

**IN THE CARIBBEAN COURT OF JUSTICE
Appellate Jurisdiction**

ON APPEAL FROM THE COURT OF APPEAL OF BARBADOS

**CCJ Application No AL 10 of 2010
BB Civil Appeal No 21 of 2007**

BETWEEN

FREDERICK C. HAWKESWORTH INTENDED APPELLANT/APPLICANT

AND

**THE ATTORNEY GENERAL FIRST RESPONDENT
CLYDE NICHOLLS SECOND RESPONDENT**

**Before The Honourables: Mr Justice Nelson
 Mr Justice Saunders
 Mr Justice Wit
 Mr Justice Hayton
 Mr Justice Anderson**

Appearances

Mr Ralph Thorne QC for the Intended Appellant/Applicant

Mr Leslie Haynes QC with Ms Donna Brathwaite and Mr McWatt for the First Respondent

Ms Roslind Jordan for the Second Respondent

**JUDGMENT
of
The Court
Delivered by
The Honourable Mr Justice Adrian Saunders
on the 17th day of February, 2011**

[1] The applications of Frederick Christopher Hawkesworth (“the Applicant”) for a) an extension of time within which to seek special leave to appeal to this Court, b) special leave to appeal and c) leave to appeal to this Court as a poor person, were heard by us via audio conference on 28th January, 2011. These applications were heard simultaneously with identical applications of Sean Gaskin and John Wayne Scantlebury. All three men had been arrested in May, 2004 in connection with extradition proceedings initiated by the Government of the United States of America.

[2] The underlying issues giving rise to the litigation before this Court, the course taken by that litigation and the submissions advanced by each of the men to this Court were in all instances the same. We dismissed each of their applications immediately after receiving the oral submissions of counsel. We undertook then to give in due course written reasons for our decision. In light of the reasons we have given in the case of Sean Gaskin¹ it is unnecessary for us to go over the same ground in this judgment. It suffices to say that the reasoning we applied in the case of Gaskin is also applicable to the Applicant and in all the circumstances we had no choice but to dismiss this application and to order costs to the Respondents.

/s/

The Hon. Mr. Justice Rolston Nelson

/s/

The Hon. Mr. Justice A. Saunders

/s/

The Hon. Mr. Justice Wit

/s/

The Hon. Mr. Justice D. Hayton

/s/

The Hon. Mr. Justice W. Anderson

¹ [2011] CCJ 1 (AJ)