

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

ORDER SETTING CALENDAR OF CASES FOR ORAL ARGUMENT

The Supreme Court will convene in its Fifth Session of its 2020 Term on **Tuesday, November 17, 2020**, in the Supreme Court of the Virgin Islands - St. Thomas, 161B Crown Bay via **Zoom**. 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 November 17, 2020.

AND NOW, this 16th day of October 2020, it is hereby

ORDERED, that the following cases are scheduled for consideration before the Supreme Court of the Virgin Islands:

SCT-CIV-2018-0071¹
SX-2017-GU-00011

IN RE: GUARDIANSHIP OF IVAN FARRELLY,
An Incompetent Adult.

Counsel for Appellant(s)
Ronald E. Russell, Esq.

Counsel for Appellee(s)
Eszart A. Wynter, Esq.

¹ Associate Justice Maria M. Cabret being recused from this matter, the panel convened to consider this matter is comprised of the Honorable Chief Justice Rhys S. Hodge, the Honorable Associate Justice Ive Arlington Swan, and the Honorable Judge Renee Gumbs-Carty, Designated Justice.

SCT-CIV-2019-0062
ST-CIV-2018-00189

**KAREN TURNBULL- WHEATLEY
and OTHER HEIRS KENNETH TURNBULL, JR.,
KLARIA TURNBULL, and VIVETTE TURNBULL,**
Appellants/ Defendants,

v.

**NAOMI TURNBULL as Successor Trustee of the
KENNETH TURNBULL, SR. REVOCABLE TRUST,**
Appellee/Plaintiff.

Counsel for Appellant(s)
Clive C. Rivers, Esq.

Counsel for Appellee(s)
Anna H. Paiewonsky, Esq.

SCT-CIV-2019-0091
ST-2010-CIV-00550

**KAREN TURNBULL- WHEATLEY
and OTHER HEIRS KENNETH TURNBULL, JR.,
KLARIA TURNBULL, and VIVETTE TURNBULL,**
Appellants/ Defendants,

v.

**NAOMI TURNBULL as Successor Trustee of the
KENNETH TURNBULL, SR. REVOCABLE TRUST,**
Appellee/Plaintiff.

Counsel for Appellant(s)
Clive C. Rivers, Esq.

Counsel for Appellee(s)
Anna H. Paiewonsky, Esq.

SCT-CIV-2020-0014
SX-2009-CIV-00450

CLEMENT XAVIER,
Appellant/Plaintiff,

v.

GRAPETREE SHORES, INC,
D/B/A DIVI CARINA BAY,
Appellee/Defendant.

Counsel for Appellant(s)
Thomas Alkon, Esq.

Counsel for Appellee(s)
Carl A. Beckstedt, III, Esq.
Robert Joseph Kuczynski, Esq.

SCT-CIV-2020-0012
SX- 2008-CIV-00599

WORLD FRESH MARKET, LLC, D/B/A PUEBLO,
Appellant/Defendant,

v.

LEONOR MERCEDES PALERMO,
Appellee/Plaintiff.

Counsel for Appellant(s)
Michael L. Sheesley, Esq.
Dwyer Stenquist Arce, Esq.

Counsel for Appellee(s)
Rhea Regina Lawrence, Esq.
Lee J. Rohn, Esq.

SCT-CIV-2020-0007
SX-2018-CIV-00041

A. SUSAN MILLER,
Appellant/ Plaintiff,

v.

V.I. WHEEL ESTATE, LLC d/b/a
PEPPERTREE TERRACE,
Appellee/Defendant.

Consolidated with

SCT-CIV-2020-0008
SX-2018-CIV-00033

LYNELL HUGHES,
Appellant/ Plaintiff,

v.

V.I. WHEEL ESTATE, LLC d/b/a
PEPPERTREE TERRACE,
Appellee/ Defendant.

Counsel for Appellant(s)
Vincent A. Colianni II, Esq.

Counsel for Appellee(s)
Alice Lin-Hsuan Kuo, Esq.
Ryan Christopher Stutzman, Esq.
Michael J. Sanford, Esq.

SCT-CRIM-2020-0005
ST-2019-CR-00063

FELIPE JIMENEZ CARABALLO,
Appellant/Defendant,

v.

PEOPLE OF THE VIRGIN ISLANDS,
Appellee/Plaintiff.

Counsel for Appellant(s)
Peter James Lynch, Esq.

Counsel for Appellee(s)
Ian Stephen Anthony Clement, Esq.

It is further

ORDERED that the Court will hear **ARGUMENTS** in the above-noted cases on
November 17, 2020, by Zoom Video Conferencing.

Oral Arguments will commence at **10:00 AM**, in the following cases:²

1. **In Re: Farrelly**
SCT-CIV-2018-0071
2. **Turnbull- Wheatly et al. v. Turnbull**
SCT-CIV-2019-0062
and
Turnbull- Wheatly et al. v. Turnbull³
SCT-CIV-2019-0091
3. **Xavier v. Grapetree Shores, Inc.**
SCT-CIV-2020-0014

² Pursuant to Supreme Court Rule 27(b), unless otherwise noted, each side is allotted fifteen (15) minutes to present arguments. All cases that are submitted on the record may be considered at any time or date. **Further notice will be provided for the virtual appearance by Zoom Videoconferencing.** Parties are encouraged to review the *Supreme Court of the Virgin Islands Best Practices for Remote Oral Arguments*, available in the Oral Arguments Calendar section of the V.I. Supreme Court's website.

³ The *Turnbull-Wheatley et al v. Turnbull* cases will be argued together. Each side will be allowed twenty minutes to present arguments.

4. World Fresh Market, LLC v. Palermo
SCT-CIV-2020-0012

The following cases will be considered without oral arguments:

- 1. Caraballo v. People**
SCT-CRIM-2020-0005

- 2. Miller v. V.I. Wheel Estate, LLC**
SCT-CIV-2020-0007
Consolidated with
Hughes v. V.I. Wheel Estate, LLC
SCT-CIV-2020-0008

SO ORDERED this 16th day of October 2020.

FOR THE COURT:

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

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

/s/ Jessica Grant
By: Deputy Clerk II

Dated: October 16, 2020

Copies to:
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Judges and Magistrates of the Superior Court
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Tamara Charles, Clerk of the Superior Court
Dalila E. Patton, Esq., Staff Attorney
John Thompson, Director for Technology Services
Lawrence A. Walcott, Jr., Chief Marshal
Hinda Carbon, Executive Dir., V.I. Bar Association
Supreme Court Law Clerks
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