

FOR PUBLICATION

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX  
APPELLATE DIVISION**

**ANDRE MARCANO,** )  
Appellant, ) **D.C. CIV. APP. NO. 1999/051**  
 ) Re: T.C. CIV. NO. 069/1995  
v. )  
 )  
**HESS OIL VIRGIN ISLANDS CORP.,** )  
Appellee. )  
\_\_\_\_\_ )

On Appeal from the Territorial Court of the Virgin Islands

Considered: September 28, 2001  
Filed: September 30, 2002

**BEFORE:** **RAYMOND L. FINCH**, Chief Judge, District Court of the Virgin Islands; **THOMAS K. MOORE**, Judge of the District Court of the Virgin Islands; and **RHYS S. HODGE**, Judge of the Territorial Court, Division of St. Thomas and St. John, Sitting by Designation.

**APPEARANCES:**

**K. Glenda Cameron, Esq.**  
**Law Offices of Lee J. Rohn**  
St. Croix, U.S. Virgin Islands  
*Attorneys for Appellant,*

**Britain H. Bryant, Esq.**  
**Bryant, Barnes & Moss, LLP**  
St. Croix, U.S. Virgin Islands  
*Attorneys for Appellee.*

**ORDER OF THE COURT**

FINCH, C.J.

**AND NOW** this 30 day of September 2002, having considered the

arguments and submissions of the parties, and for the reasons set forth in the Court's accompanying opinion of even date, it is hereby

**ORDERED** that the March 2, 1999 Order granting summary judgment in favor of HOVIC is **VACATED**, and this matter is **REMANDED** for further proceedings.

**DONE AND SO ORDERED** this 30 day of September 2002.

**FOR THE COURT:**

/s/

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**RAYMOND L. FINCH**  
**CHIEF JUDGE**

**A T T E S T:**  
**Wilfredo F. Morales**  
**Clerk of the Court**

/s/

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**By: Deputy Clerk**

**Copies (with accompanying opinion) to:**

Judges of the Appellate Panel  
Honorable Jeffrey L. Resnick  
Honorable Geoffrey W. Barnard  
Judges of the Territorial Court  
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