

COURT OF APPEAL SITTING
ST. CHRISTOPHER CIRCUIT

Friday 16th January, 2009

Coram: His Lordship the Hon. Hugh A. Rawlins, Chief Justice
Her Ladyship the Hon. Ola Mae Edwards, Justice of Appeal
His Lordship the Hon. Michael Gordon QC Justice of Appeal [Ag.]

APPLICATIONS

The Chief of Police v Calvin Nias
[Civil Appeal No. 10 of 2007]

Appearances

Applicant Mr. Damien Kelsick

Respondent Mr. Arudranauth Gossai

Issue Application for leave to appeal to the Privy Council.

Result Provisional leave granted to the Applicant to appeal to Her Majesty in Council. Order to be drawn up for settlement by counsel for the Applicant.

Reason

Romeo Cannonier v The Director of Public Prosecutions
[Criminal Appeal No. 2 of 2008]

Appearances:

Appellant: Mr. Reginald James

Respondent: Ms. Pauline Hendrickson with Mr. Reynold Benjamin and Ms. Rhonda Nisbett Browne

Issue Conditional leave to appeal to her Majesty in Council against a decision of the Court of Appeal dismissing appeal dated 30th October 2008 – Application for stay of execution.

Result Application for leave to appeal to her Majesty in Council is dismissed.

Application for stay of execution granted to the 16th February 2009.

Reason Court has no jurisdiction under section 99(c) of the Constitution to grant conditional leave to appeal to her Majesty in Council. However, in the interests of justice and having regard to the rules, the Court thinks it fair to give the Applicant reasonable time within which to comply with the rules.

Ruedeney Williams v The Director of Public Prosecutions
[Criminal Appeal No. 19 of 2008]

Appearances:

Appellant Mr. Jason Hamilton for the applicant Ruedeney Williams

Respondent Ms. Pauline Hendrickson with Mr. Reynold Benjamin and Ms. Rhonda Nisbett Browne

Issue Conditional Leave to appeal to Her Majesty in Council against a decision of the Court of Appeal dismissing appeal dated 30th October 2008 - Application for stay of execution.

Result Application for leave to appeal to Her Majesty in Council is dismissed. Application for stay of execution is granted to the 16th February, 2009.

Reason Court has no jurisdiction under section 99(c) of the Constitution to grant conditional leave to appeal to her Majesty in Council. However, in the interests of justice and having regard to the rules, the Court thinks it fair to give the Applicant reasonable time within which to comply with the rules.

Sheldon Isaac v The Director of Public Prosecutions
[Criminal App. No. 20 of 2008]

Appearances:

Appellant Mr. Reginald James

Respondent Ms. Pauline Hendrickson with Mr. Reynold Benjamin and Ms. Rhonda Nisbett Browne

Issue Conditional Leave to appeal to Her Majesty in Council against a decision of Court of Appeal dismissing appeal dated 30th October 2008 - Application for stay of execution.

Result Application for leave to appeal to Her Majesty in Council is dismissed. Application for stay of execution is granted to the 16th February, 2009.

Reason Court has no jurisdiction under section 99 (c) of the Constitution to grant conditional leave to appeal to her Majesty in Council. However, in the

interests of justice and having regard to the rules, the Court thinks it fair to give the Applicant reasonable time within which to comply with the rules.

Romeo Cannonier v The Director of Public Prosecutions
[Criminal Appeal No. 21 of 2008]

Appearances:

Appellant Mr. Reginald James
Respondent Ms. Pauline Hendrickson with Mr. Reynold Benjamin and Ms. Rhonda Nisbett Browne

Issue Conditional Leave to appeal to Her Majesty in Council against a decision of Court of Appeal dismissing appeal dated 30th October 2008 - Application for stay of execution.

Result Application for leave to appeal to Her Majesty in Council is dismissed. Application for stay of execution is granted to the 16th February, 2009.

Reason Court has no jurisdiction under section 99(c) of the Constitution to grant conditional leave to appeal to her Majesty in Council. However, in the interests of justice and having regard to the rules, the Court thinks it fair to give the Applicant reasonable time within which to comply with the rules.

Louis Gardiner v The Director of Public Prosecutions
[Criminal Appeal No. 22 of 2008]

Appearances:

Appellant Mr. Hesketh Benjamin
Respondent Ms. Pauline Hendrickson with Mr. Reynold Benjamin and Ms. Rhonda Nisbett Browne

Issue Conditional Leave to appeal to Her Majesty in Council against a decision of Court of Appeal dismissing appeal dated 30th October 2008 - Application for stay of execution.

Result Application for leave to appeal to Her Majesty in Council is dismissed. Application for stay of execution is granted to the 16th February, 2009.

Reason Court has no jurisdiction under section 99(c) of the Constitution to grant conditional leave to appeal to her Majesty in Council. However, in the interests of justice and having regard to the rules, the Court thinks it fair to give the Applicant reasonable time within which to comply with the rules.