

CHAMBER HEARING

October 2016

		<u>MATTERS DEALT WITH ON PAPER</u>
Before:		The Hon. Mde. Louise Esther Blenman, Justice of Appeal
Case Name:		[1] National Bank of Anguilla (Private Banking and Trust) Limited (In administration) [2] Caribbean Commercial Investment Limited (In administration) v [1] National Bank of Anguilla Limited (In receivership) [2] Caribbean Commercial Bank (Anguilla) Ltd. [3] National Commercial Bank of Anguilla Ltd. [AXAHCVAP2016/0008] (Anguilla)
Date:		Thursday, 6 th October 2016
On paper:		
	Applicants:	Fontaine & Associates
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicants are to furnish this Court with a perfected copy of the order of the learned master in relation to which leave to appeal and stay of execution are sought within 14 days of this order. 2. The application is adjourned for further consideration at the next chamber hearing that is scheduled for 1st November 2016.

Reason:		The order in relation to which leave to appeal is sought has not been provided.
Case Name:		Charles Khoury v Agnes Khoury [ANUHCVAP2016/0012] (Antigua and Barbuda)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Dr. L. Errol Cort
Issue:		Application for extension of time to file documents
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The time for filing the requisite documents is extended to August 31st 2016. 2. The skeleton arguments, appeal bundle and list of authorities that were filed on 31st August 2013 are deemed properly filed.
Case Name:		Renee James Spencer v The Director of the Office of the National Drug and Money Laundering Control Policy [ANUHCVAP2016/0013] (Antigua and Barbuda)
Date:		Thursday, 6th October 2016

On paper:		
	Applicant:	Dr. David Dorsett
	Respondent:	The Hon. Attorney General
Issue:		Application for leave appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal is referred to the Full Court for consideration during the sitting of the Court of Appeal in Antigua and Barbuda during the week which commences Monday, 24 th October 2016.
Case Name:		Jennings Building Products Ltd v C.O. Williams Construction (Antigua) Ltd. [ANUHCVP2010/0045] (Antigua and Barbuda)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant/ Respondent:	Ms. Gail Christian
	Respondent/ Appellant:	E. Deniscia Thomas
Issue:		Application for relief from sanctions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. Relief from sanctions is granted. 2. The submissions that were filed by the applicant on 26 th July 2016 are deemed properly filed and served.

		3. No order as to costs.
Case Name:		Matthew Nelson v Public Works Corporation [DOMHCVAP2016/0007] (Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
	Applicant:	Ms. Lisa de Freitas
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. Leave to appeal is granted to the applicant. 2. The applicant is granted 21 days leave within which to file and serve its notice of appeal. 3. The appeal shall thereafter proceed in accordance with CPR 2000.
Reason:		The Court was satisfied that the applicant has met the requisite threshold for the grant of leave to appeal.
Case Name:		Matthew Nelson v [1] Elton Darwton [2] Public Works Corporation [DOMHCVAP2016/0008]

		(Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Ms. Lisa de Freitas
Issues:		Application for leave to appeal – 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 for extension of time within which to file the appeal on the respondent within 21 days. 2. The applicant shall furnish the Court with proof of service. 3. The application is adjourned for further consideration at the chamber hearing scheduled for 1st November 2016.
Reason:		The Court noted that the application for extension of time within which to file a notice of appeal has not been served on the respondent.
Case Name:		Asher James v The State [DOMHCRAP2016/0005] (Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Geoffrey Letang
	Respondent:	The Director of Public Prosecutions

Issue:		Application for leave to appeal against conviction
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to furnish this Court with a copy of the minute of conviction and sentence and cause a copy thereafter to be served on the office of the Director of Public Prosecutions within 21 days of this order. 2. The Registrar shall provide proof of service. 3. The hearing of the application is adjourned to the next Chamber Hearing scheduled for 1st November 2016.
Reason:		The Court noted that there is no minute of conviction and sentence.
Case Name:		Augustin Tavernier and Gloria Tavernier (as personal representatives of Earnest Felix Tavernier) v [1] Johnson Baron [2] Roland Delsol [3] Kyle Henry [DOMHCVAP2016/0009] (Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Tiyani Behanzin
	Respondents:	Heather F. Felix-Evans
Issue:		Application for leave to appeal out of time

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is directed to obtain a copy of the transcript of proceedings and provide same to the Court within 21 days of the order. 2. The applicant shall serve the respondent with a copy of the leave to appeal out of time and notice of appeal within 14 days of this order. 3. The applicant shall provide proof of service. 4. The applicant shall file and serve skeleton arguments in support of this application within 21 days of this order. 5. The application is adjourned for further consideration at the next chamber hearing that is scheduled for 1st November 2016.
Reasons:		The Court noted the absence of the transcripts which would indicate what transpired and resulted in the order of the court.
Case Name:		Irma Lafond Joseph v Winslous Lynton Lafond [DOMHCVAP2014/0001] (Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Winslous L. Lafond
	Respondent:	Christopher Forde
Issues:		Application for leave to appeal – Application for waiver for non-compliance with rules
Result / Order:		IT IS HEREBY ORDERED THAT:

		The application is adjourned to be considered by the Full Court during the sitting of the Court in the Commonwealth of Dominica during the week which commences 7 th November 2016.
Case Name:		The Bank of Nova Scotia v [1] Joyce Erin Rabess [2] Anison Rabess [DOMHCVAP2016/0010] (Commonwealth of Dominica)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Harris, Harris & Didier
	Respondents:	In person
Issues:		Application for leave to appeal – Application for stay of proceedings
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall serve a copy of the notice of application for leave to appeal and stay of proceedings on the respondent within 14 days of this order. 2. The applicant shall provide proof of service. 3. The applicant is directed to file and serve skeleton arguments in support of this application within 21 days of this order. 4. This application is adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016.
Reason:		The Court noted that there is no proof of service of the

		application for leave to appeal and stay of proceedings on the respondent and was cognisant of the principles that were executed in <i>Cage St. Lucia et al v The Gaming Authority et al</i> . SLUHCVP2011/045.
Case Name:		Paul Duncan v The Queen [GDAHCRAP2016/0014] (Grenada)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Ramdhani & Associates
	Respondent:	The Director of Public Prosecutions
Issue:		Application for leave to appeal against sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall cause a copy of the minute of conviction and sentence to be forwarded to this Court and serve a copy of same on the on the office of Director of Public Prosecutions within 21 days of this order. 2. The Registrar of the High Court shall cause a copy of this order to be served on the Office of the Director of Public Prosecutions. 3. The Registrar of the High Court shall provide proof of service. 4. The hearing of this application for extension of time within which to appeal is adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016.

Case Name:		Jude Lessey v Dominic Hopkin [GDAHCVAP2016/0033] (Grenada)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Ciboney Chambers
	Respondent:	The Law Office of George E. D. Clyne
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 for extension of time against the decision of Master Raulston Glasgow dated 29th September 2014 is granted. 2. The applicant shall file and serve the notice of appeal within 21 days of this order. 3. The hearing of the appeal will proceed in accordance with CPR 2000.
Case Name:		Valma Jessamy v Grenada Cooperative Bank Limited [GDAHCVAP2016/0034] (Grenada)
Date:		Thursday, 6th October 2016

On paper:		
	Applicant:	Jerry C. Edwin
	Respondent:	Lewis & Renwick
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application for leave to appeal is adjourned for further consideration by the Full Court during the next sitting in Grenada scheduled for the week commencing 5th December 2016.
Case Name:		Margaret Stevenson (as Administratrix of the Estate of Carlton Stevenson, Deceased) v Lashley A. Salfarlie (trading as 'Salfarie, Salfarie & Salfarie') [GDAHCVAP2013/0035] (Grenada)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Chancery Chambers
	Respondent:	Kim George & Associates
Issue:		Application for a stay of execution
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall serve a copy of the application for stay to be lifted together with the affidavit in

		support on the respondent within 21 days of this order. 2. The applicant shall provide proof of service. 3. The application is adjourned for further consideration at the next chamber hearing scheduled for the 1st November 2016.
Reason:		The Court noted that there is no proof of service of the application of stay to be lifted.
Case Name:		Andy John v Commissioner of Police [GDAMCRAP2016/0018] (Grenada)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	In person
	Respondent:	The Director of Public Prosecutions
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall cause a copy of the minute of conviction and sentence to be forwarded to this Court and serve a copy of same on the on the Office of Director of Public Prosecutions within 21 days of this order. 2. The Registrar of the High Court shall cause a copy of this order to be served on the Office of the Director of Public Prosecutions. 3. The Registrar of the High Court shall provide proof of service. 4. The hearing of this application for extension of time within which to appeal is adjourned for further

		consideration at the next chamber hearing scheduled for 1 st November 2016.
Reason:		The Court the absence of a minute of conviction and sentence.
Case Name:		Devon Charles v The Commissioner of Police [GDAMCRAP2016/0008] (Grenada)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	G.W. Prime & Co.
Issues:		Application for leave to appeal – Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall cause a copy of the minute of conviction and sentence to be forwarded to this office and a serve a copy of the same on the Office of the Director of Public Prosecutions with 14 days of this order. 2. The Registrar of the High Court shall cause a copy of this order to be served on the Office of the Director of Public Prosecutions within 14 days of this order. 3. The Registrar of the High Court shall provide proof of service. 4. The hearing of the application for extension of time to file the notice of appeal is adjourned for further consideration at the chamber hearing which is scheduled for 1st November 2016.

Reason:		The Court noted the absence of a minute of conviction and sentence.
Case Name:		Ken Weakley v [1] The Complaints Commission [2] The Chief Medical Officer [MNIHCVAP2016/0013] (Montserrat)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Ms. Jean Kelsick
Issues:		Application for leave to appeal – Application for extension of time to file notice of appeal
Result / Order:		IT IS HEREBY ORDERD THAT: The application is fixed for case management during the sitting of the Court in Montserrat scheduled for the week commencing Monday, 24th October 2016.
Reason:		The Court noted that the affidavits of service filed on 27th September 2016 and 8th August 2016 both indicate that the amended notice of application and notice of application respectively were served on a clerk in the Attorney General's Chambers.
Case Name:		[1] Phillip Brelsford [2] Joel Osborne [3] Ingrid Osborne

		[4] Alyn Krause [5] Gail Krause [6] Kenneth Allen, QC v [1] Providence Estate Limited [2] Owen Rooney [MNIHCVAP2016/0008] [MNIHCVAP2016/0009] [MNIHCVAP2016/0010] [MNIHCVAP2016/0011] (Montserrat)
Date:		Thursday, 6th October 2016
On paper:		
	Applicants:	Allen Markham and Associates
Issues:		Application for stay of execution of order pending appeal – Application for consolidation of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for a stay of execution is granted. 2. Leave is granted to consolidate appeals 8, 9, 10 and 11 of 2016.
Case Name:		Bridge Funding Inc. v [1] Carino Hamilton development Company Ltd. [2] Jorn Eivik [SKBHCVAP2016/0012] (Saint Christopher and Nevis)
Date:		Thursday, 6th October 2016

On paper:		
	Applicants:	Ms. Dia Forrester/ Ms. Michelle Slack
	Respondent:	Merchant Legal Chambers
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application is referred to the sitting of the Full Court in St. Kitts and Nevis for case management during the week commencing 10th October 2016 in view of CPR 62.7 (a).
Case Name:		Marcia Hobson v Arlene Hull [SKBMCVAP2016/0010] (Saint Christopher and Nevis)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Mr. John Cato
Issue:		Application for leave to appeal out of time - Application for stay of execution
Result / Order:		IT IS HEREBY ORDERED THAT: 1. Unless the applicant complies with the order dated 4th August 2016 within 14 days of this order, the application shall stand dismissed. 2. The hearing of the application is adjourned for further consideration at the next chamber hearing which is scheduled for 1st November 2016.

Reason:		The Court noted that the applicant has not complied with the order of Thom JA dated 4th August 2016.
Case Name:		Adam Bilzerian v [1] Zachary Getz [2] St. Christopher Club Condominiums [3] St. Christopher Club Condominiums Homeowners Association [SKBHCVAP2016/0006] (Saint Christopher and Nevis)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Merchant & Associates
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application to strike out the notice of opposition is referred to the sitting of the Full Court in St. Kitts and Nevis for case management during the week commencing 10th October 2016.
Reason:		The Court noted the order of Baptiste JA dated 28th June 2016 and the notice of opposition filed on 26th August 2016 and took cognizance of CPR 62.10 (3).
Case Name:		[1] Kevin Andrew Horstwood [2] Exclusive Hotels Limited

		v [1] First Caribbean Bank International [Barbados] Limited [2] Belmont Resorts Limited [3] The Registrar of the High Court [4] Attorney General of the Federation of St. Kitts and Nevis [5] Kate Walwyn [6] Lemon Grove Company Limited [SKBHCVAP2016/0013] (Saint Christopher and Nevis)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Byron & Byron
Issues:		Application for leave to appeal – Application for extension of time to apply for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application is referred to the sitting of the Full Court in St. Kitts and Nevis for case management during the week commencing 10th October 2016.
Case Name:		Marvyn Terry Nelson v The Queen [SLUHCRA2016/0005] (Saint Lucia
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Mr. Jeannot Michel Walters

	Respondent:	The Director of Public Prosecutions
Issues:		Application for extension of time within which to apply for leave to appeal – Application for leave to appeal against sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to forward a minute of the conviction to the Court and to serve a copy on the Office of the Director of Public Prosecutions. 2. The applicant is directed to serve a copy of the notice of application for leave to appeal together with a copy of the notice of application for leave to appeal together with a copy of the notice of application for extension of time within which to appeal on the Office of the Director of Public Prosecutions within 14 days of this order. 3. The applications are adjourned for further consideration at the next chamber hearing on 1st November 2016.
Reason:		The Court noted the absence of the minute of conviction.
Case Name:		Lynden Blasse v The Queen [SLUHCRA2016/0006] (Saint Lucia)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Mr. Jeannot Michel Walters

Issues:		Application for extension of time within which to apply for leave to appeal – Application for leave to appeal against sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to obtain the relevant minute of conviction and sentence within 14 days of this order. 2. The Registrar of the High Court is directed to cause a copy of the minute of conviction and sentence to be served on the Office of the Director of Public Prosecutions within 14 days of this order. 3. The applicant shall serve a copy of the notice of application for leave to appeal against sentence together with a copy of the application for extension of time within which to appeal on the Office of the Director of Public Prosecutions within 7 days of this order. 4. The applications are adjourned for further consideration during the next chamber hearing on 1st November 2016.
Reason:		The Court noted the absence of the minute of conviction.
Case Name:		Enrico Lewis v Public Service Board of Appeal [SLUHCVAP2014/0003] (Saint Lucia)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Theodore & Associates
	Respondent:	Peter Foster & Associates

Issue:		Notice of application to strike out appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Public Service Board of appeal, the applicant shall serve a copy of the notice of application on Enrico Lewis within 14 days of this order together with a copy of this order. 2. The applicant shall furnish this court with proof of service within 21 days of this order.
Reason:		The Court noted that there is no affidavit of service of the notice of application to strike out the appeal.
Case Name:		Paul Hackshaw v Saint Lucia Air and Sea Ports Authority [SLUHCVAP2016/0013] (Saint Lucia)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Gordon, Gordon & Co.
Issue:		Application for leave to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant is granted leave to appeal against the decision of the learned Justice Wilkinson as contained in the application for Notice of Appeal and reflected in the transcript of proceedings of 14th June, 2016. 2. The applicant is granted 21 days within which to file its notice of appeal together with skeleton arguments.

		3. The hearing of the appeal will proceed in accordance with CPR 2000..
Reason:		The Court was of the opinion that the applicant has satisfied the threshold required for the grant of leave to appeal.
Case Name:		Orlando Morford v The Commissioner of Police [SVGMCRAP2016/0033] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	In person
Issues:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court shall furnish the Court, with a copy of the minute of conviction and sentence and serve a copy of the same on the Office of the Director of Public Prosecutions within 21 days of this order. 2. The notice of application for extension of time within which to appeal is adjourned for further consideration at the next chamber hearing that is fixed for 1st November 2016.
Reason:		The Court noted the absence of the minute of conviction and sentence.

Case Name:		Gregory Dottin v Commissioner of Police [SVGMCRAP2016/0034] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 Court shall furnish the court with a copy of the minute of conviction and sentence and serve a copy of the same on the Office of the Director of Public Prosecutions within 14 days of this Order. 2. The hearing of this application is adjourned for further consideration at the next chamber hearing which is scheduled for the 1st November 2016. 3. The Registrar shall cause a copy of this order to be served on the Office of the Director of Public Prosecutions and proof of service.
Reason:		The Court noted the absence of the minute of conviction and sentence.
Case Name:		Randy Gurley v The Queen

		[SVGHCRA2016/0012] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 furnish this Court with a copy of the minute of conviction and sentence and serve a copy on the Office of the Director of Public Prosecutions within 21 days of this order. 2. The hearing of the application is adjourned to a date to be determined by the Chief Registrar in consultation with the Office of the Director of Public Prosecutions and the applicant through the relevant office or failing which the sitting of the Court in Saint Vincent and the Grenadines during the week which commences on 8th May 2017.
Reason:		The Court noted that that there is no minute of conviction and sentence on file and that the respondent has filed submissions in opposition to the application.
Case Name:		Ricardo Pyne v The Commissioner of Police [SVGMCRA2016/0037] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016

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 shall furnish this Court with a copy of the minute of conviction and sentence and serve a copy on the Office of the Director of Public Prosecutions within 21 days of this order. 2. The Registrar shall provide proof of service. 3. The hearing of this application is adjourned to the next chamber hearing scheduled on the 1st November 2016. 4. The Registrar of the High Court shall cause a copy of this order to be served on the Director of Public Prosecutions.
Reason:		The Court noted that that there is no minute of conviction and sentence on file.
Case Name:		Leroy Cuffy v The Commissioner of Police [SVGMCRAP2016/0039] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 shall furnish this Court with a copy of the minute of conviction and sentence and serve a copy on the Office of the Director of Public Prosecutions within 21 days of this order. 2. The Registrar shall provide proof of service. 3. This application for extension of time within which to appeal is adjourned to the next chamber hearing scheduled for 1st November 2016. 4. The Registrar of the High Court shall cause a copy of this order to be served on the Office of the Director of Public Prosecutions.
Reason:		The Court noted that that there is no minute of conviction and sentence on file.
Case Name:		Dwayne Holder v The Commissioner of Police [SVGMCRAP2016/0038] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 furnish this Court with a copy of the minute of conviction and sentence within 14 days of this order and also serve a copy on the Office of the Director of Public Prosecutions. 2. The Registrar shall provide proof of service within

		21 days of this order. 3. The application is adjourned for further consideration at the next chamber hearing which is scheduled for 1st November 2016.
Reason:		The Court noted that that there is no minute of conviction and sentence on file.
Case Name:		Saville Thomas v The Commissioner of Police [SVGMCRAP2016/0042] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 shall obtain and forward a copy of the minute of conviction and sentence to the court within 14 days of this order. 2. The hearing of the application for extension of time within which to appeal is adjourned to the next chamber hearing on 1st November 2016. 3. The Registrar of the High Court is directed to serve a copy of the minute of conviction and sentence on the Office of the Director of Public Prosecutions within 14 days of this order.
Reason:		The Court noted the return of service and that there is no minute of conviction on file.

Case Name:		Mondell Ellis v Commissioner of Police [SVGMCRAP2016/0043] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 shall obtain and forward a copy of the minute of conviction and sentence to the court within 14 days of this order. 2. The hearing of the application for extension of time within which to appeal is adjourned to the next chamber hearing on 1st November 2016. 3. The Registrar of the High Court is directed to serve a copy of the minute of conviction and sentence on the Office of the Director of Public Prosecutions within 14 days of this order.
Reason:		The Court noted the return of service and that there is no minute of conviction on file.
Case Name:		Kishorn Jackson v Commissioner of Police [SVGMCRAP2016/0044]

		(Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 shall obtain and forward a copy of the minute of conviction and sentence to the court within 14 days of this order. 2. The hearing of the application for extension of time within which to appeal is adjourned to the next chamber hearing on 1st November 2016. 3. The Registrar of the High Court is directed to serve a copy of the minute of conviction and sentence on the Office of the Director of Public Prosecutions within 14 days of this order.
Reason:		The Court noted the return of service and that there is no minute of conviction on file.
Case Name:		Junior Richards v The Queen [SVGHCRAP2016/0030] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	In person

Issue:		Application for extension of time to appeal conviction and sentence
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to serve of copy of the notice of application for extension of time within which to appeal on the Office of the Director of Public Prosecutions within 10 days of this order. 2. The Registrar of the High Court shall provide proof of service with 14 days of this order. 3. The hearing of this application is adjourned for further consideration at the next chamber hearing on 1st November 2016.
Reason:		The Court noted paragraph 1 of the order of Thom JA dated 4 th August 2016 and there being no indication that the Office of the DPP was served with a copy of the application in compliance with paragraph 2 of the order.
Case Name:		Donroy Warner v Commissioner of Police [SVGMCRAP2016/0032] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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

		comply with paragraph 1 of the order of Thom JA dated 4th August 2016 within 10 days of this order. 2. The Registrar of the High Court is further directed to serve a copy of the application for extension of time to file the notice of appeal together with the minute of conviction within 14 days of this order.
Reason:		The Court noted the order of Thom JA dated 4th August 2016 and that paragraphs 1 and 2 of that order have not been complied with.
Case Name:		Peter Desuzer v Commissioner of Police [SVGMCRAP2016/0035] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 furnish this court with a copy of the minute of conviction and sentence within 14 days of this order and to serve a copy of the minute on the Office of the Director of Public Prosecutions within the same period. 2. The Registrar of the High Court shall provide proof of service within 21 days of this order. 3. The application is adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016.

Reason:		The Court noted the order of Thom JA dated 4th August 2016 and that the minute of conviction and sentence is not attached to the notice of application.
Case Name:		Susan John v Andrew Sam [SVGMCVAP2016/0002] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	The Law Firm of Marks & Marks
	Respondent:	Robertson & Robertson
Issue:		Application for extension of time to appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall provide a copy of the order of the Court together with the transcript of proceedings within 21 days of this order. 2. The Registrar shall cause a copy of this order to be served on His Honour Magistrate Bertie Pompey within 10 days of this order and provide proof of service. 3. The application is adjourned for further consideration during the chamber hearing scheduled for 1st November 2016.
Reason:		The Court noted that there is no order and transcript of proceedings was attached.

Case Name:		Vilma Goodluck v George Samuel Saunders Goodluck [SVGHCVAP2016/0026] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Frederick Attorneys
	Respondent:	S. E. Commissioning & Co. Law Firm
Issue:		Application for extension of time to file record of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall furnish the Court with a copy of the judgment in relation to which leave to cross appeal is sought within 14 days of this order. 2. The application is adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016. 3. The applicant shall furnish the Court with skeleton arguments in support of the application and serve a copy of the same on the respondents within 21 days of this order.
Reason:		The Court noted that Civil Appeal No. 20 of 2016 has been filed. The Court further noted that the application is in effect one for extension of time in which to cross appeal and that the intended cross applicant has not furnished the Court with a copy of the judgment in relation to which the leave is sought.

Case Name:		Ricardo Williams v Commissioner of Police [SVGMCRAP2016/0048] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
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 shall obtain a copy of the minute of conviction and sentence and within 10 days of this order and shall serve the Office of the Director of Public Prosecutions with a copy of the same within 14 days of this order. 2. The Registrar of the High Court shall provide proof of service within 21 days of this order. 3. The application for extension of time within which to appeal is adjourned to the next chamber hearing on 1st November 2016.
Reason:		The Court noted that there is no minute of conviction.
Case Name:		Gunter Bauer v Martin Wiebecke [SVGHCVAP2016/0009] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016

On paper:		
	Applicant:	Zhing Horne Edwards
	Respondent:	Mr. Graham Bollers (Regal Law Chambers)
Issue:		Application to strike out notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The notice of appeal that was filed on 29th March 2016 is a nullity and is struck out insofar as the applicant failed to seek the leave of the Court before filing the Notice of Appeal. See Antigua Commercial Bank v Louise Martin; Antigua High Court Civil Appeal, No. 22 of 2007; Maria Hughes v The Attorney General of Antigua and Barbuda; Antigua High Court Civil Appeal No. 33 of 2003. 2. Costs assessed in the sum of \$1500.00
Reason:		The Court noted that the notice of appeal was filed on 29th March 2016 without first obtaining the leave of the Court.
Case Name:		Allister Smith v Commissioner of Police [SVGMCRAP2016/0036] (Saint Vincent and the Grenadines)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	In person
Issue:		Application for bail

Result / Order:		IT IS HEREBY ORDERED THAT: 1. The applicant shall cause the application together with the affidavit in support to be served on the Office of the Director of Public Prosecutions within 21 days of this order. 2. The applicant shall provide the Court with a copy of the minute of conviction and sentence and serve a copy on the Director of Public Prosecutions within 21 days of this order. 3. The Director of Public Prosecutions is granted leave if necessary to file and serve affidavits in answer within 21 days of receipt of the application. 4. The applicant shall file if necessary affidavits in response within 14 days of receipt of the affidavits of the respondent. 5. The applicant is directed to file and serve written submissions together with authorities on or before 28th January 2017. 6. The respondent is directed to file and serve written submissions together with authorities on or before 27th February 2017. 7. The hearing of the application for bail shall be heard on a date to be determined by the Chief Registrar in consultation with both sides.
Reason:		The Court noted the absence of the minute of conviction and sentence or the transcript of proceedings and that the application for bail together with the affidavit has not been served on the Office of the Director of Public Prosecutions.
Case Name:		Ming Shui Sum Lawrence v [1] Ming Siu Hung, Ronald [2] Shaw Siu Kuen, Berth [3] J.F. Ming Inc. [BVIHCMAP2015/0016]

		(Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Dill & Pearman
Issue:		Application for assessment of costs
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The respondent is granted 14 days leave to provide written submissions. 2. The application is adjourned to the next chamber hearing scheduled for 1st November 2016.
Case Name:		Olive Group Capital Limited v Gavin Mark Mayhew [BVIHCMAP2016/0025] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Harney Westwood & Riegels
	Respondents:	Conyers Dill & Pearman
Issues:		Application for assessment of costs – Directions
Result / Order:		IT IS HEREBY ORDERED THAT: The application is referred to the judge of the Commercial Division of the High Court for the conduct of the assessment.

Case Name:		Sylon Forbes v The Queen [BVIHCRAP2016/0004] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	In person
Issue:		Application for permission to appeal against convictions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Registrar of the High Court is directed to furnish this Court with a copy of the minute of conviction and sentence within 21 days of this order. 2. The Registrar of the High Court is directed to comply with paragraph 2 of the order of Thom JA dated 5th August 2016 and provide proof of service. 3. The application is adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016.
Reason:		The Court noted that there has not been compliance with paragraphs 1 and 2 of the order of Thom JA dated 5th August 2016.
Case Name:		Spectrum Galaxy Fund

		V Xena Investments Limited [BVIHCVAP2011/0040] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Conyers Dill & Pearman
	Respondent:	Harney Westwood & Riegels
Issue:		Application to remove legal practitioner from record
Result / Order:		IT IS HEREBY ORDERED THAT: In the interest of justice and transparency the notice of application shall be dealt with during the sitting of the court in the British Virgin Islands during the week which commences 21st November 2016.
Case Name:		[1] Inna Gudavadze [2] Liana Zhmotova [3] Iya Patarkatsishvili [4] Natela Patarkatsishviliv [5] Gavin Mark Mayhew V Ivane Chkhartishvili [BVIHCMAP2016/0037] [BVIHCMAP2016/0018] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicants:	Harney Westwood & Riegels

	Respondent:	Forbes Hare
Issus:		Application for extension of time – Application for joinder of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The applications are adjourned for further consideration at the next chamber hearing scheduled for 1st November 2016
Reason:		The Court noted that the application filed on 21st September 2016 to strike out was short served and that the respondent has 14 days within which to file skeleton arguments in opposition to the application.
Case Name:		SFC Swiss Forfaiting Company Ltd v Swiss Forfaiting Ltd [BVIHCMAP2015/0012] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant/ Respondent:	Maples & Calder
	Respondent/ Appellant:	Harney Westwood & Riegels
Issue:		Application to strike out notice of appeal
Result / Order:		IT IS HEREBY ORDERED THAT: The application is adjourned for consideration to the

		next Chamber Hearing scheduled for 1st November, 2016.
Case Name:		[1] Sylvia Maduro-Dale [2] Lucia Chalwell v The Registrar of Lands [BVIHCVAP2010/0022] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016
On paper:		
	Applicant:	Ms. Patricia Archibald-Bowers
	Respondent:	Ms. Joanne Williams-Roberts
Issue:		Application for attorney be removed from record
Result / Order:		IT IS HEREBY ORDERED THAT: The notice of application shall be dealt with during the sitting of the court in the British Virgin Islands during the week which commences 21st November 2016.
Case Name:		Pickle Properties Limited v Stephen Leslie Plant [BVIHCMAP2016/0021] (Territory of the Virgin Islands)
Date:		Thursday, 6th October 2016

On paper:		
	Applicant:	Appleby
	Respondent:	Maples and Calder
Issue:		Application for security for costs
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The application for security for costs be discontinued and dismissed. 2. No order as to costs.
Reason:		The Court noted the order of this Court dated 30 th September 2016 and paragraph 1(iv) of the order stating that the respondent will discontinue his application for security for costs of the appeal filed on 23 rd August 2016 with no order as to costs and correspondence from counsel for the respondent dated 5 th October 2016 indicating that the necessary funds have been paid into Court to the satisfaction of the respondent/applicant.
Case Name:		[1] Inchatsavane Company Proprietary Ltd [2] His Majesty King Mswati III, King of Swaziland v [1] SG Air Leasing Limited [2] SG Commodities Trading Limited [BVIHCVAP2016/0001] (Territory of the Virgin Islands)
Date:		Friday, 25th July 2016
On paper:		
	Applicants:	Dacia Penn & Co.

	Respondents:	Forbes Hare
Issues:		Application for extension of time to file application for leave to appeal – Application for leave to appeal to be deemed properly filed and for relief from sanctions
Result / Order:		IT IS HEREBY ORDERED THAT: 1. The Applications Nos. 1 and 2 are dismissed. 2. There be no order as to costs.