

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

ORDER SETTING CALENDAR OF CASES FOR CONSIDERATION

AND FOR ORAL ARGUMENT

The Supreme Court will convene in its Seventh Session of its 2008 Term on **Monday, December 15, 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 December 15, 2008.

AND NOW, this 14th day of November 2008, it is hereby

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

S.Ct. Crim. No. 2007-078
Super. Ct. Crim. No. St-06-CR-0000309
Appealing the May 11, 2007 Judgment and Commitment

KISHAWN SMITH,
Appellant/Defendant,

V.

PEOPLE OF THE VIRGIN ISLANDS
Appellee/Plaintiff.¹

Counsel for Appellant
Robert L. King, Esq.

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

¹ Chief Justice Rhys S. Hodge having recused himself from consideration of this matter, the panel convened to consider this matter comprises Honorable Ive A. Swan, Honorable Maria M. Cabret and Honorable Francis J D'Eramo.

S. Ct. Civ. No. 2007-107
Super Ct. 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, et al
Appellee/Defendant.

Counsel for Appellant
Francis E. Jackson, Esq.

Counsel for Appellee
G. Alan Teague, Esq.

S. Ct. Crim. No. 2007-090
Super. Ct. Crim. No. ST-05-CR-265

Appealing Superior Court's Judgment and Commitment
Dated July 23, 2007

NICOLE LATTALADI,
Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS
Appellee/Plaintiff².

Counsel for Appellant
Paula Norkaitis, Esq.

Counsel for Appellee
Pamela R. Tepper, Esq., AAG
Elliott Davis, Esq., SG

² Chief Justice Rhys S. Hodge having recused himself from consideration of this matter, the panel convened to consider this matter comprises of the Honorable Ishmael Meyers, Justice Pro Tem, Honorable Maria M. Cabret, Associate Justice and the Honorable Ive A. Swan, Associate Justice.

S. Ct. Civ. No. 2008-006
Super. Ct. Civ. No. ST-04-CV-360
On Appeal from the December 20, 2007 Order of Superior Court

MAGENS POINT RESORT HOTEL
Appellant/Respondent,

v.

CECIL R. BENJAMIN, COMMISSIONER DEPARTMENT of LABOR
Appellee/Petitioner.

Counsel for Appellant
David J. Cattie, Esq.

Counsel for Appellee
Matthew Phelan, Esq.

S.Ct. Crim. No. 2008-008
Super. Ct. Crim. No. ST-07-LT-89
Appealing the Superior Court Judgment of January 23, 2008

ROI V. SIMMONDS
Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS
Appellee/Plaintiff.

Counsel for Appellant
Darren John-Baptiste, Esq.

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

S.Ct. Civ. No. 2008-014
Super. Ct. Civ. No. SX-07-CV-384

Appealing the Superior Court's Order entered January 29, 2008

WORLDWIDE FLIGHT SERVICE

Appellant/Petitioner,

v.

**GOVERNMENT of the VIRGIN ISLANDS, DEPARTMENT of LABOR, HEARING and
APPEAL UNIT and DALE BROWNE,**

Appellee/Respondent.

Counsel for Appellant

Charles E. Engeman, Esq.

Counsel for Appellee

Richard S. Davis, Esq.

S. Ct. Crim. No. 2008-042
Super. Ct. Crim. No. ST-07-CR-260

**Appealing Memorandum Opinions and Orders
entered October 9, 2007 and May 11, 2008 and
Judgment of Conviction and Order entered May 7, 2008**

Arnold Malone

Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS

Appellee/Plaintiff.

Counsel for Appellant

Thomas Alkon, Esq.

Counsel for Appellee

Terrylyn M. Smock, Esq., AAG

ORDERED that the Court will hear **ORAL ARGUMENTS** in the above-noted cases on December 15, 2008, in **Courtroom III**, Superior Court of the Virgin Islands, Alexander A. Farrelly Justice Center, St. Thomas, as follows:

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

1. **KISHAWN SMITH v. PEOPLE OF THE VIRGIN ISLANDS**,
S. Ct. Crim. No. 2007-078
2. **CORINE WARNER and LAVANTE WARNER v. WESTIN
RESORT ST. JOHN d/b/a WESTIN ST. JOHN HOTEL CO., INC., et
al**, S. Ct. Civ. No. 2007-107
3. **NICOLE LATTALADI v. PEOPLE OF THE VIRGIN ISLANDS**,
S. Ct. Crim. No. 2007-090
4. **MAGENS POINT RESORT HOTEL v. CECIL R. BENJAMIN,
COMMISSIONER DEPARTMENT OF LABOR**, S. Ct. Civ. No.
2008-006
5. **ROI V. SIMMONDS v. PEOPLE OF THE VIRGIN ISLANDS**, S. Ct.
Crim. No. 2008-008.
6. **WORLDWIDE FLIGHT SERVICE v. GOVERNMENT of the VIRGIN
ISLANDS, DEPARTMENT OF LABOR, HEARING and APPEAL UNIT
and DALE BROWNE**, S. Ct. Civ. No. 2008-014
7. **ARNOLD MALONE v. PEOPLE OF THE VIRGIN ISLANDS**, S. Ct. Crim.
No. 2008-042

CASES TO BE CONSIDERED WITHOUT ORAL ARGUMENT:

1. **PEOPLE of the VIRGIN ISLANDS v. MAXIMILIARO RIOS, S. Ct.**
Crim. No. 2007-112
2. **AUSTIN THOMAS v. ALFRED CANNONIER d/b/a MOTOR TREND, S.**
Ct. Civ. No. 2007-042
3. **PEOPLE of the VIRGIN ISLANDS v. MAKEEM PRATT, S. Ct. Crim. No.**
2008-013

SO ORDERED this 14TH day of November, 2008.

FOR THE COURT:

/S/

RHYS S. HODGE

Chief Justice

ATTEST:
VERONICA J. HANDY, ESQ.
Clerk of Court