parties personally and shall provide proof of service thereafter.

Reason: Counsel for the appellant indicated that he wished to be removed from the record as he has not been able to secure instructions in relation to the appeal.

Case Name: William DeGrass
v
Rory Flett
SKBMCVAP2018/0015

Date: Tuesday, 2nd June 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant: Mr. John Cato

Respondent: Ms. Brittney Jeffers holding for Ms. Marsha Henderson

Issues: 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 the 2nd July 2020.
2. The respondent shall file and serve written submissions with authorities on or before the 3rd August 2020.
3. The appellant is at liberty to file and serve written submissions with authorities in reply, if necessary, on or before 18th August 2020.

4. The hearing of the appeal is fixed for the Court of Appeal sitting in Saint Kitts and Nevis during the week commencing 26th October 2020.

Reason: N/A

Case Name: Joel Caines
v
Lloyd Williams

SKBMCVAP2018/0020

Date: Tuesday, 2nd June 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Appellant in person
Respondent: No appearance

Issues: 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 3rd August 2020.
2. The respondent is at liberty to file and serve written submissions with authorities on or before 3rd September 2020.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 18th September 2020

4. The hearing of the appeal is fixed for the next Court of Appeal sitting in Saint Kitts and Nevis during the week commencing 26th October 2020.
5. The Registrar of the High Court shall serve a copy of this order on the appellant and respondent personally and provide proof of service thereafter.

Reason: The Court Office has not been able to effect service of the notice of hearing for the day's hearing nor the Record of Appeal on the respondent.

Case Name: Zoila E. Harris
v
Eugene Griffin
SKBMCVAP2018/0021

Date: Tuesday, 2nd June 2020

Coram: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:
Appellant: Ms. Renal Edwards
Respondent: Ms. Angela Cozier

Issues: 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 2nd July 2020.

2. The respondent is at liberty to file and serve written submissions with authorities on or before 3rd August 2020.
3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 18th August 2020.
4. The hearing of the appeal is fixed for the Court of Appeal sitting in Saint Kitts and Nevis during the week commencing 26th October 2020.

Reason:

N/A