

COURT OF APPEAL  
LIST OF CASES HEARING  
WEEK COMMENCING 18<sup>TH</sup> MARCH 2024

Hilary Term  
10/24

DIVISION I  
SITTING IN COURT ROOM I

BEFORE: THE HON. MR JUSTICE BROOKS, P  
THE HON. MR JUSTICE F WILLIAMS, JA  
THE HON. MR JUSTICE BROWN, JA

MONDAY 18<sup>TH</sup> MARCH – FRIDAY 22<sup>ND</sup> MARCH 2024

MOTIONS/APPLICATIONS

Notice of application for permission to appeal

|                                                                            |   |                                                |
|----------------------------------------------------------------------------|---|------------------------------------------------|
| COA2023APP00142<br>COA2019MS00011 – Dwayne Jacobs<br>(Reitzin & Hernandez) | v | - Progressive Grocers Ja. Ltd.<br>(Mayhew Law) |
|----------------------------------------------------------------------------|---|------------------------------------------------|

Notice of application for court orders to strike out/dismiss

|                                                                                                    |   |                                            |
|----------------------------------------------------------------------------------------------------|---|--------------------------------------------|
| COA2023APP00186<br>COA2020CV00030 – The Attorney General of Ja.<br>(Director of State Proceedings) | v | - Dalton Thompson<br>(Kinghorn & Kinghorn) |
|----------------------------------------------------------------------------------------------------|---|--------------------------------------------|

Notice of application for specified service

|                                                                             |   |                |
|-----------------------------------------------------------------------------|---|----------------|
| COA2023APP00282<br>COA2021PCCV00027 – Odelle Sinclair<br>(Jordan & Francis) | v | - Nerine James |
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Notice of application for extension of time

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|---------------------------------------------------------------------------|---|-----------------------------------|
| COA2024APP00019 – Jacqueline Fairclough<br>(Livingston, Alexander & Levy) | v | - Owen Fairclough<br>(Mayhew Law) |
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Notice of application for permission to appeal

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|---------------------------------------------------------------------------------------------------|--|--------------------------------------|
| COA2023APP00288 – Jamaica Assoc. of Composers v<br>Authors & Publishers Ltd<br>(Samuda & Johnson) |  | - Restaurants of Ja. Ltd.<br>T/A KFC |
|---------------------------------------------------------------------------------------------------|--|--------------------------------------|

REGISTRAR’S REPORT – UNDER RULE 2.19(2) OF THE COURT OF APPEAL RULES  
FRIDAY 22<sup>ND</sup> MARCH 2024

SUPREME COURT CIVIL APPEALS

|                                                      |   |                                                       |
|------------------------------------------------------|---|-------------------------------------------------------|
| CA 104/08 – Delroy Hamm<br>(Carol Davis)             | v | - Jamaica Mortgage Bank<br>(Myers, Fletcher & Gordon) |
| CA 127/08 – Arthur Anderson<br>(Usim Williams & Co.) | v | - Judith Duncan (nee Bennett)<br>(Samuda & Johnson)   |
| CA 129/10 – Lisa-Ann Edwards<br>(Nigel Jones & Co.)  | v | - Olive Junor<br>(Banjoko Law)                        |
| CA 140/10 – Jowayne Clarke<br>(Norman O Samuels)     | v | - Daniel Jankine<br>(Samuda & Johnson)                |

DIVISION II  
SITTING IN COURT ROOM II

BEFORE: THE HON. MRS JUSTICE MCDONALD-BISHOP, JA  
THE HON. MISS JUSTICE P WILLIAMS, JA  
THE HON. MRS. JUSTICE G FRASER, JA (AG)

MONDAY 18<sup>TH</sup> MARCH – FRIDAY 22<sup>ND</sup> MARCH 2024

MOTIONS/APPLICATIONS

Notice of application for appeal to be dismissed

COA2023APP00142  
COA2019MS00011  
- Donald Gittens v - General Legal Council  
(DunnCox)

Notice of application for extension of time to file and serve notice and grounds of appeal

COA2023APP00090  
COA2023MS00002 – Dave Campbell v - Robert Moore

Notices of application for fresh evidence & for documents to be struck from the record of appeal

COA2024APP00021 & 00265  
COA2021CV00081 – Opal Wallace v - Dinsdale Williams  
(McDermott Reynolds McDermott) (Nea/Lex)

SUPREME COURT CIVIL APPEALS

CA 138/07 – David Brown v - Garfield Vassell  
(Verleta Green) - Alpart  
(Michalene Lattore)  
COA2022CV00115 – Transport Authority v - Marlon Parker  
(McDermott Reynolds) (Garth E Lyttle & Co.)

CIVIL APPEAL

COA2021MS00011  
- Donald Gittens v - General Legal Council  
(Bennett Cooper Smith)

DIVISION III  
SITTING IN COURT ROOM III

BEFORE: THE HON. MISS JUSTICE STRAW, JA  
THE HON. MRS JUSTICE FOSTER-PUSEY, JA  
THE HON. MRS. JUSTICE V HARRIS, JA

MONDAY 18<sup>TH</sup> MARCH – FRIDAY 22<sup>ND</sup> MARCH 2024

MOTIONS/APPLICATIONS

Notices of application for permission to appeal & stay of execution

COA2023APP00143 & 00144  
COA2023PCCV00014 – David Chin v - Debbie Tavares-Dean  
(Nunes, Scholefield, Deleon & Co.) - Nicola Tavares  
- Norbert Keith Tavares Jr.  
- Eleanor Alicia Christiana  
(Jerome D Spencer)

SUPREME COURT CRIMINAL

Application for leave to appeal

|                                               |     |                                 |
|-----------------------------------------------|-----|---------------------------------|
| CA 80/15 – Webster Brown<br>(Nicholas Edmund) | v R | - Illegal possession of firearm |
|-----------------------------------------------|-----|---------------------------------|

SUPREME COURT CRIMINAL APPEAL

|                                            |     |          |
|--------------------------------------------|-----|----------|
| CA 69/14 – Andre Nelson<br>(Emily Shields) | v R | - Murder |
|--------------------------------------------|-----|----------|

SUPREME COURT CIVIL APPEAL

|                                                      |   |                             |
|------------------------------------------------------|---|-----------------------------|
| COA2021MS00107 – Rollin Henry<br>(Zavia Mayne & Co.) | v | - Jun Liu<br>(Hussey Legal) |
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PARISH COURT CIVIL APPEALS

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|--------------------------------------------------------------------------|---|-----------------------------------|
| COA2021PCCV00039 – Charles Wright<br>(Robertson, Smith, Ledgister & Co.) | v | - Richard Blake<br>(Paul Gentles) |
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| COA2021PCCV00053 – Roland Price Henry<br>(Michael B P Erskine & Co.) | v | - Dave Norton<br>- Christopher Norton<br>(Palmer Smart & Co.)<br>- Marcella Scarlett Green |
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| COA2021PCCV00036 – Christopher Brown<br>(Bignall Law) | v | - Ricardo Davis<br>- Phabian Clarke |
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CHAMBERS

THE HONOURABLE MRS JUSTICE SINCLAIR-HAYNES, JA WILL SIT ON TUESDAY 19<sup>TH</sup> MARCH 2024.

Case management conferences

2:00 PM – By videoconference

|                                                 |   |                                                            |
|-------------------------------------------------|---|------------------------------------------------------------|
| CA 160/09 – Ivor Peynado<br>(Chen, Green & Co.) | v | - National Housing Trust<br>(Livingston, Alexander & Levy) |
|-------------------------------------------------|---|------------------------------------------------------------|

2:15 PM – By videoconference

|                                                              |   |                                                      |
|--------------------------------------------------------------|---|------------------------------------------------------|
| CA 164/09 – Mahene Reid<br>(Dionne Meyler Reid & Associates) | v | - Hyacinth Bennett<br>(Scott, Bhoorasingh & Bonnick) |
|--------------------------------------------------------------|---|------------------------------------------------------|

2:30 PM – By videoconference

|                                                    |   |                                                                      |
|----------------------------------------------------|---|----------------------------------------------------------------------|
| CA 132/10 – Donald Harris<br>(John G Graham & Co.) | v | - Girvan & Associates Ltd.<br>(Jeffery Mortdecai)<br>(Winsome Marsh) |
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2:45 PM – By videoconference

|                                                         |   |                                                               |
|---------------------------------------------------------|---|---------------------------------------------------------------|
| CA 69/10 – Janice Vercruysse<br>(Hart, Muirhead, Fatta) | v | - Stephanie Vercruusse et al<br>(Marion Rose-Green & Company) |
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|-----------------------------------------------------------------------------------------------------------------|---|----------------------------------------------------------------------------------------------------------------|
| <b>3:00 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| CA 70/10 – Orville Britton<br>(ED Davis & Associates)                                                           | v | - Sheryl Britton<br>(Brown & Shaw)                                                                             |
| <b>3:15 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| CA 15/10 – Fletcher & Company Ltd.<br>(Carol Davis)                                                             | v | Billy Craig Investments Ltd<br>(Hylton Powell)                                                                 |
| <b>3:30 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| CA 31/10 – Baron McKenley<br>(Cecil J Mitchell & Co.)                                                           | v | - First Caribbean Intl. Bank<br>(DunnCox)                                                                      |
| <b>3:45 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| CA 99/09 – Reliant Enterprise Communication<br>(Nunes, Scholefield, DeLeon & Co.)                               | v | - Infochannel Ltd.<br>(Usim Williams & Co.)                                                                    |
| <b>THE HONOURABLE MRS JUSTICE FOSTER-PUSEY, JA WILL SIT ON TUESDAY 19<sup>TH</sup> MARCH 2024.</b>              |   |                                                                                                                |
| <b>Case management conferences</b>                                                                              |   |                                                                                                                |
| <b>2:00 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| COA2023CV00057 – Shauna Anderson-Guthrie<br>(Henlin Gibson Henlin)                                              | v | - Southeast Regional Health<br>Authority<br>- Minister of Health & Wellness<br>(Director of State Proceedings) |
| <b>2:15 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| CA 79/10 – Garfield Jackson                                                                                     | v | - Glendon Reynolds<br>- Herm Rose-Reynolds                                                                     |
| <b>Notices of application for stay of execution &amp; for security of costs</b>                                 |   |                                                                                                                |
| <b>2:30 PM – By videoconference</b>                                                                             |   |                                                                                                                |
| COA2024APP00018 & 00040<br>COA2024CV00015 – DCR Hardware & Construction<br>(Beecher-Bravo, Hanson & Associates) | v | - Monique Ifeoma Elizabeth Wilson<br>(Smith, Afflick, Robinson & Partners)                                     |

**Stacie-Anne Brown**  
**Registrar**  
**2024/03/14**