

CHAMBER HEARING

January 2017

		<u>MATTERS DEALT WITH ON PAPER</u>
Before:		The Hon. Mr. Paul Webster, Justice of Appeal [Ag.]
Case Name:		Joseph Brice v Regina [AXAHCRA2016/0001] (Anguilla)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Bail pending appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The notice of renewal of application for bail pending the hearing and determination of the appeal filed on 20th December 2016 is dismissed.
Reason:		The Court noted that the renewal of the application for bail does not disclose any exceptional circumstances for granting bail pending the hearing and determination of the appeal in the sense contemplated by the authorities including R. v Watton (1979) 68 Cr. App. R. 293 and Scantlebury v The State 1976) 27 WIR 103. The Court was not satisfied that the hearing of the appeal will not take place at the sitting of the Court of Appeal in Anguilla during the week commencing 24th April 2017.

Case Name:		[1] Cutelyn Carty [2] Cutelyn Carty as Executrix for the Estate of Hyacinth Carty, Deceased v West Indies Concrete Company Limited [AXAHCVAP2016/0010] (Anguilla)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Ms. Tara Carter, Carter & Associates
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application of for leave to appeal is referred to the Full Court for hearing at the sitting of the Court in Anguilla scheduled for the week commencing 24th April 2017.
Case Name:		IN THE MATTER of the Registered Land Act, Revised Statutes of Anguilla, Chapter R 30 Section 147 AND IN THE MATTER of an appeal by Collins Richardson et al against a decision of the Registrar of Lands dated 28th September 2010 and 7th July 2011

		[AXAHCVAP2016/0011] (Anguilla)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	Alex Richardson & Associates
	1-5th Respondents/ Applicants:	Mr. Kerith Kentish, Joyce Kentish & Associates
	7th Respondent:	Wigley Chambers instructed by Chancery Lane Chambers
	8th Respondent:	The Attorney General's Chambers
Issues:		Application for leave appeal – Application for stay of execution
Result / Order:		IT IS HEREBY ORDERED THAT: 1. Leave is granted to the Collins Richardson applicants to appeal against the order of Master Ventose dated 6th December 2017. The notice of appeal is to be filed and served within 21 days of the date of this order. 2. Leave is granted to the Benjamin Wilson Richardson applicants to appeal against the order of Master Ventose dated 6th December 2017. The notice of appeal is to be filed and served within 21 days of the date of this order. 3. The order of Master Ventose is stayed pending the outcome of the appeals.
Reasons:		The Court was of the opinion that the applicants in both applications have met the threshold requirements for the grant of leave to appeal.

Case Name:		[1] Keithley Lake [2] Fidelity Insurance Co. Ltd. [3] Alliance Royalties, Inc. [4] Westminster, Hope & Turnberry, Ltd. v [1] Richard Vento [2] Lana Vento [3] Gail Vento [4] Renee Vento [5] Nicole Mollison [6] First Nevis Trust Company Limited (as trustee of: Much Love International Dynasty Trust Vita International Dynasty Trust Loki International Dynasty Trust Founders International Dynasty Trust) [AXAHCVAP2016/0012] (Anguilla)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	Keithley Lake & Associates
Issue:		Application for stay pending determination of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted a stay of the order of Master Ventose dated 5th December 2016 pending the hearing and determination of the applicants' appeal. 2. The costs of the application shall be costs in the appeal.
Reasons:		The Court noted that the appeal challenges the order for sale of the applicant's real properties on grounds, inter alia, that the Master acted without authority in ordering the sale of the properties which are owned in common with other persons or other persons have an

		interest in such properties and the appeal would be rendered nugatory if the sales proceed and the appeal is successful. The Court also noted that the appeal has a good prospect of succeeding.
Case Name:		Flat Point Development Limited v Canisby Limited [ANUHCVAP2016/0006] (Antigua & Barbuda)
Date:		Tuesday, 24th January 2017
	Applicant:	Ms. Jacqueline Walwyn, The Law Cottage
	Respondent:	Ms. Michelle G. Sterling, Rika Bird & Associates
Issues:		Application for leave to amend notice of appeal – Application for extension of time to file supplementary submissions
Result / Order:		IT IS HEREBY ORDERED THAT: The applicant's application to amend the notice of appeal is dismissed with costs of \$1,000.00 to the respondent.
Case Name:		Neil Williams v [1] Joseph Zreibe as representative of the Diocesan Catholic School Board for the Christ the King High School

		[2] Director of Education
		[ANUHCVAP2015/0027] (Antigua & Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Marshall & Co.
	1st Respondent:	Mr. Jason Martin
	2nd Respondent:	Attorney General's Chambers
Issues:		Application extension of time to apply for leave to appeal – Application for leave to apply for judicial review – Application to strike out notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for extension of time to apply for leave appeal against the order of Cottle, J made on 22nd June 2015 is dismissed with costs of \$750.00 to the 1st respondent.
Reason:		The Court noted that the time for the respondent to file submissions in response to the application for an extension of time has not expired.
Case Name:		Dickenson Bay Hotel Management Ltd. d/b/a Sandals Antigua v Miriam Myers [ANUHCVAP2016/0022] (Antigua & Barbuda)

Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Henry & Burnette
	Respondent:	In person
Issues:		Application for extension of time to apply for leave to appeal – Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application to extend time for service of the notice of appeal is granted and the service on the respondent on 12th December 2016 is deemed proper service. 2. The appellant's application for a stay of execution of the judgment of the High Court delivered on 20th October 2016 is dismissed. 3. Costs of the application to extend for service of the notice of appeal of \$500 to the respondent and costs of \$1,500.00 on the application for a stay of execution to the respondent.
Reason:		The Court noted that the appellant has offered to pay to the respondent on account of the judgment debt the sum of \$111,668.00 comprising \$25,000 for pain and suffering, \$42,927.80 for loss of earnings and \$45,740.09 for future medical care as a condition for the grant of the stay of execution. The Court also noted that the appellant has not provided any cogent evidence why the successful party in the lower court should be denied the fruits of her judgment.
Case Name:		Debra Jones-Thompson v [1] Sharon Govia

		[2] John Govia [3] Shenella Govia [ANUHCVP2016/0024] (Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Mr. Sylvester Carrott
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall file written submissions in support of her application on or before 11th February 2017. 2. The application is adjourned for further consideration to the next chamber hearing of this Court scheduled for 21st February 2017.
Reason:		The Court noted that the applicant has not filed submissions.
Case Name:		The Board of Trustees Sunnyside Tutorial School v Irene Bowen [ANULTAP2016/0006] (Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Ms. C. Kamilah Roberts

	Respondent:	In person
Issue:		Application for stay of execution
Result / Order:		IT IS HEREBY ORDERED THAT: 1. A stay of execution of the judgment of the Industrial Court delivered on 21 st October 2016 awarding \$46,000.00 to the respondent is granted until the determination of the appeal on condition that the appellant pay the said sum of \$46,000.00 into Court on or before 28 th February 2017. 2. No order as to costs.
Case Name:		[1] Xavier Mason [2] Cornell Humphreys [3] Colin Barnes [4] Cameron Thomas [5] Lyndon Greene v Antigua Port Authority [ANUHCVP2011/0027] (Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	Lake & Kentish
	Respondent:	Mr. Colin Derrick
Issues:		Application for leave to appeal – Application for stay of proceedings
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The time for filing the respondent's submissions is

		extended to 22nd November 2016. 2. The submissions and authorities filed on 22nd November 2016 and served on 23rd November 2016 be deemed properly filed. 3. No order as to costs.
Reason:		The Court noted that the appellants have not filed any opposition to the application.
Case Name:		Andre Michael v Kenneth Providence [ANUHCVP2016/0018] (Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Ms. Safiya Roberts
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The applicant's notice of application for leave to appeal the decision of Justice Pearletta Lanns dated 13th October 2016 is referred to the Full Court for hearing at the next sitting of the Court scheduled for the week commencing 27th February 2017.
Case Name:		Charles Khoury v

		Agnes Khoury
		[ANUHCVP2016/0012] (Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Dr L. Errol Cort
Issues:		Application for stay of Execution pending appeal – Application for leave to appeal the decision refusing the grant of a stay of proceedings
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant’s application for leave to appeal the decision of Master Corbin-Lincoln dated 16th November 2016 refusing to grant a stay of proceedings pending the determination of the appeal shall be listed for hearing at the next sitting of the Court in Antigua and Barbuda scheduled for the week commencing 27th February 2017. 2. The appellant is granted a limited stay of the proceedings in the court below until 3rd March 2017.
Reasons:		The Court noted that the appellant’s application for a stay of execution of the decision of Justice Lanns dated 11th May 2016 pending the determination of the appeal was dismissed by Master Corbin-Lincoln on 16th November 2016.
Case Name:		Jehu Hand v Keith Mazer [ANUHCVP2016/0026]

		(Antigua and Barbuda)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Ms. Janice Christopher-Young, St. Christopher Chambers
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall file written submissions in support of the application by no later than 3rd February 2017. 2. The applicant shall serve the application and his written submissions on the respondent by 10th February 2017. 3. The hearing of the application for leave to appeal is adjourned to the next Chamber hearing on 21st February 2017.
Reasons:		The Court noted that there is no evidence of service of the application on the respondent and that the applicant has not filed written submissions in support of the application.
Case Name:		Barrington Pond v Netherland Antilles General Insurance Corporation N.V [DOMHCVAP2013/0005] (Commonwealth of Dominica)
Date:		Tuesday, 24th January 2017
On paper:		

	Applicant:	Harris, Harris & Didier
	Respondent:	Ms. Singoalla Blomqvist-Williams
Issues:		Application for extension of time to file record of appeal and submissions – Application to strike out appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The appellant's application for an extension of time to file the record of appeal is dismissed. 2. The appeal is struck out for want of prosecution. 3. Costs to the respondent of \$1,500.00.
Reason:		The Court noted that the delay in filing the record of appeal and prosecuting the appeal is inordinate; that the reasons given for the delay are not satisfactory; and that the appeal does not have good prospects of succeeding.
Case Name:		The Bank of Nova Scotia v [1] Joyce Erin Rabess [2] Anison Rabess [DOMHCVAP2016/0010] (Commonwealth of Dominica)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Harris, Harris & Didier
	Respondents:	Mr. Lennox Lawrence
Issue:		Application for stay of proceedings in the substantive

		matter pending appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The notice application filed on 28 th July 2016 for a stay of the proceedings in the substantive matter in the lower court pending the outcome of the appeal is dismissed with costs of \$500.00 to the respondents.
Reason:		The Court noted the order dated 29 th November 2016 where leave to appeal was granted and the hearing of the application for stay of proceedings was adjourned pending receipt of the notice of appeal. The Court also noted that the notice of application for a stay of the proceedings in the substantive matter in the lower court pending the outcome of the appeal and the evidence in support do not state any reason why this Court should grant a stay or what would be the effect of not granting a stay.
Case Name:		Winslous Lafond v Irma Lafond Joseph [DOMHCVAP2014/0001] (Commonwealth of Dominica)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
	Respondent:	Mr. Christopher Forde
Issues:		Application for extension of time to file notice of appeal – Application for notice of appeal be deemed properly filed
Result / Order:		IT IS HEREBY ORDERED THAT:

		The notice of application for extension of time to comply and for an order to “put matters right” filed on 30 th November 2016 be dismissed with no order as to costs.
Reason:		The Court was satisfied that the relief claimed in the application filed on 30 th November 2106 seeks substantially the same relief as in the first application which was dismissed by the Court.
Case Name:		Grensire Fire & General Insurance Ltd. v Dr Nizar Hadeed. [GDAHCVAP2016/0036] (Grenada)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Henry, Henry & Bristol
	Respondent:	Ramdhani & Associates
Issues:		Application for leave to appeal – Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERD THAT: 1. The respondent is granted an extension of time within which to file and serve a counter notice of appeal. 2. The counter notice of appeal filed and served on 8th December 2016 be deemed to be properly filed and served. 3. No order as to costs.
Reason:		The Court noted that the appellant has not filed an opposition to the respondent’s application. The Court

		was satisfied that the respondent has satisfied the conditions for being granted an extension of time within which to file and serve a counter notice of appeal.
Case Name:		Finton Debourg v The Queen [GDAHCRAP2016/0027] (Grenada)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	G.W. Prime & Co.
Issue:		Application for bail pending hearing and determination of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The notice of application for bail pending determination and hearing of the appeal is dismissed.
Reason:		The Court noted that the application for bail does not disclose any exceptional circumstances for granting bail pending the hearing and determination of the appeal in the sense contemplated by the authorities including R. v Watton (1978) 68 Cr Appellant Rep 293 and The State v Lynette Scantlebury (1976) 27 WIR 103 or otherwise.
Case Name:		[1] Cecil Beryl Ryan-Cox [2] Theobald Cox v Rhona aka Lorna Cox

		SLUHCVAP2013/0003] (Saint Lucia)
Date:		Tuesday, 24th January 2017
On paper:		
	1st Appellant/ Applicant:	Theodore & Associates
	Respondent:	Gordon, Gordon & Gordon
Issues:		Application to replace deceased parties – Application for extension of time – Application for relief from sanctions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant file or cause to be filed an affidavit by Christopher Cox of Vangard, Anse-La-Raye, the proposed representative of Rhona Cox, deceased, that complies with paragraphs 1 and 2 of the order of Michel JA dated 10th November 2016 on or before 28th February 2017. 2. The 1st appellant be appointed to replace the 2nd appellant for the purpose of these proceedings.
Reason:		The Court noted the orders of Michel, JA and Thom, JA dated 10th November, 2016 and 29th November 2016, respectively and that the applicant has not complied with the said orders. The Court was satisfied with the affidavit of Moone-Lee Pelage, a clerk employed by the attorneys who represent the appellants, in relation to the appointment of the 1st appellant to replace the 2nd appellant.
Case Name:		Thomas Ambrose v Josephat Small

		[SLUHCVAP2015/0022] (Saint Lucia)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	Ms. Leandra Gabrielle Verneuil, Jennifer Remy & Associates
	Respondent:	Finisterre Chambers
Issue:		Application for stay of proceedings – Application for stay of proceedings – Application that a new party be added
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for an extension of time to comply with CPR Part 62.7 is granted. The appellant shall serve the respondent personally with the notice of appeal filed on 13th October 2015 on or before 10th February 2017. 2. The application for an extension of time to comply with CPR Part 62.10 (1) and (2) is granted. The appellant shall file and serve his written submissions in support of the appeal and any other documents required by Part 62.10 (1) and (2) on or before 10th February 2017 and file proof of service. 3. The appellant is granted leave to amend the notice of appeal to state that it is an interlocutory appeal. 4. Marietta Ambrose shall be added as an appellant to the appeal and that the notice of appeal and all other documents in the appeal be amended to include Marietta Ambrose as an appellant. 5. The application for a stay of proceedings and execution pursuant to the Judgment of Master Actie dated 22nd July 2016 is dismissed.
Reason:		The Court noted the notice of appeal was filed on 13th October 2015 within the time limited by the order of Baptiste, JA but was not served on the respondent.

Case Name:		[1] Peter Toussaint [2] Terentia Nigel Toussaint-Carrol [3] The Heirs of Thelma Toussaint v Peter Barnard [SLUHCVAP2016/0022] (Saint Lucia)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	In person
Issue:		Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The applicant is granted an extension of time to file and serve the notice of appeal by no later than 17th February 2017.
Reason:		The Court noted that the respondent has filed a notice of non-objection to the application filed on 23rd January 2017.
Case Name:		The Beacon Insurance Company Limited v [1] Valencia Delaire aka Valencia Changoo of Bexon, Castries, Saint Lucia in the capacity as Administratrix of the estate of the late Lenson Skelly and Tutrix of the minor child Rochelle Tamara Skelly

		[2] Anel Chedy (by his personal representative Paula Chedy) of Goodlands, Castries Saint Lucia [SLUHCVAP2016/0030] (Saint Lucia)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Gordon, Gordon & Co.
Issues:		Application for leave to appeal – Application for substitution of the second named respondent
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal against the decision of Master Agnes Actie delivered on 14th December 2016 in High Court Claim SLUHCV2016/0432 Valencia Delaire aka Valencia Changoo of Bexon, Castries in her capacity as administratrix of the estate of the late Lenson Skelly and tutrix of the minor child Rochelle Tamara Skelly v Anel Chedy (by his personal representative Paula Chedy of Goodlands, Castries, Saint Lucia. 2. The second respondent be substituted by the Applicant/intended Appellant for the purposes of the prosecution of the instant appeal as well as in High Court claim SLUHCV2016/0432 Valencia Delaire aka Valencia Changoo of Bexon, Castries in her capacity as administratrix of the estate of the late Lenson Skelly and tutrix of the minor child Rochelle Tamara Skelly v Anel Chedy (by his personal representative Paula Chedy of Goodlands, Castries, Saint Lucia.
Reason:		The Court was satisfied that the applicant has met the requirements for being granted leave to appeal.

Case Name:		The Director of Public Prosecutions v Caleb Antoine [SLUHCRAP2017/0001] (Saint Lucia)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	The Director of Public Prosecutions
	Respondent:	In person
Issue:		Application for case management of sentence referral
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is to provide proof of service on the respondent within 7 days of the date of this order. 2. The application is adjourned for further consideration at the next chamber sitting of this Court scheduled for Tuesday 21 st February 2017.
Reason:		The Court noted that there is no proof of service on the respondent.
Case Name:		Leslie Charles Adamson Salters v Bank of Nova Scotia [SKBHCVAP2015/0021] (Saint Christopher & Nevis)
Date:		Tuesday, 24th January 2017

On paper:		
	Applicant:	Merchant & Associates
Issue:		Application to set aside sale of property
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant's application for a stay of execution and proceedings under the order of Master Fidela Corbin-Lincoln dated 14th July 2015 is dismissed. 2. The application to set aside the sale of property is remitted to the High Court for hearing. 3. Costs of \$1,500.00 to the respondent.
Reason:		The Court noted that the notice of appeal filed on 25th August 2015 was from an interlocutory order of the learned master and leave was required to file the notice of appeal and no such leave was applied for or obtained. The appeal is therefore a nullity. Further, the grounds of appeal do not disclose good chances of success on appeal, and the application for a stay of the master's order was filed inordinately late and does not contain cogent reasons for granting a stay.
Case Name:		Caribbean Building Systems (St. Kitts) Limited v First Caribbean International Bank (Barbados) Limited [SKBHCVAP2016/0017] (Saint Christopher & Nevis)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Dr Dennis Merchant, Merchant & Associates

Issues:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is further directed to obtain a signed and certified copy of the order of the master by 10th February 2017. 2. In the event that the Registrar cannot obtain the signed and certified order the Registrar shall file an affidavit with reasons why the signed and certified order cannot be obtained by 17th February 2017. 3. The application for leave to appeal is adjourned to the next chamber sitting of the Court scheduled for Tuesday, 21st February 2017.
Reason:		The Court read the orders of Thom JA and Blenman JA dated 29 th November 2016 and 20 th December 2016, respectively and noted that there is no compliance with the said orders.
Case Name:		Adam Bilzerian v [1] Gerald Lou Weiner [2] Kathleen Weiner [SKBHCVAP2016/0021] (Saint Christopher & Nevis)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT:

		1. The applicant shall file a copy of the order of The Honourable Mr. Justice Trevor Ward, QC dated 6th December 2016 on or before 17th February 2017. 2. The hearing of the application for leave to appeal is adjourned to the next chamber hearing on 21st February 2017.
Reason:		The Court read the notice of application for leave to appeal the order of The Honourable Mr. Justice Trevor Ward, QC dated 6 th December 2016 and noted that the said order was not filed with the application.
Case Name:		Judith Ann Burton Titley v [1] First Fidelity Deposit Corporation [2] Andrew Michael Austin Titley [3] Caribbean Trust Company (Nevis) Ltd [SKBHCVAP2015/0014] (Saint Christopher & Nevis)
Date:		Tuesday, 24 th January 2017
On paper:		
	Applicant:	Myrna R Walwyn & Associates
Issue:		Application for leave to appeal out of time
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The service of the application by Myrna R. Walwyn & Associates to be removed as legal practitioners for the appellant and the affidavit in support of the application on 6th January 2017 is deemed proper service. 2. The application by Myrna R. Walwyn & Associates to be removed as legal practitioners for the appellant is granted.

		3. The Registrar of the High Court shall cause a copy of this order and the notice issued by the Deputy Chief Registrar on 5 th December 2016 advising of the status hearing of the appeal on 13 th March 2017 to be served on the appellant at the following email address: luvroscorile2014@gmail.com within seven days of the date of this order.
Reason:		The Court noted that there is no proof of service of the application and supporting documents on the respondent.
Case Name:		[1] Gregory Gilpin-Payne [2] International Investments & Consulting Ltd. v [1] Stephen First [2] Corporate Capital (Asia) Ltd. [SKBHCVAP2016/0016] (Saint Christopher & Nevis)
Date:		Tuesday, 24 th January 2017
On paper:		
	1 st Applicant:	In person
	2 nd Applicant:	Dr Dennis Merchant, Merchant & Associates
	Respondents:	Mr. Thomas Astaphan, QC
Issue:		Application for leave to appeal
Result / Order:		BY CONSENT IT IS HEREBY ORDERED THAT: 1. The application filed by the applicants on 28th September 2016 for leave to appeal against the order of Master Corbin-Lincoln dated 9th September 2016 is deemed to be filed in compliance with the

		order of Thom, JA dated 19th December 2016. 2. The application for leave to appeal against the order of Master Corbin-Lincoln dated 9th September 2016 will be heard by the Court of Appeal at the sitting of the Court in the Federation of Saint Kitts and Nevis during the week commencing Monday, 13th March 2017.
Reason:		The Court noted that the application that is before the Court is for an order deeming the application for leave to appeal filed by the applicants on 28 th September 2016 properly filed in accordance with the order of Thom, JA made on 19 th December 2016
Case Name:		Bridge Funding Inc. v [1] Carino Hamilton Development Company Ltd [2] Jorn Eivik [SKBHCVAP2016/0012] (Saint Christopher & Nevis)
Date:		Tuesday, 24 th January 2017
On paper:		
	Applicant:	Ms. Dia Forrester/Ms. Michelle Slack
	Respondents:	Merchant Legal Chambers
Issues:		Application for stay of execution pending appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. 1. The appeal is to be listed for hearing at the sitting of the Court of Appeal in the Federation of St. Kitts and Nevis scheduled for the week commencing 13th March 2017. 2. The appellant is granted a limited stay of the

		proceedings in the Court below until the 17 th March 2017. 3. Costs of the application for the stay to be costs in the appeal.
Case Name:		McCarthy Duncan v The Commissioner of Police [SVGMCRAP2016/0064] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to cause the minute of conviction and sentence to be prepared and filed copies thereof to be served on the applicant and the Director of Public Prosecutions on or before 14 th February 2017. 2. The Registrar of the High Court is directed to cause the notice of application for extension of time to appeal to be served on the Director of Public Prosecutions on or before 14 th February 2017. 3. The notice of application is adjourned to the next chamber sitting of this Court on 21 st February 2017.
Reason:		The Court noted that that the minute of conviction and sentence is not attached to the application and that the application has not been served on the respondent.

Case Name:		Travis Caine v The Commissioner of Police [SVGMCRAP2016/0054] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to cause the minute of conviction and sentence to be prepared and filed and copies thereof to be served on the applicant and the Director of Public Prosecutions on or before 14th February 2017. 2. The Registrar of the High Court is directed to cause the notice of application for extension of time to appeal to be served on the Director of Public Prosecutions on or before 14th February 2017. 3. The notice of application for extending the time to appeal is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reasons:		The Court noted that the minute of conviction and sentence is not attached to the application and that the application has not been served on the respondent.

Case Name:		Susan John v Andrew Sam [SVGMCRAP2016/0002] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	The Law Firm of Marks & Marks
	Respondent:	Robertson & Robertson
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall file a report of the progress of obtaining the transcript of the proceedings before the learned magistrate on or before 17th February 2017. 2. The notice of application for leave to appeal is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reasons:		The Court noted that it appeared as though a transcript of the proceedings before the Magistrate has still not been provided to the Court
Case Name:		Kishorn Jackson v The Commissioner of Police [SVGMCRAP2016/0044]

		(Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicants:	Keithley Lake & Associates
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for extension of time to appeal filed on 18th August 2016 is granted. 2. The appellant shall file and serve his notice of appeal within 21 days of the date of this order.
Reasons:		The Court noted the orders of Blenman, JA and Michel, JA dated 6th October 2016 and 18th November 2016, respectively.
Case Name:		Reynold Williams aka Rene Sandy v Mazeline Gabriel [SVGHCVAP2010/0014] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
	Applicant:	Mr. Cecil A. William
	Respondent:	In person
Issues:		Application to strike out appeal

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The respondent/applicant shall serve the notice of application to strike out appeal on the appellant on or before 17th February 2017. 2. The hearing of the application to strike out the appeal is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reasons:		The Court noted that that there is no evidence of service of the notice of application on the appellant/respondent.
Case Name:		Kelroy Barbour v The Commissioner of Police [SVGMCRAP2016/0055] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for an extension of time to appeal is granted. 2. The applicant shall file and serve his notice of appeal on the Director of Public Prosecutions on or before 17th February 2017.
Reason:		The Court noted that the notice of application for extension of time and the minute of conviction and sentence were served on the Director of Public

		Prosecutions on 16th January 2017.
Case Name:		Javrid Christopher v The Queen [SVGMCRAP2016/0054] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted an extension of time to appeal. 2. The applicant shall file and serve his notice of Appeal on the Director of Public Prosecutions on or before 17th February 2017.
Reason:		The Court noted that the application and the minute of conviction and sentence were served on the Director of Public Prosecutions.
Case Name:		Rudolph Lewis v The Queen [SVGMCRAP2016/0015]

		(Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time within which to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for extension of time to appeal filed on 21 st November 2016 is granted. 2. The appellant shall file and serve his notice of appeal within 21 days of the date of this order.
Reason:		The Court noted that the minute of conviction and sentence is not attached to the application. The Court also read order of Blenman JA dated 20 th December 2016 and noted there has been substantial compliance with the order.
Case Name:		Roderick Alexander v The Queen [SVGMCRAP2016/0014] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant's application for an extension of time to appeal is granted. 2. The applicant shall file his notice of appeal and serve a copy thereof on the Director of Public Prosecutions on or before 17th February 2017.
Reasons:		The Court noted that the notice of application was served on the Director of Public Prosecutions. The Court also noted that the respondent opposes the application and filed an affidavit with exhibits and written submissions with authorities on 19 th December 2016.
Case Name:		Lenford Nanton v The Commissioner of Police [SVGMCRAP2016/0052] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issues:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for an extension of time within which to appeal is refused.
Reason:		The Court noted the memorandum from the President of the Family Court to the Director of Public Prosecutions dated 7 th December 2016. The Court was of the view that no proper basis has been advanced by the applicant for an extension of time to file a notice of

		appeal.
Case Name:		Raymond Henry v The Commissioner of Police [SVGMCRAP2016/0053] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for extension of time to appeal filed on 10th November 2016 is granted. 2. The appellant shall file and serve his notice of appeal within 21 days of the date of this order.
Reasons:		The Court noted that the notice of application for extension of time and the minute of conviction and sentence were served on the Director of Public Prosecutions on 16 th January 2017.
Case Name:		Glenroy Providence v The Commissioner of Police [SVGMCRAP2016/0061]

		(Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for extension of time to appeal filed on 24th November 2016 is granted. 2. The appellant shall file and serve his notice of appeal within 21 days of the date of this order.
Case Name:		Brentson Antoine v The Commissioner of Police [SVGMCRAP2016/0050] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for extension of time to appeal filed on 24 th October 2016 is granted. 2. The appellant shall file and serve his notice of appeal within 21 days of the date of this order.

Reasons:		The Court noted that the Registrar of the High Court has complied with the orders of Thom, JA dated 29th November 2016 and the order of Blenman JA dated 20th December 2016.
Case Name:		George Samuel Saunders Goodluck v Vilma Goodluck [SVGHCVAP2016/0020] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	S.E. Commissiong & Co. Law Firm
	Respondent:	Frederick Attorneys
Issues:		Application for extension of time to file skeleton arguments – Application for relief from sanctions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The skeleton argument filed on 2nd December 2016 is deemed to be properly filed. 2. No order as to costs.
Reason:		The Court noted the record of appeal filed on 12th October 2016 and that there are good reasons for the delay in filing the skeleton argument and the respondent has not filed opposition to the application.
Case Name:		Duran Gerald

		V The Commissioner of Police [SVGMCRAP2016/0066] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to cause the minute of conviction and sentence to be prepared and filed copies thereof to be served on the applicant and the Director of Public Prosecutions on or before 14th February 2017. 2. The Registrar of the High Court is directed to cause the notice of application for extension of time to appeal to be served on the Director of Public Prosecutions on or before 14th February 2017. 3. The notice of application is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reason:		The Court noted that the minute of conviction and sentence is not attached to the application and the application has not been served on the Director of Public Prosecutions.
Case Name:		Kishorn Mills V The Commissioner of Police [SVGMCRAP2016/0065] (Saint Vincent and the Grenadines)

Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to cause the minute of conviction and sentence to be prepared and filed copies thereof to be served on the applicant and the Director of Public Prosecutions on or before 14th February 2017. 2. The Registrar of the High Court is directed to cause the notice of application for extension of time to appeal to be served on the Director of Public Prosecutions on or before 14th February 2017. 3. The notice of application for extension of time to appeal is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reason:		The Court noted that the minute of conviction and sentence is not attached to the application.
Case Name:		Gunter Bauer v Martin Wiebecke [SVGHC VAP2016/0009] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	Zhing Horne Edwards
	Respondent:	Mr. Graham Bollers, Regal Law Chambers

Issues:		Application for leave to put matters right – Application for leave to file notice of appeal – Application for relief from sanctions – Application for extension of time to file and serve notice of appeal
Result / Order:		IT IS HEREBY ORDERD THAT: The notice of application filed on 22 nd December 2016 for relief from sanctions, leave to put matters right, leave to file a notice of appeal and that the date for filing and serving of the notice of appeal be extended to such dates as the Court may determine, is dismissed.
Reason:		The Court noted that the threshold issue in the application is whether this Court should grant an extension of time to apply for leave to appeal against the judgment of Cottle, J dated 8 th February 2016. The Court further noted that the delay in making the application is inordinate and the proposed appeal does not have reasonable prospects of succeeding.
Case Name:		Desmond Providence v Theodora Joseph [SVGHCVAP2017/0001] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
	Respondent:	Ms. Israel R. Bruce
Issue:		Application for extension of time to appeal

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is directed to serve the notice of application for extension of time on the respondent on or before 17 th February 2017 and file evidence of service. 2. Further consideration of the application is adjourned to the next chamber sitting of the Court on 21 st February 2017.
Reason:		The Court noted that the application was not served on the respondent.
Case Name:		Brandon Lynch v Kenrick Ricardo Isaacs [SVGHCVAP2016/0030] (Saint Vincent and the Grenadines)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
	Respondent:	Mr. Jaundy O. R. Martin
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal against the order of Master Glasgow made on 17 th October 2016 is dismissed.
Reason:		The Court noted that the learned master found that the delay in not filing a defence was inordinate and that

		there were no good reasons for the delay, but there was no delay in applying to set aside the default judgment and that the proposed defence has merit. The Court further noted that the notice of application for leave to appeal the order of Master Glasgow made on 17th October 2016 was filed on 4th January 2017 outside the time limited for applying for leave to appeal against the order and that the application did not include an application for extension to apply for leave to appeal.
Case Name:		Moises Ovalle Almonte v The Commissioner of Police [BVIMCRAP2016/0005] (Territory of the Virgin Islands)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant:	In person
Issue:		Application for permission to appeal against conviction and sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to cause the minute of conviction and sentence to be prepared and to serve filed copies thereof on the applicant and the Director of Public Prosecutions on or before 14th February 2017. 2. The Registrar of the High Court is directed to cause the application for permission to appeal to be served on the Director of Public Prosecutions on or before 14th February 2017.

Reason:		The Court noted the order of Thom JA on 29 th October 2016 and that the minute of conviction and sentence was not filed with the permission to appeal.
Case Name:		[1] Kazholdings Incorporated [2] Kazholdings LLP v [1] John Forster Emmott [2] Michael Wilson & Partners Limited [BVIHCMAP2017/0005] (Territory of the Virgin Islands)
Date:		Tuesday, 24th January 2017
On paper:		
	Applicant/ 1st Respondent:	Campbells
Issue:		Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall serve the notice of application on the respondent on or before 17th February 2017 and file evidence of service. 2. Further consideration of the application is adjourned to the next chamber sitting of this Court on 21st February 2017.
Reason:		The Court noted that the notice of application was not served on the respondent.