

		COURT OF APPEAL SITTING
		ANTIGUA and BARBUDA
		Monday 20th July to Friday 24th July 2009
Date:		Monday 20th July 2009
Coram:		Her Ladyship the Hon. Ola-Mae Edwards Justice of Appeal , President
		His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.)
		His Lordship the Hon. Errol Thomas Justice of Appeal (Ag.)
		HIGH COURT CIVIL APPEALS
Case:		Antigua Power Company Ltd. v The Attorney General of Antigua and Barbuda et al (Civil Appeal No. 6 of 2009)
Appearances:		
	Appellant:	Mr. Dane Hamilton QC
	Respondent:	Sir Gerald Watt QC for Second, Third and Fourth Respondents Mr. Kendrickson Kentish for First Respondent
Issue:		Application for extension of time to file skeleton arguments/Request for adjournment
Result:		Adjourned to later in the sitting for counsel for the parties to agree on the sitting when the appeal will be heard.
Reason:		
Case:		Thomas Townsend et al v Persistence Holdings Ltd. (BVI) (Civil Appeal No. 8 of 2004)
Appearances:		
	Appellant:	Mr. Sydney Bennett QC

	Respondent:	Mr. Gerard Farara QC
Issue:		Appeal against the Order of the Honourable Justice Rawlins
Result:		Judgment reserved
Reason:		The Court needs time to consider
		APPLICATIONS
Case:		Cable & Wireless (West Indies) Ltd. v Conrad Tonge et al [Civil Appeal No. 10 2007]
Appearances:		
	Appellant:	Ms. E. Ann Henry
	Respondent:	Mr. Charlesworth O. D. Brown
Issue:		Leave to appeal to Her Majesty in Council
Result:		<ol style="list-style-type: none"> 1. Leave to appeal to Her Majesty in Council is granted to the Applicant pursuant to section 122(1)(a) of the Constitution of Antigua and Barbuda, 1981 against the judgment of the Court of Appeal issued herein on the 23rd of March, 2009 upon the condition that: <ol style="list-style-type: none"> i. The Applicant do within ninety (90) days of the date of the hearing of this application for leave to appeal enter into good and sufficient security in the sum of twenty-five hundred dollars Eastern Caribbean Currency (EC\$2,500.00) for the due prosecution of the Appeal and the payment of all such costs as may be payable by the appellant in the event of this Appeal being dismissed, such security to consist of the deposit of the said amount in the Court ii. The applicant do take such steps for the purpose of procuring the preparation of the Records, settling such Records with the Solicitors for the respondent and transmitting of such Records to the Registrar of the Privy Council within ninety (90) days of the date of hearing of this application for leave to appeal. The Records shall be comprised of the Record used at the hearing of the Appeal, excluding

		<p>documents of a formal nature and those omitted by consent, and shall include the Judgment and Orders of the Court of Appeal, and the Order granting Conditional Leave to Appeal.</p> <p>iii. The appellant shall make application to this Court for Final Leave to Appeal to Her Majesty in Council supported by the Certificate of the Registrar that the security for costs herein ordered has been given within the time prescribed by this Order to the satisfaction of the Registrar.</p> <p>2. The Application for the Stay of Execution of the Judgment of this Court is granted and the Judgment issued against the Appellant is hereby stayed pending determination of the appeal by the Privy Council..</p> <p>3. The costs of this Application be costs in the cause</p>
Reason:		The applicant qualifies under the first limb of Section 122(1)(a) of the Constitution as it is a final appeal and leave must be granted as of right
Case:		Sharon Christian-Weeks v Glen Weeks (Civil Appeal No. 2 of 2009)
Appearances:		
	Appellant:	Ms. Veronica Thomas
	Respondent:	Mrs. Laurie Freeland-Roberts
Issue:		Application for Extension of time to file an application for leave to appeal. a mediation order made with the consent of the parties.
Result:		Matter traversed to the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009
Reason:		The application for the variation of the Mediation agreement having been filed on 10 th July, 2009, the application for the extension of time to file an application for leave to appeal stands adjourned to the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009

Case:		Everton Welch v The Queen (Criminal Appeal No. 8 of 2009)
Appearances:		
	Appellant:	Dr. David Dorsett
	Respondent:	Mr. Anthony Armstrong – DPP
Issue:		Application for extension of time to appeal against sentence
Result:		Leave is granted for the application to be withdrawn and the application stands dismissed.
Reason:		The procedure for challenging the sentence of detention at the Governor General’s pleasure on the applicant’s conviction for murder after several years have passed following dismissal of the appeal by the Court of Appeal is by way of filing a constitutional motion..
Coram:		His Lordship the Hon. Chief Justice Hugh Rawlins Her Ladyship the Hon. Ola-Mae Edwards Justice of Appeal His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.)
Case:		Joycelyn Roberts v Kenrick Roberts et al (Civil Appeal No. 23 of 2007)
Appearances:		
	Appellant:	Mr. Steadman Benjamin
	Respondent:	Dr. David Dorsett
Issue:		Extension of time to file notice of appeal of application for leave to appeal to Her Majesty in Council
Result:		Application for leave to appeal to Her Majesty in Council is withdrawn and accordingly dismissed with no Order as to costs
Reason:		The Court has no jurisdiction to grant an extension of time to appeal to Her majesty in Council

Case:		Janice Reynolds-Greene v Community First Cooperative Credit Union (Civil Appeal No. 27 of 2008)
Appearances:		
	Appellant:	Mrs. Janice Reynolds-Greene
	Respondent:	Ms. Debra Burnette
Issue:		<ol style="list-style-type: none"> 1. Application filed 9th July, 2009 for the Notice of Appeal to be dismissed/Stay of Execution be lifted. 2. Application filed 16th July, 2009 for Respondent's Application to be struck out and for the appeal to proceed
Result:		<ol style="list-style-type: none"> (1) The application on behalf of the Respondent filed herein on 9th July, 2009 is dismissed, while the application by the Appellant filed herein on 16th July, 2009 for leave to proceed with the prosecution of this appeal is granted with \$500.00 costs to the Appellant (2) The parties shall agree within 14 days of today's date on the documents to be included in the Record of Appeal (3) The Appellant shall file and serve the Record of Appeal within 35 days of today's date (4) All subsequent proceedings shall be in accordance with the CPR (2000)
Reason:		The Registrar's notice certifying that the transcript of proceedings was ready since 30 th March, 2009 was never served on the appellant
Case:		Errol Porter v The Queen [Criminal Appeal No.3 of 2009]
Appearances:		
	Appellant:	Dr. David Dorsett
	Respondent:	Mr. Anthony Armstrong –DPP

Issue:		Application for Bail
Result:		<p>(1) Bail is granted to the Appellant pending the determination of the appeal in the sum of \$20,000.00 with two sureties in like amount, with a cash deposit in the sum of \$6,000.00</p> <p>(2) The Appellant to surrender all travel documents to the Court</p> <p>(3) The Appellant to report every Wednesday to the Parham Police Station</p>
Reason:		The appellant is likely to serve his sentence before the transcript of proceedings is ready and the appeal can be heard and the DPP was not opposing the application for bail.
Date:		Tuesday 21st July 2009
Coram:		His Lordship the Hon. Chief Justice Hugh Rawlins
		Her Ladyship the Hon. Janice George-Creque
		Justice of Appeal
		His Lordship the Hon. Michael Gordon
		Justice of Appeal (Ag.)
		HIGH COURT CRIMINAL APPEALS
Case:		Rashid A. Pigott v The Queen [Criminal Appeal No. 9 of 2009]
Appearances:		
	Appellant:	Mr. Rashid A. Pigott
	Respondent:	Mr. Anthony Armstrong - DPP
Issue:		Stay of Execution/Writ of Habeus Corpus
Result:		The Application that was filed by the Appellant on 2 nd June, 2009 for stay of execution of sentence and bail pending appeal is adjourned to the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009.
Reason:		For the DPP to provide particulars for service of indictment and amended indictment arising out of submissions by Appellant.

Case:		Carlton Bedminister v The Queen [Criminal Appeal No. 19 of 2009]
Appearances:		
	Appellant:	Mr. Steadroy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong -DPP
Issue:		Application for bail
Result:		<ul style="list-style-type: none"> (1) Bail is granted to the Appellant in the sum of \$100,000.00 with two sureties acceptable to the Court with a cash component of \$40,000.00 (2) The Appellant shall surrender all travel documents to the High Court and they shall remain in the custody of the Court until his appeal before the Court of Appeal for attempted murder has been completed (3) The Appellant shall report to the All Saint's Police Station once daily Monday to Friday between the hours of 6am and 6pm while on bail (4) A copy of this Order is to be sent to the Commissioner of police and the Immigration Authorities in Antigua and Barbuda by the Registrar of the High Court (5) The Appellant shall not interfere with the victim, family members of the victim, persons involved in the trial or any members of the jury (6) Bail will be forfeited forthwith in the event of breach of any of the bail conditions
Reason:		
		HIGH COURT CIVIL APPEALS
Case:		Osbourne Roberts v Romeo Roberts et al [Civil Appeal No. 19 of 2006]
		Attorney General of Antigua and Barbuda v Osbourne Roberts [ivil Appeal No. 20 of 2006]
Appearances:		
	Appellant:	Dr. David Dorsett
	Respondent:	Mrs. Carla Brookes-Harris with Miss Alicia Aska

Issue:		Appeal against judgment of Justice Blenman
Result:		<ol style="list-style-type: none"> (1) The appeal by Mr. Osbourne Roberts against the Judges refusal to award special damages is allowed and an award of \$646.10 is entered therefor. (2) The appeal by Mr. Osbourne Roberts against the Judge’s failure to consider and award pre-judgment interest on special damages is allowed, and such interest is awarded from the date that the claim was filed to the date of Judgment at the rate of 3%, and post Judgment interest on the damages awarded at 5%. (3) The appeal by the Attorney General against the Judge’s order by which she awarded to Mr. Osbourne Roberts \$20,000.00 for the diminution in the value of his property as a result of the nuisance created by Mr. Romeo Roberts is allowed, and accordingly, prescribed costs which the Judge awarded to Mr. Osbourne Roberts in the High Court shall be calculated on \$20,646.10. (4) The parties shall meet their own costs in these appeal proceedings since they prevailed on various aspects of their appeal.
Reason:		<ol style="list-style-type: none"> 1. The judge should have awarded special damages in the sum of \$646.10 which Mr. Osbourne Roberts proved. 2. The judge erred in awarding \$20,000.00 to Mr. Osbourne Roberts for diminution in the value of his property in addition to the sum awarded for general damages.. 3. The parties each prevailed on various aspects of their appeal.
		APPLICATIONS
Case:		George Duberry v Bertrand Burke [Civil Appeal No. 12 of 2009]
		Bertrand Burke v George Duberry [Civil Appeal No. 13 of 2009]
Appearances:		
	Appellant:	Dr. David Dorsett (Respondent in Civil Appeal No. 13)
	Respondent:	Ms. E. Ann Henry (Appellant in Civil Appeal No. 13)

Issue:		Appeal against the judgment of Justice Thomas
Result:		<ol style="list-style-type: none"> (1) Leave is granted to George Duberry (Appellant) to appeal against the Orders of the Honourable Justice Thomas made on 23rd April 2009 (2) Leave is granted to Bertrand Burke (Respondent) to appeal against the Orders of the Honourable Justice Thomas made on 23rd April 2009 by means of a counter notice (3) Leave is granted to the Appellant to adduce additional evidence, to wit, a medical certificate dated 17th December 2008 from Dr. Jason Belzaire (4) The Attorneys in the matter are to approach the Honourable Justice Thomas with the view of obtaining written reasons for his decision of 23rd April 2009 dismissing the Appellant's application to deem his Defence and Counterclaim properly filed and to be relieved from sanctions (5) In the event that the written reasons requested in part (4) of this Order are not provided within 14 days of this Order the attorneys are to agree on a written memorandum of the reasons, failing such agreement the attorneys are to each provide to the Court a note of such reasons within 7 days (6) The Notice of Appeal be filed within 14 days of the availability of the written reasons requested in parts (4) and (5) of this Order (7) Ant Counter Notice of appeal be filed within 14 days of service of the Notice of Appeal
Reason:		
		HIGH COURT CRIMINAL APPEALS
Case:		Javaughn Colbourne v The Queen [Criminal Appeal No. 2 of 2006]
Appearances:		
	Appellant:	Mr. Cosbert Cumberbatch
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against conviction
Result:		Appeal against conviction of murder allowed. Conviction of manslaughter substituted and sentence of 20 years imposed on

		substituted conviction of manslaughter
Case:		Courtney Hunte v The Queen (Criminal Appeal No. 4 of 2006)
Appearances:		
	Appellant:	Mr. Steadroy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against sentence
Result:		Appeal against sentence is allowed to the extent that the sentence of 15 years imprisonment is substituted for the 22 years imprisonment, which the trial judge imposed.
Date:		Wednesday 22nd July 2009
		APPLICATIONS
Coram:		Her Ladyship the Hon. Ola-Mae Edwards, President
		Her Ladyship the Hon. Janice George-Creque Justice of Appeal (Ag.)
		His Lordship the Hon. Michael Gordon Justice of Appeal (Ag.)
		Ralph Steven Janvey (acting in the capacity as Receiver) v Alexander M. Fundora et al [Civil Appeal No. 8 of 2009]
Appearances:		
	Appellant:	Sir Claire Roberts and Miss C. Kamilah Roberts led by Mr. Stuart Isaacs QC
	Respondent:	Mr. Paul Webster QC with Miss Jasmin Wade and Miss Willa Tavernier for the FSRC
		Mr. Kendrickson Kentish for the Liquidators of SIB
Issue:		Application for leave to appeal and stay of execution
		Preliminary issue raised for the Court to grant permission to Adduce Additional Evidence.

Result:		<ol style="list-style-type: none"> 1. Leave to appeal is granted. 2. There is no application before the Court to receive additional evidence and the Court will not adjudicate on that issue. 3. Application for stay is refused
Reason:		No grounds offered for stay to be granted
Coram:		Her Ladyship the Hon. Ola-Mae Edwards, President
		Her Ladyship the Hon. Janice George-Creque Justice of Appeal
		His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.)
Case:		Antigua Power Company Limited v The Attorney General et al [Civil Appeal No. 6 of 2009]
Appearances:		
	Appellant:	Mr. Dane Hamilton QC
	Respondent:	Sir Gerald Watt for Second, Third and Fourth Respondents Mr. Kendricksom Kentish for the First Respondent
Issue:		Appeal against the judgment of Justice Thomas
Result:		<ol style="list-style-type: none"> (1) The application for extension of time to file skeleton arguments by the Appellant and First Respondent is granted (2) The skeleton arguments of Appellant and First Respondent to be filed and served by the 30th October 2009 and the appeal will be heard at the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009
Case:		The Public Utilities Authority v Lester Bird et al [Civil Appeal No. 14 of 2008]
Appearances:		
	Appellant:	Mr. Craig Christopher holding for Sir Fenton Ramsahoye and Sir

		Richard Cheltenham
	Respondent:	Sir Clare Roberts, Miss C. Kamilah Roberts and Mr. Steven Singh led by Mr. Stuart Isaacs QC for Tenth Respondent
		Mrs. Raquel Walsh-Silston holding for Sir Henry Forde for the Ninth Respondent
	Issue:	Appeal against Order of Justice Harris
	Result:	(1) Leave granted for applications filed on 17 th July 2008 and 25 th July 2008 to be dismissed (2) By consent of the parties costs to be assessed on an indemnity basis at the end of the matter if not agreed.
	Case:	Franklyn Reynolds v State Insurance Corporation [Civil Appeal No. 5 of 2007]
	Appearances:	
	Appellant:	Mr. Dane Hamilton QC with Mr. Dane Hamilton Jr.
	Respondent:	Sir Gerald Watt QC with Mrs. Denise Jonas-Parillon
	Issue:	Appeal against judgment of Justice Blenman
	Result:	Judgment reserved
	Reason:	The Court needs time to consider
	Case:	Harney Motors Limited v Vernon G. Quinland [Civil Appeal No. 26 of 2008]
	Appearances:	
	Appellant:	Mr. Charlesworth O. D. Brown
	Respondent:	Ms. C. Debra Burnette
	Issue:	Appeal against judgment of Justice Blenman
	Result:	Appeal dismissed with Costs to the respondent being two-thirds of costs below pursuant to Part 65.5 of CPR 2000

Reason:		SEE ORAL WRITTEN JUDGMENT DELIVERED FOR REASONS
		IN CHAMBERS
Before:		The Honourable Justice Janice George-Creque
Case:		Maria Makhoul v Cicely Foster [Criminal Appeal No. 14 of 2009]
Appearances:		
	Appellant:	Mr. Hugh Marshall Jr. with Mrs. Cherissa Roberts-Thomas
	Respondent:	Dr. David Dorsett with Miss Asheen Joseph
Issue:		Stay of execution pending determination of appeal
Result:		(1) The Respondent is granted leave to file and serve further affidavit evidence no later than Tuesday 28 th July 2009, such affidavit evidence to be limited to matters occurring subsequent to 1 st July 2009 (2) The Applicant/Appellant shall be at liberty to file and serve an affidavit in reply by Wednesday 29 th July 2009 (3) Copies of all filed affidavits and skeleton arguments be transmitted by fax or by email to the Court of Appeal Headquarters in St. Lucia no later than 14 th August 2009 by 3:00 pm
		STATUS HEARING
		CHAMBERS
		HIGH COURT CRIMINAL APPEALS
Before:		The Honourable Chief Justice Hugh A. Rawlins
Case:		Javier George v The Queen [Crim. App No. 3 of 2006]

Appearances:		
	Appellant:	Mr. Steadroy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Roger Naitram v The Queen [Crim. App No. 5 of 2006]
Appearances:		
	Appellant:	Mr. John Fuller
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Lassell Punch v The Queen [Crim. App No. 6 of 2006]
Appearances:		
	Appellant:	Mr. Peyton Knight
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Odel Jeffrey v The Queen [Crim. App No. 7 of 2006]
Appearances:		
	Appellant:	Mr. Ralph Francis
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Leary Matheson v The Queen [Crim. App No. 8 of 2006]
Appearances:		

	Appellant:	Mr. Jason Martin
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Keith McCauley v The Director of Public Prosecutions (Crim. App No. 1 of 2007)
Appearances:		
	Appellant:	Mr. Steadroy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong - DPP
Result:		(1) The title of this appeal is hereby amended by deleting “THE DIRECTOR OF PUBLIC PROSECUTIONS” As the Respondent on the Record and substituting instead THE QUEEN”. (2) The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency.
Case:		Levi Lamazon v The Queen [Crim. App No. 2 of 2007]
Appearances:		
	Appellant:	Mr. Steadrioy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong - DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency
Case:		Stephen Greaves v The Queen [Crim. App No. 3 of 2007]
Appearances:		
	Appellant:	Mr. John Fuller
	Respondent:	Mr. Anthony Armstrong – DPP
Result:		The Registrar shall take such steps as are necessary for the Record of Appeal to be prepared as a matter of urgency.

Case:		Cynthia Benita De Silver v Vincent Sylvester De Silver [Civ. App No. 16 of 2003]
Appearances:		
	Appellant:	No appearance
	Respondent:	No appearance
Result:		<ol style="list-style-type: none"> 1. The Registrar shall take such steps as are necessary to ensure that the Appellant and the Respondent are personally served with the status hearing Notice. 2. The appeal shall be listed on the Court of Appeal Case management List for the month of September 2009, for report.
Case:		Astra Holdings Limited et al v Barry Lee McAllister et al [Civ. App No. 6 of 2005]
Appearances:		
	Appellant:	Ms. Veronica Thomas
	Respondent:	No appearance
Result:		The case was settled and is accordingly struck from the Status hearing list.
Case:		The Epicurean Limited v Ramona Vanterpool (Civ. App No. 24 of 2005)
Appearances:		
	Appellant:	Mr. John Fuller holding for Mrs. E. Clarke Solomon
	Respondent:	No appearance
Result:		A Notice of Discontinuance was filed on behalf of the Appellant on 6 th July 2009, accordingly the appeal stands dismissed.
Case:		Sharon Christopher v Joseph Christopher [Civ. App No. 5 of 2006]
Appearances:		
	Appellant:	Mrs. Mary Whyte holding for Legal Aid
	Respondent:	No appearance
Result:		A Notice of Discontinuance was filed on behalf of the Appellant

		on 8 th July 2009, accordingly the appeal stands dismissed.
Case:		Michael James v Tasman Gaming Inc. et al [Civ. App No. 6 of 2006]
Appearances:		
	Appellant:	Mr. Jason Martin
	Respondent:	Mr. Clement Bird
Result:		<ul style="list-style-type: none"> (1) By consent solicitor for parties shall agree to the documents and materials that shall be filed in one (1) appeal hearing bundle on or before 12th August 2009 (2) The Bundle shall include skeleton arguments with copies of supporting authorities. (3) Solicitors for the Appellant shall file and serve copies of the Bundle on or before the 31st day of August 2009. (4) This appeal shall be scheduled for hearing at the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009.
Case:		William Martin v Urcil Peters [Civ. App No. 9A of 2006]
Appearances:		
	Appellant:	Miss Asheen Joseph
	Respondent:	Mrs. Mary Whyte
Result:		The judgment being satisfied and there being no outstanding issues the appeal is struck from the Appeals' List.
Case:		Financial Services Regulatory Commission v Peter Queely et al [Civ. App No. 15 of 2006]
Appearances:		
	Appellant:	Mrs. Karen Defrietas-Rait
	Respondent:	Mr. Loy Weste
Result:		The oral application by counsel for the Appellant to discontinue this appeal is granted with no order as to costs

Case:		Hans Kupin by Power of Attorney for and on behalf of Universal Flugreisen Aktiengesellschaft v Caribbean Development (Antigua) Limited [Civ. App No. 17 of 2006]
Appearances:		
	Appellant:	Mr. Hugh Marshall Jr.
	Respondent:	Mr. John Fuller
Result:		The case having been settled with no outstanding issues, the appeal is struck out.
Case:		Attorney General of Antigua and Barbuda v Osbourne Roberts (Antigua) Limited [Civ. App No. 20 of 2006]
Appearances:		
	Appellant:	Mr. Hugh Marshall Jr.
	Respondent:	Mr. John Fuller
Result:		The judgment in this appeal will be delivered on Thursday 23 rd July 2009.
Case:		Carlton Spencer v St. James Club Antigua Limited [Civ. App No. 21 of 2006]
Appearances:		
	Appellant:	Mr. Carlton Spencer
	Respondent:	Mr. John Fuller
Result:		The Registrar shall take such steps as are necessary to have the notes of evidence of Justice Francis Belle transcribed from his notebook and made available to the parties
Case:		American International Bank (In Receivership) v Cecile Hill, Registrar of Lands, RBC Royal Bank of Canada [Civ. App No. 26 of 2006]
Appearances:		
	Appellant:	Mrs. Karen Defrietas-Rait
	Respondent:	Mr. Jason Martin holding for Mr. Michael Archibald

Result:		<ol style="list-style-type: none"> 1. The Registrar shall serve the application to strike out the appeal and supporting documents on the bank. 2. The Appellant Bank shall file and serve a reply within 14 days of service failing which the appeal shall stand automatically dismissed with cost to the Respondent to be determined
Case:		Olsen Hector et al v The Attorney General et al [Civ. App No. 27 of 2006]
Appearances:		
	Appellant:	Mr. Cosbert Cumberbatch
	Respondent:	Mrs. Carla Brookes-Harris
Result:		<ol style="list-style-type: none"> (1) Time is extended to Monday 7th September 2009 for solicitor for the Appellants to file and serve skeleton arguments with copies of authorities for the hearing of this appeal (2) Solicitor for the Respondents shall file and serve skeleton arguments with copies of authorities on or before Wednesday 30th September 2009 (3) This appeal shall be scheduled for hearing at the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009.
Case:		Ethel Geraldine Martin v Nicole D. Martin [Civ. App No. 28 of 2006]
Appearances:		
	Appellant:	Mr. John Fuller
	Respondent:	Ms. Asheen Joseph
Result:		The appeal is struck out with no order as to costs.
Case:		Alex John trading as Anko Trading v Bank of Antigua Limited [Civ. App No. 4 of 2007]
Appearances:		
	Appellant:	Ms. Veronica Thomas
	Respondent:	No appearance

Result:		The Court being informed that the parties are in the process of settlement, this appeal is adjourned to the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009 for report.
Case:		Llewellyn Smith v Antigua Port Authority (Civ. App No. 12 of 2007)
Appearances:		
	Appellant:	Mr. Hugh Marshall Jr.
	Respondent:	Mr. Craig Christopher
Result:		<ul style="list-style-type: none"> (1) Solicitors for the Appellant shall file and serve written submissions with copies of authorities on or before 26th October 2009 (2) The Respondent shall file and serve written submissions with copies of authorities in response on or before Friday 13th November 2009 (3) This appeal shall be listed for hearing at the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009
Case:		Arthur Reynolds v The Proprietors, Condominium Plan No. 24 of 2007 [Civ. App No. 14 of 2007]
Appearances:		
	Appellant:	Mr. Hugh C. Marshall, Jr
	Respondent:	Mr. Clement Bird
Result:		<ul style="list-style-type: none"> 1. Solicitors for the Appellant shall file and serve the Record of Appeal on or before 16th September 2009. 2. This Appeal shall be listed for hearing at the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009.
Case		Caribbean Development (Antigua) Ltd. (Trading as Jolly Harbour Marina) v Ian Ferguson et al (Civil Appeal No. 15 of 2007)
Appearances	Appellant Respondent	Mr. Peyton Knight Dr. David Dorset

Result		Consent order filed by the parties.
Case:		Maxwell Francis v Ralph Francis et al (Civ. App No. 25 of 2007)
Appearances:		
	Appellant:	Dr. David Dorsett on the Record and Mr. John Fuller who appeared for the day
	Respondent:	Mr. Jason Martin for the 2 nd and 3 rd Respondents and for Mr. Ralph Francis as executor Mr. Ralph Francis in Person
Result:		<ul style="list-style-type: none"> (1) Solicitors for the parties shall settle the content of all the Record to be filed in this appeal within 7 days of today's date (2) Solicitors for the Appellant shall file and serve the Record of Appeal on or before 17th August 2009 (3) Solicitors for the parties shall file and serve skeleton arguments with supporting authorities on or before 18th September 2009 (4) This appeal shall be scheduled for hearing at the sitting of the Court of Appeal in St. Lucia in October 2009
Case:		First Caribbean International Bank (Barbados) Ltd. v Laurel Thomas Egan [Civ. App. No. 6 of 2008]
Appearances:		
	Appellant:	Mrs. Eleanor Solomon
	Respondent:	Mr. Hugh Marshall Jr.
Result:		The appeal was discontinued and accordingly dismissed.
Date:		Thursday 23rd July 2009
Coram:		His Lordship the Hon. Chief Justice Hugh Rawlins
		His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.)
		His Lordship the Hon. Michael Gordon Justice of Appeal (Ag.)

		HIGH COURT CIVIL APPEALS
Case:		Romig W. Michael v Heather Michael [Civil Appeal No 15 of 2008]
Appearances:		
	Appellant:	Mr. Dane Hamilton QC with Mr. D. Raimon Hamilton Jr.
	Respondent:	Sir Claire Roberts QC with Miss C. Kamilah Roberts
Issue:		Appeal against judgment of Justice Blenman
Result:		Judgment reserved
Reason:		The Court needs time to consider
Coram:		Her Ladyship the Hon. Janice George-Creque, President His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.) His Lordship the Hon. Michael Gordon Justice of Appeal (Ag.)
Case:		Antigua Aggregates Limited v The Attorney General of Antigua and Barbuda et al [Civil Appeal No. 3 of 2009]
Appearances:		
	Appellant:	Mr. Hugh Marshall Jr. with Mrs. Cherissa Roberts-Thomas
	Respondent:	Mrs. Karen Defrietas-Rait for First Respondent Sir Claire Roberts QC with Miss C. Kamilah Roberts for Second Respondent
Issue:		Appeal against the judgment of Justice Blenman
Result:		Judgment reserved
Reason:		The Court needs time to consider
Case:		Philmore Skepple v Joseph Weekes

		[Civil Appeal No. 10 of 2009]
Appearances:		
	Appellant:	Mr. Dane Hamilton QC
	Respondent:	Mr. Peyton Knight
Issue:		
Result:		Judgment reserved
Reason:		The Court needs time to consider
Coram:		His Lordship the Hon. Davidson Baptiste Justice of Appeal (Ag.), President
		His Lordship the Hon. Michael Gordon Justice of Appeal (Ag.)
		His Lordship the Hon. Errol Thomas Justice of Appeal (Ag.)
		MAGISTERIAL CRIMINAL APPEALS AGAINST SENTENCE
Case:		Donald G. A-L Dorsett v The Commissioner of Police [Mag. Crim. Appeal No. 4 of 2008]
Appearances:		
	Appellant:	Mr. Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against sentence
Result:		Sentence affirmed and appeal dismissed
Case:		Devon Ralph v The Commissioner of Police [Mag. Crim. Appeal No. 4 of 2009]
Appearances:		
	Appellant:	Mr. Cutie Benjamin

	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against sentence
Result:		Sentence affirmed and appeal dismissed. \$5,000.00 should be paid within 2 weeks of today’s date and further \$15,000.00 paid within 4 months of today’s date
Reason:		Find no basis to interfere with the sentence imposed
		MAGISTERIAL CRIMINAL APPEALS AGAINST CONVICTION AND SENTENCE
Case:		Lester Charles & Ahmed Williams v The Commissioner of Police [Mag. Crim. Appeal No. 1A of 2009]
Appearances:		
	Appellant:	Mr. Steadroy Cutie Benjamin
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against conviction and sentence
Result:		Matter adjourned to the next sitting of the Court of Appeal in Antigua and Barbuda in December 2009.
Reason:		To allow each Appellant to have different Counsel
Case:		Percival Bascus v The Commissioner of Police [Mag. Crim. Appeal No. 2 of 2009]
Appearances:		
	Appellant:	Mr. Ralph Francis
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against conviction and sentence

Result:		Conviction and sentence quashed. Appeal allowed. Order of restitution allowed in respect of vessel
Case:		Elroy Joseph v The Commissioner of Police [Mag. Crim. Appeal No. 3 of 2009]
Appearances:		
	Appellant:	Mr. Cosbert Cumberbatch
	Respondent:	Mr. Anthony Armstrong –DPP
Issue:		Appeal against conviction and sentence
Result:		The appeal is allowed and conviction and sentence set aside