

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

ON APPEAL FROM THE COURT OF APPEAL OF BARBADOS

**CCJ Application No. BBCV2014/001
BB Civil Appeal No.6 of 2012**

BETWEEN

**JUNE BLACKMAN
a.k.a. JUNE GILL**

Applicant

AND

**ELMA CARMEN GITTENS-BLACKMAN
MARCIA ANNETTE GITTENS-GRANT**

Respondents

**Before the Honourables: Mr. Justice R. Nelson, JCCJ
Mr. Justice J. Wit, JCCJ
Mr. Justice D. Hayton, JCCJ**

**DECISION
Of
The Honourable Mr Justice Nelson, Wit and Hayton**

**Delivered by
The Honourable Mr Justice Nelson
on the 25th November, 2014**

Reasons for Decision

1. In July 2001 the Respondents, who are the second wife and the daughter of Mr. Geoffrey Blackman (deceased), brought an action as his successors in title for possession of a dwelling-house and land at Coverley, Christchurch occupied by the Applicant, the daughter of Mr. Blackman's first wife, Kharis Blackman. Mr. Blackman and Kharis Blackman had purchased the disputed land as joint tenants in 1979. They later divorced in 1989 and Kharis Blackman died on January 28, 1993. Mr Blackman died intestate on 20 July 1999.
2. The trial judge, Mme. Justice Crane-Scott, on December 20, 2011 held that there had been no severance of the joint tenancy and so declared that the Respondents were entitled to possession of the land and dwelling-house and made an order for possession requiring the Applicant to deliver up possession on or before June 30, 2012.
3. On June 19, 2012, some 11 days before the order for possession could be executed the Applicant sought an extension of time to appeal to the Court of Appeal. The Court of Appeal dismissed this application on November 1, 2012 and refused a stay of execution regarding the order for possession. The Court of Appeal also ordered the parties to file submissions on costs and promised to reduce its reasons to writing at a later date. Those reasons were delivered on May 15, 2014.
4. The Applicant now applies to this Court for special leave to appeal against the order of the Court of Appeal said to be dated May 15, 2014 and for special leave to appeal as a poor person. The Respondents have rightly contended that the special leave application is out of time and there is no application to extend the time for appealing against the decision of the Court of Appeal, which was in fact given on November 1, 2012.
5. By Rule 10.12 of the Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 as amended ('the Rules) an appeal must be filed within 42 days of the date of the judgment

