

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

**AMENDED ORDER SETTING CALENDAR OF CASES FOR
CONSIDERATION AND FOR ORAL ARGUMENT**

The Supreme Court will convene in its Third Session of its 2008 Term on **Friday, June 6, 2008**. Unless otherwise noted, the Honorable **RHYS S. HODGE**, Chief Justice, the Honorable **MARIA M. CABRET**, Associate Justice; and the Honorable **IVE ARLINGTON SWAN**, Associate Justice, will comprise the panel scheduled for June 6, 2008.

AND NOW, this 30th day of May 2008, it is hereby

ORDERED, that the following cases are scheduled for consideration before the Supreme Court of the Virgin Islands in its Second Session, 2008 Term:

S. Ct. Crim. No. 2007-113
Super. Ct. Crim. No. 470/2004
Third Degree Assault; Possession of a Dangerous Weapon; Simple Assault;
Disturbance of the Peace

LESLIE E. NIBBS
Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS
Appellee/Plaintiff

Counsel for Appellant
Barbara Archibald, Esq.

Counsel for Appellee
Tiffany V. Robinson, Esq., AAG

S. Ct. Civ. No. 2007-120
Super. Ct. LT. No. 048/2007
Over Loading Waste Transport Vehicle

THE PEOPLE OF THE VIRGIN ISLANDS
Appellant/Plaintiff,

v.

ANTONIO GEORGE
Appellee/Defendant.

Counsel for Appellant
Richard S. Davis, Esq., AAG

Counsel for Appellee
Kyle R. Waldner, Esq.

S. Ct. Civ. No. 2007/109
Super. Ct. Civ. No. 451/2001
Petition for Writ of Review

**GOVERNMENT OF THE VIRGIN ISLANDS, DEPARTMENT OF
PLANNING AND NATURAL RESOURCES AND
PUBLIC EMPLOYEES RELATIONS BOARD**
Appellants/Respondents,

v.

CLIFFORD CROOKE
Appellee/Petitioner.

Counsel for Appellant
Matthew Phelan, Esq., AAG
Lorin Kleeger, Esq.

Counsel for Appellee
Pedro K. Williams, Esq.

S. Ct. Civ. No. 2007-049
Super. Ct. SM. No. 878/1997
Action for Temporary Injunction; Permanent Injunction; Declaratory
Judgment; Encroachment and Damages

JAMES MYERS
Appellant/Plaintiff,

v.

JAMES DERR AND DORI DERR
Appellees/Defendants.¹

Counsel for Appellant
Eszart A. Wynter, Esq.

Counsel for Appellee
James Derr, Pro Se
Dori Derr, Pro Se

¹ Associate Justices Maria M. Cabret and Ive Arlington Swan having recused themselves from consideration on this matter, the panel convened to consider this matter comprises of **CHIEF JUSTICE RHYS S. HODGE**, the Honorable **ISHMAEL MEYERS**, Justice Pro Tem, and the Honorable **EDGAR D. ROSS**, Justice Pro Tem.

S. Ct. Civ. No. 2007-057
Super. Ct. Pro No. 340/1988
Action for Trespass, Damages and Injunctive Relief

**INEZ MATTHIAS HODGE, CYNTHIA MILLER AND ALL OTHER
PERSONS CLAIMING AN INTEREST IN THE PROPERTY
KNOWN AND DESCRIBED AS PARCEL NO. 14-1, ESTATE
JOHN'S FOLLY CORAL BAY QUARTER, ST. JOHN,
UNITED STATES VIRGIN ISLANDS**
Appellants/Defendants,

v.

**GLORIA FRANCOIS MCGOWAN, PAUL HOFFMAN
AND JANE HOFFMAN WALKER**
Appellees/Plaintiffs.²

Counsel for Appellant
Herbert Muriel, Esq.
Archie Jennings, Esq.

Counsel for Appellee
Maria Takenson Hodge, Esq.

S. Ct. Civ. No. 2007-107
Super. Civ. No. 580/2004
Action for Damages

CORINE WARNER and LAVANTE WARNER
Appellants/Plaintiffs,

v.

WESTIN RESORT ST. JOHN d/b/a WESTIN ST. JOHN HOTEL CO., INC.
Appellee/Defendant.

Counsel for Appellants
Francis E. Jackson, Esq.

Counsel for Appellee
G. Alan Teague, Esq.

It is further

² Chief Justice Rhys S. Hodge and Associate Justices Maria M. Cabret and Ive Arlington Swan having recused themselves from consideration on this matter, the panel convened to consider this matter comprises of the Honorable **EDGAR D. ROSS**, Justice Pro Tem, Honorable **JAMES S. CARROLL, III**, Justice Pro Tem, and the Honorable **MICHAEL C. DUNSTON**, Justice Pro Tem.

ORDERED, that the Court will hear **ORAL ARGUMENTS** in the above-noted cases on June 6, 2008, in **Courtroom No. III**, Superior Court of the Virgin Islands, Alexander A. Farrelly Justice Center, St. Thomas, as follows:

Oral Arguments will commence beginning at **10:00 a.m.**, in the following cases:

1. **LESLIE E. NIBBS v. PEOPLE OF THE VIRGIN ISLANDS**
S. Ct. Crim. No. 2007-113
2. **PEOPLE OF THE VIRGIN ISLANDS v. ANTONIO GEORGE**
S. Ct. Civ. No. 2007-120
3. **GOVERNMENT OF THE VIRGIN ISLANDS, DEPARTMENT OF PLANNING AND NATURAL RESOURCES AND PUBLIC EMPLOYEES RELATIONS BOARD v. CLIFFORD CROOKE**
S. Ct. Civ. No. 2007-109
4. **JAMES MYERS v. JAMES DERR AND DORI DERR**
S. Ct. Civ. No. 2007-049
5. **INEZ MATTHIAS HODGE, CYNTHIA MILLER AND ALL OTHER PERSONS CLAIMING AN INTEREST IN THE PROPERTY KNOWN AND DESCRIBED AS PARCEL NO. 14-1, ESTATE JOHN'S FOLLY CORAL BAY QUARTER, ST. JOHN, UNITED STATES VIRGIN ISLANDS v. GLORIA FRANCOIS MCGOWAN, PAUL HOFFMAN AND JANE HOFFMAN WALKER**
S. Ct. Civ. No. 2007-057
6. **CORINE WARNER AND LAVANTE WARNER v. WESTIN RESORT ST. JOHN D/B/A WESTIN ST. JOHN HOTEL CO., INC.**
S. Ct. Civ. No. 2007-107

SO ORDERED, this 30th day of May, 2008.

FOR THE COURT:

/s/

RHYS S. HODGE
Chief Justice

ATTEST:
GLENDALAKE, ESQ.
Acting Clerk of the Court