

**COMMONWEALTH OF THE BAHAMAS  
IN THE COURT OF APPEAL  
SCCivApp. No. 208 of 2023**

**B E T W E E N**

**SIAMONE F. MCKENZIE**

**Appellant**

**AND**

**NATHANIEL MCKENZIE**

**AND**

**SAMUEL THOMPSON**

**Respondents**

**BEFORE:**           **The Honourable Sir Michael Barnett, P  
The Honourable Madam Justice Charles, JA  
The Honourable Mr. Justice Turner, JA**

**APPEARANCES:**   **Ms. Metta McMillan-Hughes, KC with Mr. McFallougn Bowleg,  
Counsel for the Appellant**

**Appearance by First Respondent**

**No appearance by or on behalf of the Second Respondent**

**DATES:**           **15 December 2023**

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**J U D G M E N T**

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**Judgment delivered by the Honourable Sir Michael Barnett, P:**

1. This is an appeal against the judgment by Newton, J. dated 27 September 2023 and her Supplemental Ruling of 12 December 2023 whereby she refused the declaration sought by the appellant, Siamone McKenzie, in an Originating Summons filed on 11 October 2022.
2. The appeal was heard as a matter of urgency.
3. For reasons which we will provide in full next week, we will allow the appeal and make a declaration that on 23 October 2010 it was lawful, pursuant to the provisions of section 64 of the Matrimonial Causes Act and Rule 37 of the Matrimonial Causes Rules, for the Appellant to marry the First Respondent, Nathaniel McKenzie.

4. We also order that the Decree Nisi, certified as being made Absolute on 5 November 2010, be varied and certified nunc pro tunc as being made Absolute on 7 October 2010.

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**The Honourable Sir Michael Barnett, P.**

5. I agree.

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**The Honourable Madam Justice Indra Charles, JA**

6. I also agree.

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**The Honourable Mr. Justice Bernard Turner, JA**