JAMAICA

IN THE COURT OF APPEAL

BEFORE: THE HON MR JUSTICE F WILLIAMS JA
THE HON MS JUSTICE SIMMONS JA
THE HON MRS JUSTICE V HARRIS JA

APPLICATION NO COA2026APP00123

BETWEEN TYRONE CHODD MORRISON APPLICANT

AND THE DIRECTOR OF PUBLIC PROSECUTIONS RESPONDENT

The applicant in person

Ms Domonique Martin and Ms Morganne Kellier for the Crown

9 October 2026

Endorsement read by F Williams JA

[1] On 21 April 2026, the applicant was convicted by a judge of the Parish Court ('the learned judge'), in the Corporate Area Parish Court, Criminal Division, for the offences of (i) disorderly conduct; and (ii) possession of an offensive weapon. On 5 May 2026, he was admonished and discharged on both offences. On 22 September 2026, he filed an application for extension of time to appeal against the convictions.

[2] He contends that the delay in taking steps to advance an appeal was largely caused by fear, due to several injustices and assaults that he said were meted out to him by various agents of the State and prisoners.

[3] One main contention of his is that, at the time of his conviction, he informed the court that he intended to appeal his convictions.

[4] Before the hearing commenced, the applicant applied for the recusal of F Williams JA. The application was based solely on the applicant's prior interactions with individuals bearing the surname Williams in connection with his matter. In particular, he referred to

his interaction with one Warren Williams of the Major Organised Crime and Anti-Corruption Agency ('MOCA') and Adriel Williams, Deputy Registrar of the Court of Appeal, whom he encountered when filing his documents. The applicant expressed concern that he was now appearing before a panel presided over by F Williams JA, who had the same surname. The application was refused. In addressing the application, the court informed the applicant that there was no familial relationship between F Williams JA and Adriel Williams and that F Williams JA had neither met nor had any connection with Warren Williams. The court further observed that Williams is a common surname in Jamaica.

[5] Section 294 of the Judicature (Parish Court) Act requires that for there to be a viable appeal to this court from a conviction in a case tried on information pursuant to a special statutory summary jurisdiction, a person convicted has to give an oral indication or what it refers to as "verbal notice" of that intention to the court by which he is convicted "during the sitting of the court at which the judgment is delivered", or to file a notice of appeal within 14 days of that judgment. If that is not done, the possibility of appeal ceases and determines. An appellant has 21 days from the date of the judgment to file grounds of appeal where notice has first been given.

[6] The possibility exists for the grounds to be amended if the court is so minded; but there is no provision permitting the extension of time for filing the notice of appeal.

[7] Section 5 of the Justices of the Peace Jurisdiction Act is similar to section 294 of the Judicature Parish Court Act in terms of the time period of 14 days that is allowed for the filing of an appeal or the giving of an oral or verbal notice of appeal. Section 6 of the Justices of the Peace (Appeals) Act is to similar effect. That would govern the other summary charge under the Towns and Communities Act – that is, disorderly conduct. Further, pursuant to section 3 of the Justices of the Peace Jurisdiction Act, an appeal, if any, in respect of that offence would lie either to a Circuit Court judge or a judge of the Supreme Court. Not to this court. An application for extension of time to appeal the conviction of that other offence ought, therefore, properly to be made to that court and not this one.

[8] The accepted way of ascertaining whether any oral notice was given is by a perusal of the court sheet, which constitutes the official record. The clerk of courts is also required to make a minute of the verbal notice. Taking that usual route, there can be no other finding but that no notice was given. No "verbal notice" of appeal is noted in the court sheet in respect of either the date of the applicant's conviction or sentencing. And the perusal of the court sheet is supported by affidavit evidence of two assistant clerks of court who confirm what the court sheet indicates. On that basis alone, the possibility of an appeal ceased and determined 14 days after the court's judgment on 21 April 2026 and cannot be extended. Even if we were to calculate the time from the date on which the applicant was sentenced (that is, 5 May 2026), the position would remain the same. (In arriving at our conclusion on this point, we considered the applicant's assertion that he had read the affidavits but that the affiants were not speaking the truth about what happened in court.)

[9] Additionally, however, even if the appeal had been brought in time, or it were possible for the time to be extended for the bringing of an appeal in this case, there is another reason why no extension could reasonably be granted. That reason is to be found in the way in which the matters were disposed of – in that the applicant was admonished and discharged. The effect of this is that the applicant was given a warning in relation to repeating the offences and no conviction would have been recorded. What, then, would be the utility of an appeal in those circumstances? To grant an application such as this in these circumstances would be contrary to any consideration of good administration, efficient appellate case management, and an unnecessary diversion of resources to what would be, with respect, a pointless exercise.

[10] For all these reasons, the application must be, and is, refused.

[11] Our order, therefore, is:

The application for extension of time to appeal is refused.