# COURT OF APPEAL OF BELIZE CAUSE LIST SECOND SESSION 2018 (REGULAR)

(Save where otherwise expressly stated, sittings shall be held from 10 am to 12 noon and 2pm to 5pm.)

**NB** - Please note that any appeal may be called up for Hearing one day earlier than scheduled if, for one reason or another, the Court finds itself with free time on the day immediately preceding that for the Hearing.

### NO. ETC OF APPEAL TITLE AND OTHER PARTICULARS OF APPEAL

### MONDAY 11 JUNE

### 10:00 a.m.:

| (Hearing – Application and/or CMC): |   |   |  |  |
|-------------------------------------|---|---|--|--|
| Crim. Application No. 1/2017        | THE QUEEN V CALANEY FLOWERS                         |   |  |  |
|                                     | (Appealing Ruling of Trial Judge)                   |   |  |  |
|                                     | Appellant's Counsel:                                | Sheiniza Smith, Sr. Crown               |  |  |
|                                     |   | Counsel & Javier Chan<br>(DPP's Office) |  |  |
|                                     | Respondent's Counsel:                               | Unrepresented                           |  |  |
| Hearing – Appeals                   | Respondent o oodnool.                               | emoprocented                            |  |  |
| Civil Appeal No. 18 of 2016         | CURTIS DALE SWASEY                                  | v BELIZE                                |  |  |
|                                     | TELEMEDIA LTD & ANOR                                |   |  |  |
|                                     | Appellant's Counsel:                                | Eamon Courtenay, SC &                   |  |  |
|                                     |   | Kareem Musa                             |  |  |
|                                     | Respondent's Counsel:                               | CCLLP/M&BLLP)<br>Magalie Perdomo        |  |  |
|                                     | Respondent's Counsel:                               | (RR&COLLP)                              |  |  |
|                                     |   |   |  |  |
| Civil Appeal No. 19 of 2016         | BELIZE TELEMEDIA LTD v CURTIS                       |   |  |  |
|                                     | DALE SWASEY   |   |  |  |
|                                     | Appellant's Counsel:                                | Magalie Perdomo                         |  |  |
|                                     |   | (RR&COLLP)                              |  |  |
|                                     | Respondent's Counsel:                               | Eamon Courtenay SC,<br>Kareem Musa      |  |  |
|                                     |   | CCLLP/M&BLLP)                           |  |  |
|                                     |   | •••••• / / / / / / / / / / / / / / / /  |  |  |
| Civil Appeal No. 33 of 2016         | Appeal No. 33 of 2016 BELIZE TELEMEDIA LTD v CURTIS |   |  |  |
|                                     | DALE SWASEY   |   |  |  |
|                                     | Appellant's Counsel:                                | Magalie Perdomo                         |  |  |
|                                     |   |   |  |  |
|                                     |   |   |  |  |

Respondent's Counsel:

(**RR&COLLP**) Eamon Courtenay SC, & Kareem Musa **CCLLP/M&BLLP**)

| 2:00 p.m.:  |  | CULLP/MaBLLP)  |  |
|---|--|--|--|
| Continuation of Hearing - Appeal<br>Hearing – Appeals |  |  |  |
| Civil Appeal No. 18 of 2016                           | CURTIS DALE SWASEY v BELIZE<br>TELEMEDIA LTD & ANOR                      |  |  |
|   | Appellant's Counsel:   | Eamon Courtenay, SC &<br>Kareem Musa<br>CCLLP/M&BLLP)  |  |
|   | Respondent's Counsel:  | Magalie Perdomo<br>(RR&COLLP)                          |  |
| Civil Appeal No. 19 of 2016                           | BELIZE TELEMEDIA LTD v CURTIS<br>DALE SWASEY                             |  |  |
|   | Appellant's Counsel:   | Magalie Perdomo<br>( <b>RR&amp;COLLP</b> )             |  |
|   | Respondent's Counsel:  | Eamon Courtenay SC,<br>Kareem Musa<br>CCLLP/M&BLLP)    |  |
| Civil Appeal No. 33 of 2016                           | BELIZE TELEMEDIA LTD v CURTIS<br>DALE SWASEY                             |  |  |
|   | Appellant's Counsel:   | Magalie Perdomo<br>( <b>RR&amp;COLLP</b> )             |  |
|   | Respondent's Counsel:  | Eamon Courtenay SC, &<br>Kareem Musa<br>CCLLP/M&BLLP)  |  |
| TUESDAY 12 June                                       |  |  |  |
| 10:00 a.m.:   |  |  |  |
| Crim. Application No. 6/2014                          | THE QUEEN v ARACEL<br>(Appealing Ruling of Trial<br>Appellant's Counsel: |  |  |
|   | Respondent's Counsel:  | Anthony Sylvestre (M&B<br>LLP)                         |  |
| 2:00 p.m.:<br>Hearing - Appeal                        |  |  |  |
| Criminal Appeal No. 20/2011                           | BRIAN RAMSEY v THE<br>Carnal Knowledge (Appe<br>Appellant's Counsel:     | QUEEN<br>aling conviction & sentence)<br>Unrepresented |  |
|   | 2  |  |  |

| Hearing - Appeal<br>Criminal Appeal No. 21/2011         | Respondent's Counsel:   | Cheryl-Lynn Vidal SC,<br>DPP  |
|---|---|---|
|   | FIDELIA ALDANA v THE<br>Carnal Knowledge (Appe<br>Appellant's Counsel:<br>Respondent's Counsel:               | aling conviction & sentence)<br>Unrepresented<br>Cheryl-Lynn Vidal SC,                        |
| WEDNESDAY 13 JUNE                                       |   | DPP   |
| 10:00 a.m.:   |   |   |
| (Mention and/or CMC)<br>Civil Appeal No. 2/2018         | KLAAS REIMER & ORS<br>CORPORATION OF BEL<br>Appellant's Counsel:<br>Respondent's Counsel:                     | IZE LTD<br>Andrew Marshalleck SC<br>(B&CO)  |
| (Hearing - Appeal)<br>Criminal Appeal No. 12/2015       | JOSE MONTES v THE C<br>Murder (Appealing agains<br>sentence)<br>Appellant's Counsel:<br>Respondent's Counsel: | •   |
| 2:00 p.m.:  |   |   |
| (Hearing - Application)<br>Crim. Application No. 1/2017 | <b>THE QUEEN v PEDRO N</b><br>Manslaughter<br>Appellant's Counsel:<br>Respondent's Counsel:                   | Kileru Awich ( <b>DPP's</b><br><b>Office</b> )<br>Leeroy Banner ( <b>Myles &amp;</b>          |
| THURSDAY 14 JUNE  |   | Banner)   |
| 10:00 a.m.:   |   |   |
| (Hearing - Appeal)<br>Criminal Appeal No. 6/2017        | <b>ROBERT TAYLOR v TH</b><br>Appellant's Counsel:<br>Respondent's Counsel:                                    | E QUEEN<br>Hubert Elrington,<br>SC ( <b>H.E. Elrington &amp; Co)</b><br>Cheryl-Lynn Vidal SC, |
|   | 29  |   |

DPP & Javier Chan (DPP's Office)

2:00 p.m.:

| (Mention and/or CMC)<br>Crim. Application No. 3/2016 | <b>THE QUEEN v ELARIO ELIJIO</b><br>Manslaughter             |  |  |
|--|--|--|--|
|  | Appellant's Counsel:   | Sheiniza Smith, Sr.<br>Crown Counsel & Kileru<br>Awich ( <b>DPP's Office</b> ) |  |
|  | Respondent's Counsel:  | Leeroy Banner ( <b>Myles &amp;</b><br>Banner)                                  |  |
| Crim. Application 3/2017                             | THE QUEEN v ALFRED MAHLER<br>Appealing ruling of trial judge |  |  |
|  | Appellant's Counsel:   | Cheryl-Lynn Vidal SC,<br>DPP & Javier Chan<br>( <b>DPP's Office</b> )          |  |
|  | Respondent's Counsel:  | Unrepresented  |  |
| Civil Appeal No. 1/2018                              | TAMARA PETERSON LEMUS v GALATIC<br>BUTTERFLY BZ LTD          |  |  |
|  | Appellant's Counsel:   | Magali Marin-Young,<br>SC & Allister Jenkins                                   |  |
|  | Respondent's Counsel:  | ( <b>MMY&amp;CO</b> )<br>Deshawn Arzu Torres<br>( <b>MTLLP</b> )               |  |
| FRIDAY 15 JUNE                                       |  |  |  |
| 10:00 a.m.:  |  |  |  |
| (Hearing – Appeal)<br>Criminal Appeal 12/2016        |  |  |  |
|  | GARETH HEMMANS v T<br>Appellant's Counsel:                   | Anthony Sylvestre<br>(M&BLLP)  |  |
|  | Respondent's Counsel:  | Cheryl-Lynn Vidal SC,<br>DPP & Javier Chan                                     |  |
| MONDAY 18 JUNE                                       |  | (DPP's Office)   |  |
| 10:00 a.m.:  |  |  |  |
| (Mention and/or CMC):<br>Civil Appeal No.18/2017     | THE PLACENCIA LAND & DEVELOPMENT CO                          |  |  |

|  | LTD & ORS v R & B CONSTRUCTION COMPANY<br>LTD & ORS                  |  |  |
|--|--|--|--|
|  | Appellant's Counsel:   | Rodwell Williams SC<br>( <b>B&amp;W&amp;COLLP</b> )  |  |
|  | Respondent's Counsel:  | Pricilla Banner (CCLLP)  |  |
| (Hearing – Appeal):<br>Civil Appeal 36 of 2016       | BELIZE INTERNATIONAL SERVICES LTD v<br>ATTORNEY GENERAL              |  |  |
|  | Appellant's Counsel:<br>Respondent's Counsel:                        | Pricilla Banner (CCLLP)<br>Nigel Hawke, Solicitor<br>General &Samantha<br>Matute-Tucker, Deputy<br>Solicitor General (A.G.'s |  |
| 2:00 p.m.:   |  | Ministry)  |  |
| Continuation of Hearing - App<br>(Hearing – Appeal): | BELIZE INTERNATIONA  | L SERVICES LTD v   |  |
| Civil Appeal 36 of 2016                              | ATTORNEY GENERAL<br>Appellant's Counsel:<br>Respondent's Counsel:    | Pricilla Banner (CCLLP)<br>Nigel Hawke, Solicitor<br>General/Samantha Matute<br>Tucker, Deputy Solicotor                     |  |
| TUESDAY 19 JUNE                                      |  | General (A.G.'s Ministry)  |  |
| 10:00 a.m.:  |  |  |  |
| (Mention and/or CMC):<br>Civil Appeal No. 3/2018     |  |  |  |
|  | INTERNATIONAL ENVIRONMENTS LTD v<br>COMMISSIONER OF INCOME TAX & ORS |  |  |
|  | Appellant's Counsel:   | Earnon Courtenay<br>(CCLLP)  |  |
|  | Respondent's Counsel:  | Nigel Hawke, Solicitor   |  |
| (Hearing – Appeal):                                  |  | General (A.G.'s Ministry)  |  |
| Civil Appeal 2/2017                                  | ANITA GALE ORTEGA V EATON BELISLE                                    |  |  |
|  | Appellant's Counsel:<br>Respondent's Counsel:                        | Mikhail Arguelles (MA&A)<br>Unrepresented  |  |

2:00 p.m.:

(Mention and /or CMC – Application): Civil Appeal No 15/2016 GLENN D GODFREY & CO v FINCA SANTA FAMILIA LTD & ORS

Appellant's Counsel:

Randall Sheppard (GDG&COLLP) Unrepresented

Respondent's Counsel:

### WEDNESDAY 20 JUNE

10:00 a.m.:

# Continuation of Hearing – Appeal (if necessary): (Hearing – Appeal): BELIZE INTERNATIONAL SERVICES LTD v Civil Appeal 36 of 2016 ATTORNEY GENERAL Appellant's Counsel: Pricilla Banner (CC)

Respondent's Counsel:

Pricilla Banner (CCLLP) Nigel Hawke, Solicitor General &Samantha Matute-Tucker, Deputy Solicitor General (A.G.'s Ministry)

2:00 p.m.:

(Mention and/or CMC): Civil Appeal No. 36/2017

YOLANDA SCHAKRON v CPL. D. USHER & ORSAppellant's Counsel:Anthony Sylvestre (M&BLLP)Mark Williams

THURSDAY 21 JUNE

10:00 a.m.:

(Hearing - Application) Civil Appeal No. 12/2017

### NESSIE ELINOR JONES v HOLY REDEEMER CREDIT UNION Appellant's Counsel: Hubert Elrington, SC

Respondent's Counsel:

Hubert Elrington, SC (H.E. Elrington & Co.) Melissa Balderamos-Mahler (BALLP)

2:00 p.m.

(Mention and/or CMC): Civil Appeal No. 10/2018

## PUBLIC UTILITIES COMMISSION V CONSOLIDATED WATER BELIZE LTD

Appellant's Counsel: Respondent's Counsel:

Fred Lumor, SC (FL&CO) Eamon Courtenay, SC (CCLLP)

### FRIDAY 22 JUNE

10:00 a.m.:

# Judgments and Reasons for Judgment

(Mention and/or CMC) Inferior Appeal No. 43 of 2010 NORMAN PETERS v THE QUEEN

Appellant's Counsel: Respondent's Counsel:

Unrepresented Cheryl-Lynn Vidal SC, DPP

Dated the 22

day of 2018 roo ( Jay

MELISSA M ROWLEY (MISS) Assistant Registrar (Supreme Court) FOR Deputy Registrar (Appeals)

