

**Case Number :ANUHCV2026/0139**



**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Submitted Date:20/03/2026 15:02**

**Filed Date:20/03/2026 15:02**

**Fees Paid:22.00**

**CLAIM NO. ANUHCV2026/**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

**PETITION**

The Petition of **GEORGE WEHNER** of Carty's Hill, in the Parish of Saint Phillip show:

1. The Petitioner is an elector duly registered in the Constituency of Saint Philip North and voted in the By-Election held on the 16<sup>th</sup> day of March 2026.

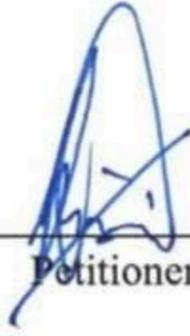
2. At the said election, the Respondent, Randy Baltimore, was declared elected, having received 924 votes, while the opposing candidate, Alex Browne, received 407 votes.
3. At all material times, including Nomination Day (25th February 2026) the Respondent was a public officer, namely a Principal Customs Officer, and was thereby disqualified from being elected to the House of Representatives pursuant to Section 39(1)(g) of the Constitution of Antigua and Barbuda and Section 10 of the Civil Service Act, Cap. 87.
4. The Respondent purported to resign from the public service shortly before Nomination Day. However, no valid resignation was effected in accordance with the applicable procedures governing the public service.
5. By letter dated 18<sup>th</sup> March 2026, I wrote to Mr. Peyton Knight, Chairman of the Public Service Commission, requesting information regarding whether the Respondent had resigned from the public service and, if so, whether such resignation had been accepted.
6. On March 20, 2026, at about 11:30 am, I received a letter dated March 19, 2026, from the Chairman of the Public Service Commission.
7. In that correspondence, the Chairman of the Public Service Commission advised me that the Respondent tendered a purported resignation letter said to be effective from February 20, 2026. However, the Commission, having considered the purported resignation, found that the resignation was defective in that Civil Service Regulation No. 28 (1) requires at least three (3) months notice of an intention to resign.
8. The Chairman further advised that, in light of that defect, the Commission terminated his employment on March 9, 2026.
9. By reason of the foregoing:
  - a) The Respondent was not qualified to be nominated as a candidate;
  - b) The inclusion of the Respondent's name on the ballot was unlawful;
  - c) The Respondent was incapable of being validly elected to the House of Representatives.
10. The participation of the Respondent as a disqualified candidate materially affected the outcome of the election and rendered his votes null and void, and the result wrongfully declared.

11. The participation of the Respondent as a disqualified candidate materially affected the outcome of the election and rendered the result unlawful.

12. The Petitioner therefore prays:

- i. For a declaration that the said Randy Baltimore was ineligible to be elected and that his Return be declared void in its entirety.
- ii. For a Declaration that each and every vote cast for the said Randy Baltimore be declared a thrown away vote and a non exercise of the voter's franchise.
- iii. For a Declaration that the candidate obtaining the greater valid votes be declared the holder of the seat.
- iv. That the Petitioner may have such interlocutory or other orders and directions as may be sought or be appropriate in the exercise of the Jurisdiction vested in the Election Court in accordance with the provisions of the Act. In particular, that the Respondent be restrained from taking the oath of Parliament pending the determination of this Petition.
- v. That the Petitioner shall have such other and further relief and other relief as the Honourable Court deems fit.
- vi. That the Respondent do pay the cost of this Petition.

Dated the 20<sup>th</sup> day of March 2026

  
\_\_\_\_\_  
Petitioner

**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**CLAIM NO. ANUHCV2026/**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

\*\*\*\*\*

**PETITION**

\*\*\*\*\*

**BOWEN & BOWEN  
Attorney-at-Law**



**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Submitted Date:20/03/2026 15:02**

**Filed Date:20/03/2026 15:02**

**CLAIM NO. ANUHCV2026/**

**Fees Paid:22.00**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

**AFFIDAVIT IN SUPPORT**

I, **GEORGE WEHNER**, of Carty's Hill in the Parish of Saint Philip in the State of Antigua and Barbuda, MAKE OATH and say as follows:

1. I am the Petitioner in this matter and an elector duly registered in the Constituency of Saint Philip North. I voted in the By-Election held on March 16, 2026.
2. I make this Affidavit in support of my Notice of Application seeking an Order that the Chief Establishment Officer within the Establishment Department, be subpoenaed to attend this Honourable Court to give evidence in relation to the Respondent's status as a public officer.
3. The facts deposed to herein are within my own knowledge, save where otherwise stated, and where so stated I verily believe the same to be true.
4. On or about the 20th day of March 2026, I filed an Election Petition seeking, inter alia:

- a. A declaration that the Respondent, Randy Baltimore, was not qualified to be elected to the House of Representatives; and
  - b. A declaration that his return is void.
5. The central issue in the Petition is whether the Respondent was, at all material times, a public officer within the meaning of Section 39(1)(g) of the Constitution of Antigua and Barbuda, and therefore disqualified from being nominated and elected.
6. At all material times, including Nomination Day (25th February 2026), the Respondent was employed as a Principal Customs Officer
7. As such, the Respondent was a public officer, and unless he lawfully ceased to hold such office prior to nomination, he was disqualified from contesting the election.
8. I am aware that the Respondent has publicly asserted that he resigned from the public service prior to the Nomination Day.
9. By letter dated 18<sup>th</sup> March 2026, I wrote to Mr. Peyton Knight, Chairman of the Public Service Commission, requesting information regarding whether the Respondent had resigned from the public service and, if so, whether such resignation had been accepted.

*A copy of the letter dated March 18, 2026, is exhibited hereto and marked "G.W.1" for identification.*

10. On March 20, 2026, at about 11:30 am, I received a letter dated March 19, 2026, from the Public Service Commission.
11. In that correspondence, the Chairman of the Public Service Commission advised me that the Respondent tendered a purported resignation letter, said to be effective from February 20, 2026. However, the Commission, having considered the purported resignation, found that it was defective, as per Civil Service Regulation No. 28 (1) which requires at least three (3) months' notice of an intention to resign.

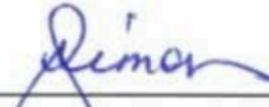
*A copy of the letter dated March 19, 2026, is exhibited hereto and marked "G.W.2" for identification.*

12. The Chairman further advised that, in light of that defect, the Commission terminated his employment on March 9, 2026.

13. Accordingly, I verily believe on February 25, 2026, the Respondent remained a Principal Customs Officer and had not lawfully ceased to be a public officer. The Respondent only ceased to be a public officer on March 9, 2026, which was after Nomination Day.
14. I am advised by my attorney and verily believe that, as a matter of constitutional law, a person must be qualified at the time of nomination, and that any subsequent cessation of public office does not cure his initial disqualification.
15. I am further advised by my attorney and verily believe that, unless and until such resignation is properly processed and accepted by the Public Service Commission, the officer remains a public officer in law.
16. The Chief Establishment Officer is responsible for the processing, recording, and transmission of matters relating to resignations of public officers and is the custodian of the relevant administrative records.
17. Accordingly, the Chief Establishment Officer is the custodian of the relevant records and is uniquely positioned to provide sworn evidence as to the Respondent's purported resignation and the Respondent's employment status within the public service at the relevant times.
18. The Public Service Commission is the competent authority responsible for considering and approving resignations of public officers, and its Chairman is uniquely positioned to give sworn evidence regarding the non-approval of the respondent's resignation due to non-compliance with the applicable regulations.
19. I verily believe that such evidence cannot be fully or reliably obtained from any other source, as the Establishment Department is the official repository of such records.
20. I verily believe that it is necessary for the just determination of this matter that the Chief Establishment Officer and Chairman of the Commission of Public Service Commission be compelled to attend and give evidence.
21. Unless such evidence is obtained, there is a real risk that the Court will not have before it the full and proper factual basis required to determine the Respondent's qualification.

22. In the circumstances, I respectfully pray that this Honourable Court grant the Orders sought in the Notice of Application.

Sworn at the High Court )  
of Justice, Parliament Drive )  
St. John's, Antigua, this 20<sup>th</sup> day )  
of March 2026 in the )  
Presence of:- )

  
\_\_\_\_\_  
COMMISSIONER FOR OMBUDSMAN  
ANTIGUA & BARBUDA

  
\_\_\_\_\_  
GEORGE WEHNER

***G.W.1***

Mr. George Wehner  
Constituents of St. Phillip's North  
Polling District "A"  
Telephone: 1-268-726-4501  
Email: [giawehner@gmail.com](mailto:giawehner@gmail.com)

March 18, 2026

Mr. Peyton Knight, Esq, Chairman  
Public Service Commission  
Corner Market & Nevis Streets  
St. John's, Antigua  
Antigua & Barbuda.

**Re: Request for Information**

Dear Sir,

Pursuant to Section 21 of the Freedom of Information Act, I am requesting the following information:

1. When did Principal Inspector of Customs and Exercise Department, Randy Baltimore resign?
2. When did the Public Service Commission received the purported resignation letter?
3. What action did the Public Service Commission take on reviewing Randy Baltimore's resignation letter?
4. When was this action taken?

Kindly note Sir that the answers to such questions are easily available since the information would be in the very recent past, in fact within 30 days.

Kindly treat this request with heightened urgency.

We anticipate your co-operation which will be highly appreciated.

Respectfully,

  
.....  
George Wehner

***G.W.2***



Communications on this subject  
should be addressed to

The Chairman  
Public Service Commission  
Market & Nevis Streets  
St. John's  
Antigua

and the following  
Number quoted. PSC/56-XII

19th March, 2026

Mr. George Wehner  
Constituent of St. Phillip's North  
Polling District "A"  
St. Phillip's  
Antigua

Dear Mr. Wehner,

**Re:** **Request for Information**

Reference is made to your letter dated 18th March, 2026, regarding the above subject matter. In your correspondence, you have requested certain information about Randy Baltimore pursuant to section 21 of the **Freedom of Information Act, 2004**.

The **Freedom of Information Act 2004** constitutes the principal legislation requiring public authorities to disclose information upon request. This statute establishes a clear framework to promote transparency and accountability in government operations by affording citizens a legal entitlement to access information held by public bodies. Notably, Section 15 of the Act confers the right of access to individuals and outlines the procedural requirements and conditions for exercising this right. Accordingly, the Act plays a crucial role in fostering transparency and facilitating informed public engagement in government affairs.

Section 17 of the referenced Act outlines the requirements for submitting a request for information. This section highlights that the request must include sufficient detail so that the relevant authority, with reasonable effort, can determine whether it has a record containing the requested information.

In other words, the applicant should clearly specify the nature and scope of the information they are seeking, enabling the authority to efficiently locate and process the request as required by the Act.

Furthermore, your request is specifically governed by Section 21 of the Freedom of Information Act. This section establishes the correct procedural framework that authorities must follow when responding to requests for information. While your correspondence did not specify a preferred communication method for receiving the information, Section 21 remains the governing provision regarding the manner in which the response will be provided. As such, the authority will proceed in accordance with the requirements outlined in Section 21 to ensure your request is addressed appropriately.

In my view, Section 21(2)(e) of the Freedom of Information Act is the only option available to me, since your letter did not specify how you prefer your request to be submitted.

The response to your questions is hereby listed below: -

1. When did Principal Inspector of Customs and Excise Department, Randy Baltimore resign?

**Mr. Randy Baltimore, former Principal Inspector of Customs, Customs and Excise Division, resigned with effect from 20<sup>th</sup> Day of February, 2026.**

2. When did the Public Service Commission receive the purported resignation letter?

**The Public Service Commission received Mr. Baltimore's letter of resignation on the 9<sup>th</sup> of March, 2026.**

3. What action did the Public Service Commission take on reviewing Randy Baltimore's resignation letter?

**The Public Service Commission terminated Mr. Baltimore's employment since he did not give sufficient notice of his intention to resign. This is in accordance with No. 28 (I), of Civil Service Regulation which stipulates, "an officer appointed on permanent terms shall give at least three months' notice of his intention to resign.**

4. When was this action taken?

**The action taken by the Public Service Commission as it relates to Mr. Baltimore's termination was on 9<sup>th</sup> day of March, 2026.**

Do follow the guidance accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peyton J. V. Knight', written over a horizontal dotted line. The signature is stylized and somewhat cursive.

Peyton J. V. Knight (Esq.)  
Chairman  
Public Service Commission

**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**CLAIM NO. ANUHCV2026/**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

\*\*\*\*\*

**AFFIDAVIT IN SUPPORT**

\*\*\*\*\*

**BOWEN & BOWEN  
Attorney-at-Law**

**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**CLAIM NO. ANUHCV2026/**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

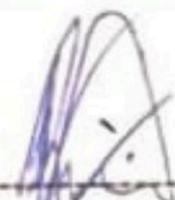
**CERTIFICATE OF URGENCY**

I, GEORGE WEHNER, the undersigned, Petitioner/Applicant in this matter, do hereby certify that:

1. I am the applicant in this matter.
2. All the facts stated herein are true and correct and within my personal knowledge and those facts not specifically stated to be not within my own personal knowledge are true and correct to the best of my knowledge, information and belief.
3. I am relying on my founding affidavit which is filed in support of this application.

4. I certify that this matter is urgent and satisfies the requirements for an urgent application as set out under section 17.4(a) of the CPR rules of Court, 2023 revised edition.
5. The reasons why the matter is urgent are that the respondent is scheduled to be sworn in as the Member of Parliament for St Phillip North, at a sitting of the House of Representative scheduled for Monday, March 23, 2026, at 9:30 am.
6. Except this Court grant an Order to prevent his swearing in, an ineligible candidate would be seated in derogation of the Constitutional requirements for eligibility to sit in the House found at section 39(1)(g) of the Constitution.
7. That my right to vote is my most prized possession in this country and my right to elect the Representative of my constituency is sacrosanct.
8. That the Respondent, being ineligible, have stood in the way of my vote being properly considered, and has caused my vote to be invaded, devalued, depreciated, diluted, and rendered worthless or practically so which is a personal wrong to me.

DATED: March 20, 2026

  
-----  
GEORGE WEHNER  
Applicant



**IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE  
ANTIGUA AND BARBUDA**

**Submitted Date:20/03/2026 15:02**

**Filed Date:20/03/2026 15:02**

**CLAIM NO. ANUHCV2026/**

**Fees Paid:42.00**

**In The Matter Of The Representation Of The People Act Cap 379 As Amended**

**And**

**In The Matter Of A Parliamentary Election For The Constituency Of St. Phillip North Held On  
The 16th Day Of March 2026**

**BETWEEN:**

**GEORGE WEHNER**

**Petitioner**

**And**

**RANDY BALTIMORE**

**Respondent**

**NOTICE OF APPLICATION**

The Petitioner, **GEORGE WEHNER**, through his Attorneys-at -Law, do hereby apply to the Court for an Order that:

1. That Ms. Francia Sheppard, Chief Establishment Officer within the Establishment Department, be subpoenaed to attend before this Honourable Court to give sworn evidence and produce any relevant records concerning:
  - a) Whether the Respondent, Randy Baltimore, submitted any resignation from the public service;
  - b) Whether any such resignation was received, processed, or transmitted through the Establishment Department;
  - c) Whether such resignation was submitted to or approved by the Public Service Commission; and
  - d) The Respondent's status within the public service at all material times, including Nomination Day and Election Day;
2. Such further and other directions as this Court deems appropriate; and

3. Provision be made for the cost of this Application.

The Affidavit of George Wehner supports this Application.

The Grounds of this Application are:

1. On the 20th day of March 2026, the Petitioner filed an Election Petition seeking, inter alia, a declaration that the Respondent was not qualified to be elected to the House of Representatives and that his return be declared void in its entirety.
2. The Petition raises the central issue of whether the Respondent was, at all material times, a public officer and thereby disqualified pursuant to Section 39(1)(g) of the Constitution of Antigua and Barbuda.
3. The Respondent was, at all material times, employed as a Principal Customs Officer, and thus a public officer within the meaning of the Constitution.
4. The Respondent has asserted that he resigned from the public service prior to the election.
5. The Petitioner contends that no valid or effective resignation was completed in accordance with the established procedures governing the public service.
6. The Respondent has failed to resign as a civil servant and public officer in accordance with the required procedure, which involves submitting a letter of resignation to the permanent secretary for the Ministry in which the civil servant works, who in turn notifies the Chief Establishment Officer, who then submits the request to the Public Service Commission, which is the governing board for civil servants.
7. The Chief Establishment Officer is the custodian of records and the responsible authority for processing and transmitting resignations within the public service and is therefore uniquely positioned to provide direct evidence as to:
  - a) Whether any resignation was received;
  - b) Whether it was properly processed;
  - c) Whether it was submitted to or approved by the Public Service Commission.
8. The evidence sought is central and material to the determination of the Petition, namely whether the Respondent lawfully ceased to be a public officer prior to nomination and election.
9. The said evidence cannot be properly or fully obtained from any other source.

10. It is therefore necessary for the just determination of this matter that the said witness be compelled to attend and give evidence.

10. It is just and equitable in all the circumstances that the Orders sought be granted.

Dated ...*20<sup>th</sup> March 2026*.....

Signed 

**Sherfield P. Bowen, Esq**  
**BOWEN & BOWEN**  
**Attorneys at Law**  
**O'Beez Plaza, Suite 4**  
**Sir Sydney Walling Highway**  
**St John's, Antigua**  
**268-460-9400/1; 268-560-2211**  
[Sherfield@BowenBowenLaw.com](mailto:Sherfield@BowenBowenLaw.com)  
[Rosheda@BowenBowenLaw.com](mailto:Rosheda@BowenBowenLaw.com)  
[info@BowenBowenLaw.com](mailto:info@BowenBowenLaw.com)

[Legal practitioners for the] Applicant

**NOTICE:**

This application will be heard by [the Judge in Chambers] [Master xxxxx] on the.....day of....., 2026 at 9:00 am or as soon thereafter as Counsel may be heard.

If you do not attend this hearing an order may be made in your absence. OR The [Judge in Chambers] [Master] will deal with this application by ..... 503

This notice of application must be served as quickly as possible on the respondent to the application. The court office is at Parliament Drive, St John's; telephone number [268-462-3744]

The office is open between 9:00 am and 3:30 pm Mondays to Fridays except public holidays