

# **CHAMBER HEARING**

**Tuesday 14<sup>th</sup> July 2009**

**Before:** Hon. Michael Gordon, Justice of Appeal (Ag)

**SAINT LUCIA**

**Case Name** Marie Smith et al v Glen Morgan  
**[Civil Appeal No. 21 of 2009]**

**Appearances**

**Appellant** Mr. Gerard Williams

**Respondent** Mrs. Wauneen Louis-Harris

**Issue:** Application for relief from sanctions for failure to file skeleton arguments.

**Result:**

1. Relying upon the Record the submissions for counsel of the appellant and respondent the matter will be considered by a single judge on paper.
2. Issue on costs to be addressed by both counsel with written submissions by Friday 17<sup>th</sup> July 2009.
3. Judgment to be given by 31<sup>st</sup> July 2009.

**Reason:** To allow counsel for the appellant to look to the Eastern Caribbean Supreme Court Act (St. Lucia Cap 2:01) on the definition of interlocutory order and Civil Procedure Rules 2000 on procedural appeals.

**ANGUILLA**

**Case Name** Rose Jones v Michael Flemming  
**[Civil Appeal No. 2 of 2009]**

**Appearances:**

**Appellant:** In Person

**Respondent:** Ms. Keesha Webster

**Issue:** Application for extension of time to file a Notice of Appeal

**Result:** Application for extension of time to file a Notice of Appeal is dismissed with cost of \$1000.00 to the respondent.

**Reason:** Application was not made promptly in accordance with CPR 26.8 (1), (2)

**ANTIGUA AND  
BARBUDA**

**Case Name** **Marie Makhoul v Cicely Foster  
[Civil Appeal No. 14 of 2009]**

**Appearances:**  
**Appellant:** Marshall & Co.  
**Respondent:** In Person

**Issue:** Application for stay of execution

**Result:** Matter stood down.

**Reason:** The court is not furnished with the Order of Thomas J.

**Case Name** **Ian Peters v Robert G. Spencer et al  
[Civil Appeal No. 16 of 2009]**

**Appearances:**  
**Appellant:** Mr. Dane Hamilton, Q.C.  
**Respondent:** In Person

**Issue:** Application for leave to appeal against the order of Master Mathurin striking out a response to the claim.

**Result:** 1. Application for leave is granted against the decision of master Mathurin

- made on the 25<sup>th</sup> May 2009 and Notice of Appeal to be filed within 14 days.
- Costs will be costs in the appeal.

**GRENADA**

**Case Name**

**Joan Sylvester v Richmond Construction Company Ltd.  
[Civil Appeal No. 20 of 2006]**

**Appearances:**

**Appellant: Ms. Kim George**

**Respondent: Grant, Joseph & Co.**

**Issue:**

**Application for appeal to be dismissed.**

**Result:**

**Matter adjourned to status hearing in Grenada for the week of the 23<sup>rd</sup> November 2009.**

**SAINT  
VINCENT AND  
THE  
GRENADINES**

**Case Name**

**Edwards G. Lynch v Ralph E. Gonsalves  
[Civ. App. No. 2 of 2009]**

**Appearances:**

**Appellant: Mr. John K. Stanley**

**Respondent: In Person**

**Issue:**

**Application for extension of time to file Record of Appeal**

**Result:**

- Absent any objection on the part of the respondent the application is

- granted.
2. The Record of Appeal filed on the 22<sup>nd</sup> June 2009 is deemed to be properly filed.
  3. No order as to costs.

**Case Name** **Noel Sutherland v Commissioner of Police  
[Mag. Crim. App. No. 24 of 2009]**

**Appearances:**  
**Appellant:** In Person  
**Respondent:**

**Issue:** Application for extension of time to appeal.

**Result:** Application for extension of time to appeal is granted.

**Case Name** **Calvin Patterson v Commissioner of Police  
[Mag. Crim. App. No. 26 of 2009]**

**Appearances:**  
**Appellant:** In Person  
**Respondent:**

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

**Result:** Application for extension of time to appeal is granted.

**Case Name** **Osbourne Jack v Commissioner of Police  
[Mag. Crim. App. No. 27 of 2009]**

**Appearances:**

**Appellant:** In Person

**Respondent:**

**Issue:** Application for extension of time to appeal.

**Result:** Application for extension of time to appeal is granted.

**Case Name**

**Osbourne Jacobs v The Queen  
[Crim. App. No. 28 of 2009]**

**Appearances:**

**Appellant:** In Person

**Respondent:** Director of Public Prosecutions

**Issue:** Application for extension of time for leave to appeal

**Result:** Application for extension of time is granted.