



## CARIBBEAN COURT OF JUSTICE

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**MEDIA RELEASE**  
(For immediate release)

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### **THE CCJ DISMISSES APPLICATION TO APPEAL MISREPRESENTATION AND FRAUDULENT CONVEYANCE OF PROPERTY**

**Port of Spain, Trinidad and Tobago.** On Friday, 17 January 2025, the Caribbean Court of Justice (CCJ) issued reasons for its decision delivered on 17 December 2024, to dismiss an application (CCJ Application No BZ/A/CV2024/001) for permission, known as special leave, to appeal against a judgment of misrepresentation and fraudulent conveyance of property in Belize. The CCJ also refused the application to stay the execution of that judgment.

Mr Thomas Pound, now deceased, was a real estate broker in the United States of America (USA) and a Christian missionary. He became acquainted with Mr George Dueck, who is the owner of the 120-acre parcel of land situated at Serango Bight, Stann Creek District, Belize. Mr Dueck had engaged Mr Pound to assist with developing the land for tourism purposes and, relying on Mr Pound's advice that transfer was necessary to convince potential buyers in the USA, Mr Dueck transferred his property to Mr Pound. Mr Pound then conveyed properties to a company he incorporated in Belize, Kingdom First Ministries International (KFMI).

On 31 January 2014, the High Court of Belize found Mr Pound liable for misrepresentation and fraudulent conveyance. On 18 April 2024, the Court of Appeal upheld that finding but reduced the amount payable in damages to Mr Dueck.

The Applicants, Kyle and Darin Pound, representing the late Mr Thomas Pound, and KFMI, failed to apply to the Court of Appeal for leave to appeal within 42 days of the judgment as required by the Caribbean Court of Justice (Appellate Jurisdiction) Rules, 2024. Consequently, if the Applicants wished to appeal, their only recourse was to apply to the CCJ for special leave and to seek an extension of time.

Instead of adopting that procedure, the Applicants made a belated application for leave to appeal to the Court of Appeal which that court was constrained to refuse because it had no power to extend the time. The Applicants then applied to the CCJ for special leave within 21 days of that "refusal" of the Court of Appeal. The CCJ found this procedure amounted to an abuse of process and was sufficient to dismiss the application. Nevertheless, the Court went on to evaluate the intended grounds of appeal and found that they did not have a realistic chance of success. The application was, therefore, also refused on that basis and the application for a stay of the judgment of the Court of Appeal was dismissed.

The matter was heard by the Honourable Justices Anderson, Burgess, and Ononaiwu. Mr Immanuel Williams represented the Applicants and the Rt Hon. Dean Barrow, SC and Ms Agassi Finnegan represented the Respondent.

The CCJ's full decision is available via [www.ccj.org](http://www.ccj.org).

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#### About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Adrian Saunders. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, five states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

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