

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL
CHAMBER HEARING

22nd July 2026

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mde. Cadie St. Rose-Albertini, Justice of Appeal

Case Name: Harold Mickle

v

The King

[ANUHCRAP2025/0014]
(Antigua and Barbuda)

Date: Wednesday, 22nd July 2026

On paper:

Applicant: Mr. Warren Cassell

Respondent: No appearance

Issue: Application for extension of time, leave to appeal and notice of appeal to be deemed properly filed

Result / Order: IT IS HEREBY ORDERED THAT:

1. The applicant is granted an extension of time within which to file a notice of appeal.
2. Leave to appeal is granted.
3. The applicant's request that the application filed on 16th December 2025 stand as the notice of appeal is refused.
4. The applicant shall file and serve the notice of appeal on the respondent within 7 days of the date of this order.
5. The parties shall comply with the practice and procedures prescribed by the Court of Appeal Rules

as well as the relevant Practice Directions in
advancing this appeal

Reasons:

The Court, having considered the application, the supporting affidavit, the evidence of service, the minute of conviction and the absence of opposition from the Director of Public Prosecutions, applied the principles governing extensions of time, including the length and reasons for the delay, the merits of the proposed appeal and the potential prejudice to the respondent. The Court was satisfied that the threshold for both an extension of time and leave to appeal had been met and that it was in the interests of justice to allow the applicant to pursue an appeal against his conviction and sentence. However, the Court declined to deem the application itself to be the notice of appeal, as it was not in the prescribed form under the Court of Appeal Rules, and accordingly directed the applicant to file and serve a proper notice of appeal within 7 days.

Case Name:

Dylan Simon

v

The King

**[ANUHCRA2026/0002]
(Antigua and Barbuda)**

Date:

Wednesday, 22nd July 2026

On paper:

Applicant: Warren Cassell

Respondent: No appearance

Issue:

Application for leave to appeal against conviction and sentence

Result / Order:

IT IS HEREBY ORDERED THAT:

- 1. The application for leave to appeal sentence and conviction filed 13th March 2026 is granted.**
- 2. The application for leave to appeal is deemed to be the notice of appeal for the purpose of this appeal.**

3. The applicant shall serve a copy of this order on the Director of Public Prosecutions and provide proof of service within 14 days of this order.
4. The parties shall comply with the practice and procedures prescribed by the Court of Appeal Rules as well as the relevant Practice Directions in advancing this appeal.

Reasons:

The Court considered the application for leave to appeal, the corrected minute of conviction and sentence, the further affidavit setting out the grounds upon which the applicant contended that the verdict was unsafe and unsatisfactory, and the procedural history concerning the filing of incorrect and incomplete conviction documents. Having been satisfied that the threshold for leave to appeal had been met and that it was in the interests of justice to permit the applicant to pursue an appeal against both conviction and sentence, the Court granted leave to appeal. Pursuant to rule 55 of the Court of Appeal Rules, the Court further deemed the application for leave to appeal to constitute the notice of appeal.