

CHAMBER HEARING

February 2018

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mde. Gertel Thom, Justice of Appeal

Case Name: [1] Paragon HoldingS Limited
[2] John Erato
v
[1] Turtle's Nest (Condominium) Co. Ltd
[2] Bradford Huffman
[3] Wesley Furhman
[AXAHCVP2018/0001]
(Anguilla)

Date: Tuesday, 20th February 2018

On paper:

Applicants / Intended Appellants:	Ms. Tara Carter
Respondent:	Ms. Paulette E. Harrigan

Issues: Application for leave to appeal – Application for stay of execution

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for leave to appeal is dismissed.
2. The application for stay of execution is granted for a period of 14 days from the date of this order to permit the applicant to file a notice of appeal.

Reason: The applicants filed notices of application for leave to appeal and to stay execution of the order of Her Ladyship Cheryl Mathurin dated 1st February 2018. The Court noted that the impugned order is an order granting

an interim injunction. The Court had regard to section 29(4)(b) of the Eastern Caribbean Supreme Court (Anguilla) Act which provides in effect that leave of the court is not required to appeal an order of the court granting an injunction. Accordingly, the Court dismissed the application for leave to appeal.

Case Name:

[1] Marily Jeffers Nee Weste

v

**[1] The Personal Representative of the Estate of
Wyndham Weste, Deceased**

**[2] Rupert Alexander Joseph AKA Benjamin
Joseph**

**[3] Maudlyn Joseph (Also Known as Modlyn B.
Joseph) (Now Deceased and Replaced by Rupert
Alexander Joseph as Personal Representative of
the Estate of Maudlyn Joseph for the Purposes
of the Proceedings ONLY)**

**[ANUHCVP2017/0029]
(Antigua and Barbuda)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant /
Intended
Appellant:**

Dr. David Dorsett

Issue:

Application for leave to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

**The applicant is granted leave to appeal the decision of
the learned judge dated 5th December 2017 within 21
days of the date of this order.**

Reasons:

The Court was of the opinion that the applicant had met

the threshold for the grant of leave to appeal.

Case Name:

Joseph Peters

v

The Queen

**[ANUHCRA2018/0001]
(Antigua and Barbuda)**

Date:

Tuesday, 20th February 2018

On paper:

Applicant:

Mr. Lawrence Daniels

Issue:

Application for leave to appeal against conviction and sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The Registrar of the High Court shall provide the Court with a copy of the minute of conviction and sentence of the applicant within 14 days of this Order.**
- 2. The Registrar of the High Court is to serve a copy of the application filed by the applicant on the 9th January 2018 and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 3. The Registrar of the High Court is to furnish proof of service of the application and the minute of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 4. The application is adjourned to the next chamber hearing scheduled for 27th March, 2018.**

Reason:

The Court noted that there was no evidence of service of the application on the Director of Public Prosecutions. The Court further noted that the minute of conviction and sentence was not attached to the application.

Case Name: [1] NSA Medical Surgical Rehab Centre Ltd (T/A
NSA Medical Centre)
[2] Patrick Matthews
v
[1] Peter Quinn (As Next Friend for Giovanni
Quinn)

[ANUHC VAP2017/0020]
(Antigua and Barbuda)

Date: Tuesday, 20th February 2018

On paper:

Appellant: Dr. David Dorsett

Respondent / Applicant: Ms. Gail S. Pero-Weston

Issue: Application for leave to file and serve notice of
opposition and written submissions

Result / Order: IT IS HEREBY ORDERED THAT:
1. Leave to file and serve a notice of opposition is
granted to the applicant.
2. The applicant is granted 7 days leave within which to
file and serve its notice of opposition.
3. The appeal shall thereafter proceed in accordance
with CPR 2000.
4. There is no order as to costs.

Reason: The Court was satisfied that the applicant had met the
requisite threshold for the grant of an extension of time.
Further, there was no objection to the application.

Case Name: Courtney Burton

v
Erica O'Garro

[ANUMCVAP2017]
(Antigua and Barbuda)

Date: **Tuesday, 20th February 2018**

On paper:

Appellant: **Ms. Kathleen Bennett**

Issues: **Application for extension of time to file notice of appeal
– Application for notice of appeal to be deemed properly
filed – Application for leave to serve the notice of appeal
on the respondent and magistrate**

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Service of the application for extension of time and supporting documents on the respondent is hereby waived in accordance with Rule 6.8(1) of CPR 2000.**
- 2. The application for extension of time within which to file a notice of appeal is granted.**
- 3. The notice of appeal filed on 9th November 2017 is deemed duly filed.**
- 4. The applicant shall serve the notice of appeal within 28 days of this order.**

Reason:

The Court was satisfied that this was an appropriate case for it to waive service of the notice of application for extension of time and supporting documents in accordance with rule 6.8(1) of the Civil Procedure Rules 2000.

Case Name:

Kendy O'Brien

v
The Police

[DOMMCRAP2017/0022]

(Commonwealth of Dominica)

Date: Tuesday, 20th February 2018

On paper: **Applicant** / **In person**
 Intended
 Appellant:

Issue: Application for leave to appeal against sentence

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

- 1. The Registrar of the High Court shall provide the Court with a copy of the certificate of conviction and sentence of the applicant within 14 days of this Order.**
- 2. The Registrar of the High Court is to serve a copy of the application filed by the applicant on the 30th November 2017 and the certificate of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 3. The Registrar of the High Court is to furnish proof of service of the certificate of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 4. The application is adjourned to the next chamber hearing scheduled for 27th March, 2018.**

Reason: The Court noted that there was no evidence of service of the application on the Director of Public Prosecutions. The Court further noted that the certificate of conviction and sentence was not attached to the application.

Case Name: Earl Junior Emanuel
v
The Police

[DOMMCRAP2017/0024]
(Commonwealth of Dominica)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / In person**
Intended
Appellant:

Issue: **Application for leave to appeal against sentence**

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

- 1. The Registrar of the High Court shall provide the Court with a copy of the certificate of conviction and sentence of the applicant within 14 days of this Order.**
- 2. The Registrar of the High Court is to serve a copy of the application filed by the applicant on the 7th December 2017 and the certificate of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 3. The Registrar of the High Court is to furnish proof of service of the certificate of conviction and sentence on the Director of Public Prosecutions within 14 days of this Order.**
- 4. The application is adjourned to the next chamber hearing scheduled for 27th March, 2018.**

Reason: **The Court noted that there was no evidence of service of the application on the Director of Public Prosecutions. The Court further noted that the certificate of conviction and sentence was not attached to the application.**

Case Name: **Patricia Bedminister**
v
Mariannia Cuffy

[DOMHCVAP2017/0008]
(Commonwealth of Dominica)

Date: Tuesday, 20th February 2018

On paper:

Appellant: Cara Shillingford Chambers

Respondent: Caribbean Commercial & IP Law Practitioners

Issues: Application to strike out notice of appeal – Application for extension of time to file notice of opposition

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The application to strike out the notice of appeal is dismissed.
2. Leave to file and serve a notice of opposition is granted to the applicant.
3. The applicant is granted 7 days leave within which to file and serve its notice of opposition.
4. The interlocutory appeal shall be heard by way of oral hearing at the sitting of the Court in Dominica during the week commencing Monday 19th March, 2018.

Reason:

The Court noted the order of Pereira CJ dated 19th December 2017 ordering the interlocutory appeal be heard by way of oral hearing at the sitting of the Court in Dominica during the week commencing Monday, 19th March 2018.

Case Name:

Marcus Matthew

v

The State

**[DOMHCRAP2017/0004]
(Commonwealth of Dominica)**

Date: Tuesday, 20th February 2018

On paper:

Applicant / Ms. Zena Dyer

**Intended
Appellant:**

Issue: Application for leave to appeal against conviction and sentence

Result / Order: IT IS HEREBY ORDERED THAT:
1. The applicant is granted leave to appeal against conviction and sentence.
2. The applicant shall file his notice of appeal within 14 days of this order.

Case Name: Kevin Morris
v
The Queen

[GDAHCRAP2016/0023]
(Grenada)

Date: Tuesday, 20th February 2018

On paper: Applicant / Mr. Peter David
Intended
Appellant:

Issue: Application for leave to appeal against sentence

Result / Order: IT IS HEREBY ORDERED THAT:
1. The leave to appeal is granted.
2. The applicant is granted an extension of time within which to file his notice of appeal.
3. The applicant shall file notice of appeal within 14 days from the date of this order.

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

Osafi Bobb

v

The Queen

**[GDAHCRAP2017/0027]
(Grenada)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant /
Intended
Appellant:**

Mr. Peter David

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The applicant is granted leave to appeal.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason:

The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

Mahendranaught Dass

v

The Queen

**[GDAHCRAP2017/0024]
(Grenada)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant / Mr. Peter David
Intended
Appellant:**

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The applicant is granted leave to appeal.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason:

The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

Finbar Derick Purcell

v

The Queen

**[GDAHCRAP2017/0026]
(Grenada)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant /
Intended
Appellant:**

In person

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The applicant is granted leave to appeal.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name: Colin Hooper
v
The Queen
[GDAHCRAP2014/0025]
(Grenada)

Date: Tuesday, 20th February 2018

On paper: Applicant / Mr. Peter David
Intended
Appellant:

Issue: Application for leave to appeal against sentence

Result / Order: IT IS HEREBY ORDERED THAT:
1. The applicant is granted leave to appeal.
2. The applicant shall file his notice of appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name: Edward Joseph
v
The Queen
[GDAHCRAP2017/0023]

Date: Tuesday, 20th February 2018

On paper:

**Applicant
Intended
Appellant:** / **Mrs. Sherrine Francis Hackett**

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Leave to appeal is granted.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason:

The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

**Javid Glasgow
v
The Queen**

**[GDAHCRAP2017/0021]
(Grenada)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant
Intended
Appellant:** / **Mr. George Prime**

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Leave to appeal is granted.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name: Handel Stafford
v
The Queen
[GDAHCRAP2017/0022]
(Grenada)

Date: Tuesday, 20th February 2018

On paper: Applicant / Mr. Darshan Ramdhani
Intended
Appellant:

Issue: Application for leave to appeal against sentence

Result / Order: IT IS HEREBY ORDERED THAT:
1. Leave to appeal is granted.
2. The applicant shall file his notice of appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name: Christopher Mitchell
v
The Queen
[GDAHCRAP2018/0001]
(Grenada)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / Mr. George Prime**
Intended
Appellant:

Issue: **Application for leave to appeal against sentence**

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. Leave to appeal is granted.
2. The applicant shall file notice of appeal within 14 days of this order.

Reason: **The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.**

Case Name: **Kennedy Jawahir**
v
The Queen
[GDAHCRAP2018/0004]
(Grenada)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / Mr. Dashan Ramndhani**
Intended
Appellant:

Issue: **Application for leave to appeal against sentence**

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. Leave to appeal is granted.

2. Applicant shall file his appeal within 14 days of the date of this order.

Reason: The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name: Julian Wade
v
Her Excellency The Governor
[MNIHCVAP2017/0008]
(Grenada)

Date: Tuesday, 20th February 2018

On paper: Applicant / Mr. David Brandt
Intended
Appellant:

Issue: Application for leave to appeal

Result / Order: IT IS HEREBY ORDERED THAT:
The applicant is granted leave to appeal the decision of the learned Master Fidela Corbin-Lincoln dated 14th December 2017 within 21 days of this date Order.

Reasons: The Court was of the opinion that the applicant had met the threshold for the grant of leave to appeal.

Case Name: James Weekes
v
Terrance Wade the sole Executor of the late

Anthony Tuitt

[MNIHCVAP2017/0007]

Date: **Tuesday, 20th February 2018**

On paper:
Applicant /
Intended
Applicant: **Mr. David Brandt**

Issue: **Application for leave to appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. Leave to appeal is granted.
2. The applicant shall file a notice of appeal within 21 days of the date of this order.
3. The appeal shall thereafter proceed in accordance with CPR 2000.

Reason: **The Court was satisfied that the decision of Justice Morley, in part relates to an order of possession pending trial for which leave to appeal is necessary and was further satisfied that the applicant had met the threshold for a grant for leave to appeal.**

Case Name: **The Attorney General of St. Christopher and Nevis**
v
Tamarind Cove Marina Development Limited

[SKBHCVAP2017/0020]
(Saint Christopher and Nevis)

Date: **Tuesday, 20th February 2018**

On paper:
Applicant **/ Ms. Simone Bullen Thompson**
Intended
Appellant:

Issue: Application for an extension of time to file appeal

Result / Order: IT IS HEREBY ORDERED THAT:

1. The application for extension of time within which to appeal the decision of Williams J is granted to the applicant.
2. The applicant is granted 14 days from the date of this order within which to file and serve its notice of appeal.
3. The appeal shall thereafter proceed in accordance with CPR 2000.
4. Costs of the application to be costs in the appeal.

Reason: The Court was satisfied that the applicant had met the threshold for extension of time within which to appeal.

Case Name: Ulrica Stevens
v
Althea Norman

[SKBMCVAP2012/0007]
(Saint Christopher and Nevis)

Date: Tuesday, 20th February 2018

On paper:

Appellant: Ms. Joanne C. Flemming
Respondent / Applicant: Daniel Brantley & Associates

Issue: Application to strike out notice of appeal

Result / Order: IT IS HEREBY ORDERED THAT:

1. The respondent shall provide proof of service of the submissions on the appellant filed on 16th February

- 2018 within 14 days of this order.
2. Hearing of the applications is adjourned to the next chamber sitting on 27th March 2018.

Reason: The Court noted that there was no proof of service of the submissions filed by the respondent on 16th February 2018. The Court noted further that the time for filing a response to said submissions have not been satisfied.

Case Name: Elvis Butler
v
Paula Connor

[SKBMCVAP2017/0009]
(Saint Christopher and Nevis)

Date: Tuesday, 20th February 2018

On paper: Applicant /
Intended
Appellant: In person

Issue: Application for permission to appeal out of time

Result / Order: IT IS HEREBY ORDERED THAT:
1. The applicant is granted 14 days within which to file a copy of the order being appealed.
2. The application is adjourned for further consideration at the next chamber hearing which is scheduled for the 27th March 2018.

Reason: The Court noted that the applicant did not file a copy of the order being appealed as previously directed by the Court.

Case Name:

Mathilda Nelson

v

Alexis Alcide

[SLUHCVAP2018/0002]

(Saint Lucia)

Date:

Tuesday, 20th February 2018

On paper:

**Applicant /
Intended
Appellant:**

Theodore and Associates

Issues:

Application for extension of time to file notice of appeal – Application for relief from sanctions – Application for leave to appeal – Application for a stay of execution of order of Belle J

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The applicant is granted an extension of time within which to file a notice of appeal against the decision of Belle J dated 13th June 2016.**
- 2. The applicant shall file notice of appeal within 21 days of the date of this order.**
- 3. The applicant is granted leave to appeal the decision of Smith J dated 2nd February 2018.**
- 4. The applicant shall file notice of appeal within 21 days of this order.**
- 5. The applicant shall provide proof of service of the application for stay of execution of the order of Belle J dated 13th June 2016 within 14 days of the date of this order.**
- 6. Hearing of the application for stay of execution of the decision of Belle J is adjourned to the next chamber sitting on 27th March 2018.**

Reason:

The Court was of the opinion that the applicant had met the threshold for an extension of time within which to file

the notice of appeal against the decision of Belle J. The Court was also satisfied that the applicant had met the threshold for leave to appeal the decision of Smith J. The Court noted that there was no evidence of service of the application for a stay of the execution of the order of Belle J.

Case Name:

[1] Cynthia Paul

v

[1] The New India Assurance Co. (Trinidad & Tobago) Ltd.

[2] S&A Insurance Brokers Ltd.

**[SLUHCVP2015/0007]
(Saint Lucia)**

Date:

Tuesday, 20th February 2018

On paper:

Appellant:

Ms. Wauneen Louis-Harris

Issues:

**Application for extension of time to file record of appeal
– Application for permission to dispense with
requirement to file hard copies of record – Application to
allow record of appeal to be filed by electronic filing**

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for extension of time to file record of appeal is granted.**
- 2. The application to dispense with the provisions of Rule 62.12 CPR is refused.**
- 3. The applicant shall hereafter prosecute the appeal in accordance with CPR Part 62.**

Case Name:

[1] Leona King

**[2] Christopher Elibox
[3] Petrona Naitram
[4] Rosaline Narcisse**

V

**[1] Reginald Elibox represented by his Executor
Rebecca Elibox
[2] Rebecca Elibox**

**[SLUHCVAP2016/0003]
(Saint Lucia)**

Date: Tuesday, 20th February 2018

On paper:

Applicant: Fraser and Company

Respondent: Ms. Selma Finistere

Issue: Application to strike out appeal

Result / Order:

IT IS HEREBY ORDEDRED THAT:

The application of the respondents filed on 8th December 2017 is hereby set down for hearing before the full court at the Court of Appeal sitting in Saint Lucia during the week commencing 14th May 2018.

Case Name:

Vernantius Popo

V

**St. Lucia Seamen Waterfront and General
Workers Union**

**[SLUHCVAP2017/0028]
(Saint Lucia)**

Date: Tuesday, 20th February 2018

On paper:

Appellant: Mr. Gerard Williams

Respondent: Ms. Lydia Faisal

Issue: Application for extension of time to file and serve submissions in support of opposition to the appeal

Result / Order: IT IS HEREBY ORDERED THAT:
1. The applicant/respondent shall provide proof of service of the application and supporting documents on the appellant within 14 days of this order.
2. Hearing of the application is adjourned to the next chamber hearing scheduled on 27th March 2018.

Reason: The Court noted that there was no evidence of service of the application on the appellant.

Case Name: [1] Benjamin Drakes
[2] Gerald Francis (trading as Turnkey Engineering Contractors)
v
[1] Plantation Beach St. Lucia Ltd
[SLUHCVP2015/0017]
(Saint Lucia)

Date: Tuesday, 20th February 2018

On paper:

Applicant: Mr. Benjamin Drakes

Respondent: Deterville, Thomas and Co.

Issues: Application for extension of time to file record of appeal
– Application for relief from sanctions and further directions

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicant/appellant is granted an extension of time to file the record of appeal within 14 days of this order.
2. The appellant shall file and serve skeleton arguments on the Respondent within 28 days of this order.
3. The respondent shall file and serve skeleton arguments in reply within 28 on receipt of the appellant's skeleton arguments.
4. The appellant shall be at liberty to file and serve skeleton arguments in reply within 14 days if necessary after the date of service of the respondent's skeleton arguments.

Reason:

The Court was of the view that the applicant had met the threshold for a grant of extension of time.

Case Name:

**Hilary Samiel
v
Rishiram Singh**

**[SLUMCRAP2018/0001
(Saint Lucia)]**

Date:

Tuesday, 20th February 2018

On paper:

Applicant: Michel and Company

Issue:

Application for extension of time to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The application for an extension of time within which to appeal is granted.
2. The applicant is granted 14 days within which to file and serve his notice of appeal.
3. The appeal shall thereafter proceed in accordance with the CPR 2000.

Reason: The Court was of the view that the applicant had met the threshold for the grant of an extension of time.

Case Name: [1] Theresa Plummer
v
[1] Dennis Mangal
[2] Irmina Lena Edwin
[3] Tarcisus Robinson Stanislaus
[4] Virginia Everiste
[5] Anthony Felicien

[SLUHCVAP2017/0015]
(Saint Lucia)

Date: Tuesday, 20th February 2018

On paper:

Appellant / Applicant: Ms. Wauneen Louis-Harris

Respondent: Ms. Diana Thomas for the first, second and third named respondents

Alvin St. Clair & Associates for the fourth named respondent

Issue: Application for extension of time to file submissions

Result / Order: IT IS HEREBY ORDERED THAT:
1. The application for an extension of time within which to serve written submissions in support of the Interlocutory appeal is granted.
2. The applicant is granted 14 days within which and serve its written submissions on the respondents.

Reason: The Court was of the view that the applicant had met the threshold for the grant of an extension of time.

Case Name:

**[1] Ruth Dubois
[2] Elvis Naitram
[3] John Alexander
v
[1] Francis Maurice**

**[SLUHCVAP2013/0007]
(Saint Lucia)**

Date:

Tuesday, 20th February 2018

On paper:

Appellant: Ms. Wauneen Louis-Harris

Respondent: Ms. Esther Greene-Ernest

Issue:

Application for extension of time to file record of appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for an extension of time within which to file the record of appeal.**
- 2. The applicant is granted 14 days within which to file the record of appeal.**
- 3. The appeal shall proceed in accordance with CPR 2000.**

Reason:

The Court was of the view that the applicant had met the threshold for the grant of an extension of time.

Case Name:

**Peter Dasouza
v
The Commissioner of Police**

[SVGMCRAP2018/0008]
(Saint Vincent and the Grenadines)

Date: Tuesday, 20th February 2018

On paper:	Applicant / Intended Appellant:	In person
1. Applicant: The person who is applying for a license or permit. 2. Intended Appellant: The person who is expected to appeal the decision of the licensing board.	1. Applicant: The person who is applying for a license or permit. 2. Intended Appellant: The person who is expected to appeal the decision of the licensing board.	1. Applicant: The person who is applying for a license or permit. 2. Intended Appellant: The person who is expected to appeal the decision of the licensing board.

Issue: Application for extension of time to appeal sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for an extension of time is granted.**
- 2. The applicant shall file the notice of appeal within 14 days of the date of this order.**

Reason: The Court was of the view that the applicant had met the threshold for the grant of an extension of time.

Case Name: **Ronald Danzel**
v
The Queen

[SVGHCRA2018/0003]
(Saint Vincent and the Grenadines)

Date: Tuesday, 20th February 2018

On paper: **Applicant** / **In person**
Intended
Appellant:

Issue: Application for extension of time to appeal sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for extension of time is granted.**
- 2. The applicant shall file his notice of appeal within 14 days of the date of this order.**

Reason:

The Court was of the view that the applicant had met the threshold for the grant of an extension of time.

Case Name:

Angus Dennie

v

**St. Vincent and the Grenadines Small Business
and Microfinance Co-operative Ltd.**

**[SVGHCVAP2017/0013]
(Saint Vincent and the Grenadines)**

Date:

Tuesday, 20th February 2018

On paper:

Applicant: Robertson & Robertson

Respondent: Regency Law Co. Ltd.

Issue:

Application for stay of execution of judgment of Henry J

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The appeal being a nullity is hereby struck out.**
- 2. The applicant is granted a stay of execution and a stay of proceedings of SVGHCV2014/0147 for a period of 14 days from the date of this order to permit the applicant to seek an extension of time within which to file leave to appeal the judgment of Henry J.**
- 3. The appellant shall pay the respondent cost in the sum of \$750.00.**

Reason:

The Court was satisfied that the order of Henry J is an interlocutory order. The Court applied the application test and found that no leave having been obtained prior

to the filing of the notice of appeal, the appeal was a nullity.

Case Name:

Jevonne Samuel

v

The Queen

[SVGHCRAP2017/0016]

(Saint Vincent and the Grenadines)

Date:

Tuesday, 20th February 2018

On paper:

**Applicant /
Intended
Appellant:**

In person

Issue:

Application for leave to appeal against sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Leave to appeal is granted.**
- 2. Applicant shall file notice of appeal within 14 days of the date of this order.**

Reason:

The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

Anthony Edwards

v

The Queen

[SVGHCRAP2018/0001]

(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th February 2018**

On paper:

Applicant / In person
Intended
Appellant:

Respondent / Mr. Colin Williams, Director of Public Prosecutions
Applicant:

Issues: **Application for leave to appeal against conviction –**
Application for leave to appeal against sentence

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. The applicant, Anthony Edwards, is granted leave to
appeal his conviction.
2. The applicant, Anthony Edwards, shall file his notice
of appeal within 21 days of the date of this order.
3. Director of Public Prosecution is granted leave to file
a notice of appeal against the sentence imposed on
the applicant Anthony Edwards.
4. Director of Public Prosecutions shall file the notice of
appeal within 21 days of the date of this order.

Reason: **The Court was satisfied that both applicants had met the**
threshold for the grant of leave to appeal.

Case Name: **Danley Matthews**
v
The Queen

[SVGHCRA2018/0002]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th February 2018**

On paper:

Applicant / In person
Intended
Appellant:

Issue: **Application for leave to appeal against conviction and sentence**

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. The applicant is granted leave to appeal.
2. The applicant to file his notice of appeal within 14 days of the date of this order.

Reason: **The Court was satisfied that the applicant had met the threshold for the grant of leave to appeal.**

Case Name: **Collin Williams**
v
The Commissioner of Police

[SVGMCRAP2018/0001]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / In person**
Intended
Appellant:

Issue: **Application for extension of time within which to appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**
The applicant is granted an extension of time to file a notice of appeal within 14 days of the date of this order.

Reason: The Court was of the opinion that the applicant had met the threshold for the grant of an extension of time.

Case Name: **Recardo Bacchus**
v
The Commissioner of Police

[SVGMCRAP2018/0005]
(Saint Vincent and the Grenadines)

Date: Tuesday, 20th February 2018

On paper: **Applicant** / **In person**
Intended
Appellant:

Issue: Application for extension of time within which to appeal

Result / Order: **IT IS HEREBY ORDERED THAT:**
The applicant is granted an extension of time to file a notice of appeal within 14 days of the date of this Order.

Reason: The Court was of the view that the applicant had met the threshold for the grant of an extension of time within which to file a notice of appeal.

Case Name: **Brian Samuel**
v
The Commissioner of Police

[SVGMCRAP2018/0003]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / In person**
Intended
Appellant:

Issue: **Application for extension of time within which to appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**
The applicant is granted an extension of time to file a notice of appeal within 14 days of the date of this order.

Reason: **The Court was of the view that the applicant had met the threshold for the grant of an extension of time within which to file a notice of appeal.**

Case Name: **Grafton McMillian**
v
The Commissioner of Police
[SVGMCRAP2018/0006]
(Saint Vincent and the Grenadines)

Date: **Tuesday, 20th February 2018**

On paper: **Applicant / In person**
Intended
Appellant:

Issue: **Application for extension of time within which to appeal**

Result / Order: **IT IS HEREBY ORDERED THAT:**
The applicant is granted an extension of time to file a

notice of appeal within 14 days of the date of this order.

Reason:

The Court was of the view that the applicant had met the threshold for the grant of an extension of time within which to file a notice of appeal.

Case Name:

**Noel Lewis
v
The Commissioner of Police**

**[SVGMCRAP2018/0004]
(Saint Vincent and the Grenadines)**

Date:

Tuesday, 20th February 2018

On paper:

**Applicant / In person
Intended
Appellant:**

Issue:

Application for extension of time within which to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Applicant is granted an extension of time and leave to appeal to file notice of appeal.**
- 2. Applicant is granted 14 days from the date of this order to file the notice of appeal.**

Reason:

The Court was satisfied that the applicant had met the threshold for the grant of an extension of time.

Case Name:

Antow Holdings Limited

Appellant

**[1] Best Nation Investments Limited
[2] East Crown Group Limited
Respondents/Claimants**

v

**[1] Qiu Jiajun
[2] Zhu Yaqing
[3] Lin Hui
[4] Gong Yuda
First-Fourth Defendants**

**[BVIHCMAP2017/0010]
(Territory of the Virgin Islands)**

Date: Tuesday, 20th February 2018

On paper:

Appellant: Appleby

Respondent: Forbes Hare

Issue: Application for adjournment of hearing of appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The applicant is granted an adjournment of the appeal.**
- 2. The hearing of the appeal is adjourned to Tuesday 20th March 2018 during the sittings of the Court of Appeal in the State of Saint Lucia.**
- 3. There is no order as to costs.**

Reason:

The Court was mindful of all the facts and had regard to rule 1.1(1) of the Civil Procedure Rules 2000, in that the overriding objective is to deal with cases justly. The Court being mindful of its powers to adjourn appeals decided to adjourn this appeal.

Before:

The Hon. Mde. Louise Esther Blenman, Justice of Appeal

Case Name:

Augustine J.C. Miguel

v

[1] Natalie Miguel Nee Sardine

[2] Jason Sardine

[3] Noel Sardine

[4] Magdaline Sardine

[SVGHCVAP2015/0012]

(Saint Vincent and the Grenadines)

Date:

Tuesday, 20th February 2018

On paper:

Applicant / Lyndon George Chambers
Appellant:

Respondent: Mr. Duane Daniel

Issue:

Application for service out of jurisdiction

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. Leave is granted to serve the first named respondent Natalie Miguel Nee Sardine out of jurisdiction at 37 Main Road, Apartment 805, Bethlehem, Pennsylvania 18018, USA.**
- 2. Leave is granted to serve the second named respondent Jason Sardine out of jurisdiction at 170-30-130 Avenue, Jamaica, Queens Apartment 3d 11434.**
- 3. Leave is granted to serve the third named respondent Noel Sardine out of jurisdiction at 2087 Hopewell Road, Bethlehem, Pennsylvania 18017, USA.**

Reason:

The Court was of the view that the applicant had met the threshold for service out of jurisdiction.