

**IN THE BAHAMAS COURT OF APPEAL  
CRIMINAL AND CIVIL APPEALS  
CAUSE LIST FOR THE MONTH OF OCTOBER 2022**

**CORAM**

**CAIS No.**

**CAIS No.**

**MONDAY 3<sup>RD</sup> OCTOBER 2022**

The Hon. Madam Justice Crane- Scott, JA

The Hon. Mr. Justice Roy Jones, JA

The Hon. Sir Brian Moree, JA, Kt.

**INDUSTRIAL TRIBUNAL APPEAL**

**131/2021**

**10:00 A.M.**

**WESTECH INTERNATIONAL SECURITY**

**Vs.**

**JASON TYNES**

(Substantive Hearing, Terms of employment

Adj. from 6<sup>th</sup> July, 2022

Bostwick & Bostwick and Pro Se)

**MAGISTRATE COURT CRIMINAL APPEALS**

**69/2022**

**10:30 A.M.**

**THOMAS FORBES**

**Vs.**

**COMMISSIONER OF POLICE**

(Indecent Assault

Shurland & Co. and Director of Public Prosecutions)

**TUESDAY 4<sup>TH</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.

The Hon. Madam Justice Crane- Scott, JA

The Hon. Mr. Justice Roy Jones, JA.

**SUPREME COURT CONSTITUTIONAL APPEAL**

**76/2022**

**10:00A.M**

**MARCO OLIVER**

**Vs.**

**COMMISSIONER OF POLICE**

**DIRECTOR OF PUBLIC PROSECUTIONS**

(EOT/Substantive Hearing, Constitutional Motion

Adj. from 28<sup>th</sup> July 2022

Office of the Public Defender and Director of Public Prosecutions)

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127/2021

11:00 A.M

SUPREME COURT CIVIL APPEAL

**JOSEPH AMIHERE**

**AND**

**THE HON. CARL BETHEL**

In the capacity as Attorney General

**BRENT SYMONETTE**

In the capacity as Minister of Immigration

**WILLIAM PRATT**

In his capacity as Director of Immigration

**PETER JOSEPH**

In his capacity as Officer in Charge of Carmichael

Detention Centre

(EOT/Substantive Hearing, Assessment of Damages

Callendars & Co. and Office of the Attorney General)

WEDNESDAY 5<sup>TH</sup> OCTOBER 2022

The Hon. Sir Michael Barnett, P. Kt.

The Hon. Madam Justice Crane-Scott, JA

The Hon. Mr. Justice Milton Evans, JA

138/2020

10:00 A.M

SUPREME COURT CIVIL APPEALS

**VIVIAN ROLLE**

**AND**

**ATTORNEY GENERAL**

(Substantive Hearing, Title to Land

Adj. from 18<sup>th</sup> July, 2022

CG Chambers and Office of the Attorney General)

The Hon. Madam Justice Crane-Scott, JA

The Hon. Mr. Justice Milton Evans, JA.

The Hon. Sir Brian Moree, JA, Kt.

127/2019

11:00 A.M.

**THE ATTORNEY-GENERAL**

**AND**

**JONATHAN REID**

**DAVID VALDEZ-LOPEZ**

**RUDOLPH KERMIT KING**

(EOT Taxation/Notice of Motion to Strike Out

Adj. from 1<sup>st</sup> September, 2022

Office of the Attorney General and Monique Gomez & Co.)

**THURSDAY 6<sup>TH</sup> OCTOBER 2022**

The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA.  
The Hon. Sir Brian Moree, J.A. Kt.

**MAGISTRATE COURT CRIMINAL APPEALS**

**32/2022**

**10:00 A.M.**

**KEVAN SEYMOUR**

**VS.**

**COMMISSIONER OF POLICE**

(Substantive Hearing, Possession of Dangerous Drugs  
With Intent to Supply

Adj. from 7<sup>th</sup> July, 2022

BRF Chambers and Director of Public Prosecutions)

**60/2022**

**10:00 A.M.**

**SUZETTE SMITH**

**VS.**

**COMMISSIONER OF POLICE**

(EOT/Substantive Hearing, Possession of Dangerous Drugs  
With Intent to Supply

Adj. from 7<sup>th</sup> July, 2022

Phillip H. A. Hilton Chambers and Director of Public Prosecutions)

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA.

**SUPREME COURT CIVIL APPEAL**

**128/2021**

**10:00 A.M.**

**THE PETITION OF PALM BEACH ANDROS CO. LTD.**

**AND**

**SOUTH ANDROS INTERNATIONAL**

**COMPANY LIMITED**

**AND**

**GRAND BAHAMA DEVELOPMENT**

**COMPANY LIMITED.**

(For Mention/EOT Hearing and Leave to Appeal

Adj. from 15<sup>th</sup> September 2022

Davis & Co. and Higgs & Johnson and McKinney Turner & Co.)

**FRIDAY 7<sup>TH</sup> OCTOBER 2022**

***Reserved/ Reading Day***

**MONDAY 10<sup>TH</sup> OCTOBER 2022**

***National Hero's Day***

**TUESDAY 11<sup>TH</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Milton Evans, JA.  
The Hon. Sir Brian Moree, JA, Kt.

**MAGISTRATE COURT CRIMINAL APPEALS**

**94/2022**

**10:00 A.M.**

**JUAN ANTONIO TORRES CABRERA**

**Vs.**

**COMMISSIONER OF POLICE**

(Substantive Hearing, Possession of Dangerous Drugs with  
Intent to supply and Importation of Dangerous Drugs  
Geoffrey Farquharson & Co. and Director of Public Prosecutions)

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Milton Evans, JA.  
The Hon. Sir Brian Moree, JA, Kt.

**SUPREME COURT CIVIL APPEALS**

**33/2022**

**11:00 A.M.**

**KAYDEE LIMITED**

**DAVID EDWARD JENNETTE, SR.**

**MERCANTILE LAND RESOURCES LIMITED**

**SEAPORT CONSTRUCTION COMPANY LIMITED**

**MERIDIAN RESEARCH CORPORATION LIMITED**

**DOMINION SWAN INDUSTRIES**

**AND**

**BANK OF THE BAHAMAS**

(Substantive Hearing/ Respondent's Notice, Assessment of Damages  
Tynes & Tynes and Callendars & Co.)

**WEDNESDAY 12<sup>TH</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Madam Justice Crane-Scott, JA.  
The Hon. Sir Brian Moree, JA, Kt.

**SUPREME COURT CRIMINAL APPEALS**

**51/2022**

**10:00 A.M.**

**STEVE LUCIANO BAIN**

**Vs.**

**DIRECTOR OF PUBLIC PROSECUTIONS**

(Substantive Hearing, Incest and Indecent Assault  
Adj. from 5<sup>th</sup> September, 2022

Alpin O. Russell & Co. and Director of Public Prosecutions)

**SUPREME COURT CIVIL APPEAL**

**36/2022**

**11:00 A.M.**

**GUSTAVUS FERGUSON**

**AND**

**BUILDING CONTROL OFFICER**

(Substantive Hearing, Judicial Review  
Bootle Williams & Co. and Office of the Attorney General)

**THURSDAY 13<sup>TH</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs JA.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Mr. Justice Roy Jones, JA.

**SUPREME COURT CRIMINAL APPEAL**

**140/2021**

**10:00 A.M.**

**ALISTER WILLIAMS**

**Vs.**

**DIRECTOR OF PUBLIC PROSECUTIONS**

(EOT/Substantive Hearing, Murder

Adj. from 30<sup>th</sup> June, 2022

Public Defender's Office and the Director of Public Prosecutions)

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Jon Isaacs JA  
The Hon. Madam Justice Crane-Scott, JA.

**SUPREME COURT CIVIL APPEAL**

**94/2021**

**11:00 A.M**

**ROSINA SMITH**

**AND**

**FIDELITY BANK (BAHAMAS) LTD.**

(EOT Hearing, Vacant Possession and Mortgage Arrears

Martin Global and Cedric Parker & Co.)

**FRIDAY 14<sup>th</sup> SEPTEMBER 2022**

***Reserved/ Reading Day***

**MONDAY 17<sup>TH</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Sir Brian Moree, JA. Kt.

**SUPREME COURT CRIMINAL APPEAL**

**145/2021**

**10:00 A.M**

**MARVIN EDGECOMBE**

**Vs.**

**DIRECTOR OF PUBLIC PROSECUTIONS**

(Substantive Hearing, Manslaughter

Adj. from 20<sup>th</sup> July, 2022

Murrio D. Ducille & Co. and Director of Public Prosecutions)

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Mr. Justice Roy Jones, JA.

**SUPREME COURT CRIMINAL APPEAL**

**184/2011**

**11:00 A.M**

**ALBERT ALEXANDER WHYLEY**

**Vs.**

**DIRECTOR OF PUBLIC PROSECUTIONS**

(Application to Reopen Appeal, Conviction

Pro Se and Director of Public Prosecutions

**TUESDAY 18<sup>TH</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Mr. Justice Milton Evans, JA

**SUPREME COURT CIVIL APPEAL**

**119/2021**

**LUCRETIA ROLLE**

**10:00 A.M**

**AND**

**AIRPORT AUTHORITY**

Conditional Leave Application to the Privy Council  
Pyfrom Farrington Chambers and Harry B. Hobosky Sands Chambers)

The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA.  
The Hon. Sir Brian Moree, JA, Kt.

**SUPREME COURT CIVIL APPEAL**

**62/2022**

**THE PUBLIC HOSPITAL AUTHORITY**

**10:30 A.M**

**DR. PAUL WARD**

**AND**

**DR. THEODORE FERGUSON**

(Substantive Hearing, Defamation  
Office of the Attorney General and Commonwealth Law Advocates)

**WEDNESDAY 19<sup>TH</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Sir Brian Moree, JA, Kt.

**SUPREME COURT CRIMINAL APPEAL**

**118/2017**

**DENIE OSIAS**

**10:00 A.M**

**Vs.**

**REGINA**

(Application for Remand Time  
Pro Se and Director of Public Prosecutions)

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA

**SUPREME COURT FAMILY APPEAL**

**63/2022**

**JENNIFER LYNN MOSKO**

**10:30 A.M**

**(nee BOGART)**

**AND**

**NICOLAS EMMANUEL PETER MOSKO**

(EOT Hearing, Trust Property  
Bowe Partners & Associates and McKinney Bancroft & Hughes)

**THURSDAY 20<sup>TH</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA

**MAGISTRATE COURT CRIMINAL APPEAL**

**72/2022**

**JOSHUA COOPER**

**10:00 A.M.**

**Vs.**

**THE COMMISSIONER OF POLICE**

(EOT Hearing, Possession of an Unlicensed Firearm  
and Possession of Ammunition  
Pro Se and Director of Public Prosecutions)

**SUPREME COURT CIVIL APPEAL**

**64/2022**

**JENNIFER BAIN**

**11:00 A.M.**

**AND**

**FAMILY GUARDIAN INSURANCE CO. LTD.**

(Substantive Hearing, Breach of Contract, Conspiracy to  
Cause Injury and Defamation  
Harry B. Sands, Lobosky & Co. and Graham Thompson & Co.)

**FRIDAY 21<sup>ST</sup> SEPTEMBER 2022**

***Reserved/ Reading Day***

**MONDAY 24<sup>TH</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Madam Justice Crane- Scott, JA

**MAGISTRATE COURT CRIMINAL APPEAL**

**109/2022**

**JAVAUGHN DEVON CHARLTON**

**10:00 A.M.**

**Vs.**

**THE COMMISSIONER OF POLICE**

(Substantive Hearing, Possession of an Unlicensed Firearm  
and Possession of Ammunition  
Munroe & Associates and Director of Public Prosecutions)

The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA  
The Hon. Sir Brian Moree, J.A. Kt.

**SUPREME COURT CIVIL APPEAL**

**28/2022**

**CLEMENZA LTD.**

**10:00 A.M.**

**JAMAL NIXON**

**AND**

**ROYAL BAHAMAS DEFENCE FORCE**

**ATTORNEY GENERAL OF THE BAHAMAS**

(Substantive Hearing, Malicious Prosecution  
Adj. from 12<sup>th</sup> July, 2022  
Murrio D. Ducille & Co. and Office of the Attorney General)

**TUESDAY 25<sup>th</sup> OCTOBER 2022**

The Hon. Sir Michael Barnett, P. Kt.  
The Hon. Mr. Justice Roy Jones, JA.  
The Hon. Mr. Justice Milton Evans, JA

**MAGISTRATE COURT CRIMINAL APPEAL**

**103/2022**

**COMMISSIONER OF POLICE**

**10:00 A.M.**

**Vs**

**KHAMBREL DEVEAUX**

(EOT/Substantive Hearing, Possession of Dangerous Drugs  
With Intent to Supply  
Director of Public Prosecutions and Pro Se)

**SUPREME COURT CIVIL APPEALS**

**74/2022**

**ALBURY'S FREEPORT LTD.**

**11:00 A.M**

**AND**

**WAUGH CONSTRUCTION (BAH.) LTD.**

(Substantive Hearing, Recusal  
Parriswhittaker and Wendall A. Smith Law Chambers)

**WEDNESDAY 26<sup>th</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs, JA.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Sir Brian Moree, J.A. Kt.

**MAGISTRATE COURT CRIMINAL APPEAL**

**81/2022**

**SHADDA ARMBRISTER**

**10:00 A.M**

**Vs.**

**COMMISSIONER OF POLICE**

(EOT/Substantive Hearing, Possession of Unlicensed Firearm and  
Possession of Ammunition  
Ian Cargill & Co. and Director of Public Prosecutions)

**SUPREME COURT CIVIL APPEAL**

**79/2022**

**THE MINISTER RESPONSIBLE FOR CROWN LAND**

**11:00 A.M**

**AND**

**SCOTT FINDEISEN AND BRANDON FINDEISEN**

(as Trustees of the Stephen A. Orlando Recoverable Trust)  
(Substantive Hearing, Certificate of Title  
Office of the Attorney General and McKinney Bancroft & Hughes)



**THURSDAY 27<sup>th</sup> OCTOBER 2022**

The Hon. Madam Justice Crane- Scott, JA  
The Hon. Mr. Justice Milton Evans, JA.  
The Hon. Sir Brian Moree, J.A. Kt.

**INDUSTRIAL TRIBUNAL APPEALS**

**110/2021**

**10:00 A.M**

**MARISA D. MASON SMITH**

**AND**

**BAHAMAS POWER AND LIGHT CO. LTD.**

(For Mention, Wrongful and Unfair Dismissal  
Adj. from 5<sup>th</sup> September, 2022

Murrio D. Ducille & Co. and Higgs & Johnson)

**85/2022**

**10:15 A.M**

**GRAND BAHAMA POWER COMPANY LIMITED**

**AND**

**COMMONWEALTH ELECTRICAL WORKERS UNION**

(Substantive Hearing, Employee Dismissal  
Delaney Partners. and Obie Ferguson & Co)

**FRIDAY 28<sup>th</sup> OCTOBER 2022**

**Reserved/ Reading Day**

**MONDAY 31<sup>ST</sup> OCTOBER 2022**

The Hon. Mr. Justice Jon Isaacs JA.  
The Hon. Madam Justice Crane- Scott, JA  
The Hon. Mr. Justice Roy Jones, JA.

**SUPREME COURT CIVIL APPEAL**

**67/2021**

**10:00 A.M**

**TYSON STRACHAN**

**AND**

**ALBANY RESORT OPERATOR LTD.**

(Application for Leave to Appeal to the Privy Council  
Capital Law Associates and Ginton Sweeting O'Brien)

**65/2022**

**10:45 A.M.**

**BASIL FARRINGTON**

**JUDY FARRINGTON**

**AND**

**GATEWAY ASCENDANY LTD.**

(Substantive Hearing, Vacant Possession  
Sidney A. Dorsett & Associates and Sharon Wilson & Co.)

**RESERVED JUDGMENTS AND DECISIONS  
DATED THIS 15<sup>TH</sup> DAY OF SEPTEMBER 2022**

**Dellarese B. Lightbourn**  
*(for) Registrar*  
*Court of Appeal*  
*Commonwealth of The Bahamas*

