

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL

STATUS HEARING

ANGUILLA
Monday, 20th January 2020

Case Name: **In the Matter of the Estate of John Peter Richardson**
V
In the Matter of the Letters of Administration and Probate Act RSA C L45
[AXAHCVAP2014/0002]

Date: **Monday, 20th January 2020**
Before: **Mrs. Michelle John-Theobalds, Chief Registrar**

Appearances:
Appellant: **No appearance**
Respondent: **No appearance**

Issue: **The status of the matter**

Type of Order: **Directions**

Result / Order: **[Oral Delivery]**

It is hereby ordered that:
1. The matter is adjourned to the next status hearing of the Court scheduled for 15th June 2020 for either Mr. Simeon Fleming or his

counsel to be present to give an indication as to whether Mr. Fleming is still interested in prosecuting his appeal.

2. The Registrar of the High Court shall serve a copy of this order and Notice of Hearing on both Mr. Fleming and his counsel personally and shall provide proof of service thereafter.

Reason: The Notice of Appeal was filed on 4th March 2014. Since then nothing further has transpired in the matter.

Counsel who filed this matter on behalf of the appellant was not present at this hearing.

The court Bailiff informed that he was told that Mr. Simeon Fleming is off island, consequently he was unable to personally serve the Notice of Hearing on Mr. Fleming.

Case Name: Collins Richardson et al
v
Benjamin Wilson Richardson et al
[AXAHCVAP2016/0011]

Date: Monday, 20th January 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellants/Counter-respondents: Mr. Alex Richardson

Respondents/Counter-appellants: Mr. Kerith Kentish for the 1st, 2nd, 3rd, 4th and 5th respondents/counter-appellants

Issue: The status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]

It is hereby ordered that:

The matter is adjourned to next status hearing of the Court in Anguilla scheduled for 15th June 2020 for the parties to hold discussions in this matter.

Reason: Mr. Richardson stated that the appeals relate to the substantive matters under AXAHCVAP2016/0002, which was disposed of on 15th January 2019. He stated that given the costs order made by the Court, it appears that these appeals fall away and it would be reasonable for them to be discontinued with no order as to costs. There will be a discontinuance by the parties only if there is a mutual agreement. Both parties have no difficulty with engaging in discussions on the above. Accordingly, the matter was adjourned to give the parties an opportunity to engage in discussions on whether or not they are both willing to discontinue their respective appeals. If discussions fail then the matter will be set down for hearing at the next Sitting of the court in Anguilla.

Case Name: Kenville Hall
v
Commissioner of Police
[AXAMCRAP2017/0001]

Date: Monday, 20th January 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances: Appellant: Mr. Thomas Astaphan, QC

Respondent: Ms. Erica Edwards

Issue: Status of the matter

Type of Order: Directions

Result/Order: It is hereby ordered that:

This matter is adjourned to next status hearing of the Court in Anguilla scheduled for 15th June 2020 for the appellant to indicate whether he is interested in pursuing this appeal.

Reason: Counsel informed the Court that his attempts to personally contact the appellant have been futile. He then informed the Court that he will make a final attempt to ascertain whether or not the appellant is interested in prosecuting the appeal. The matter was adjourned to facilitate this.

Case Name:

Attorney General
v
Rexel Gumbs

[AXAMCRAP2016/0001]

Date: Monday, 20th January 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Erica Edwards
Respondent:	Navine Fleming

Issue: The status of the matter

Type of Order: Directions

Result / Order: [Oral Delivery]

It is hereby ordered that:

- 1. The Senior Magistrate shall cause the record of appeal to be prepared and served on the parties on or before 28th February 2020.**
- 2. The matter is adjourned to next status hearing of the Court in Anguilla scheduled for 15th June 2020.**

Reason: The Record of Appeal which contains the decision from the magistrate is still pending. The appellant informed the Court that the magistrate's decision would be needed in order to make a determination as to whether or not to pursue the matter. The respondent does not object to the adjournment.

Case Name:

Jamila Aliena William

V

The Commissioner of Police

[AXAMCRAP2015/0002]

Date: Monday, 20th January 2020

Before: Mrs. Michelle John-Theobalds, Chief Registrar

Appearances:

Appellant:	Ms. Navine Fleming holding for Mr. Kendrickson Kentish
Respondent:	Ms. Erica Edwards

Issue: The status of the matter

Type of Result: Directions

Result / Order:

[Oral Delivery]

It is hereby ordered that:

- 1. The appellant shall file and serve written submissions with authorities on or before the 24th January, 2020.**
- 2. The respondent shall file and serve written submissions with authorities in response on or before 9th April 2020.**
- 3. The appellant is at liberty to file and serve written submissions in reply, if necessary, on or before 24th April 2020.**
- 4. The appeal shall come up for hearing at the next sitting of the court of appeal in Anguilla during the week commencing 22nd June 2020.**