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Departmental and Other Notices

COMMONWEALTH OF DOMINICA

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
(CIVIL)

CLAIM No DOMHCV2003/0101

Between:

Algernon Adams *Applicant/Claimant*

and

Martin Charles *Respondent/Defendant*

Appearances

Mrs Gina Dyer-Monro for Applicant Claimant
No appearance of or for the Defendant despite service

2013: October 24
2014: May 30

ASSESSMENT OF DAMAGES

INTRODUCTION AND BACKGROUND

[1] LANNS, MASTER: This is an assessment of damages in a personal injury claim, following the

entry of Judgment in Default of Appearance dated 1st July 2004. Obviously, the matter is of some vintage. It appears that the matter languished in the system for over seven years after the application for assessment of damages had been filed.

[2] The Claimant, Algernon Adams is an artist. On or about the 23rd day of September 2001, the Defendant, Martin Charles violently assaulted and beat the Claimant.

[3] The Claimant obtained two Medical Reports from Dr. Irving McIntyre, Medical Officer, Accident and Emergency Department at the Princess Margaret Hospital dated the 20th October 2005, and 13th September 2013 respectively.

[4] In his first Medical Report, Dr. McIntyre stated as follows

“[Algernon Adams] was seen at the Accident and Emergency Department, Princess Margaret Hospital on September 23, 2001 in view of laceration to the left pinna and posterior auricular region (scalp),”

“Radiological investigation did not reveal any fractures. Mr. Adams central nervous system was essentially normal.”