

**COMMONWEALTH OF THE BAHAMAS  
IN THE SUPREME COURT  
2021/CLE/gen/FP/00158**

**BETWEEN**

**DR. LEVITICUS ROLLE  
Applicant**

**AND**

**PREOLA ROLLE  
Respondent**



**BEFORE:** The Honourable Justice Petra M. Hanna-Adderley  
**Appearances:** Simeon Brown for the Applicant  
**HEARING DATE:** 22<sup>nd</sup> November, 2021

**RULING**

**(On the Papers)**

1. This is an application pursuant to Section 34 part VIII of the Mental Health Act ("the Act") to appoint the Applicant Dr. Leviticus Rolle the Receiver for Preola Rolle.
2. By Ex Parte Summons filed by the Applicant on November 16, 2021. The Applicant seeks an Order declaring Preola Rolle a Patient under the Act, that the Applicant be appointed "Receiver" empowered to control, administer and manage all property owned by Preola Rolle including the sale or lease of the same and the receipt and management of the proceeds thereof, with power to sign, seal, execute and /or deliver any Deed, document, receipt or paper ancillary to or as evidence of such sale, lease or other transaction, and generally with power to do all things on behalf of Preola Rolle which she was capable of doing for herself prior to suffering mental disorder.
3. The Applicant in his Affidavit in support filed November 16, 2021 states that he is a medical doctor and the son of Preola Rolle and the late John N. T. Rolle who died on July 26, 2020. That since 2013 his mother began displaying abnormal behavior which included temporary amnesia and signs of mental health disorder. By reason thereof Mrs. Rolle and the late Rev. Rolle were removed from the family home in Eight Mile Rock in 2014 and installed in

the home of his sister Bulamae Rolle-Thomas situated in Bahamia Submission, Freeport, Grand Bahama. Since his father's death his mother continues to reside with his said sister. That his mother is now 81 years old having been born on September 4, 1940 and her mental and physical health has steadily deteriorated since 2013 and she is now totally unable to feed herself, talk, walk or care for herself. She is totally dependent upon his sister.

4. That her medical condition is set out in a Medical Report dated November 15, 2021 by Dr. Odia Stubbs. He also exhibits the marriage certificate of his parents and the death certificate of his father.
5. That his mother is the holder of bank accounts and of real estate in her name including the family home.
6. That it has become necessary to sell the family home in Eight Mile Rock, the proceeds of sale of which will be used for the benefit of Mrs. Rolle.
7. That he seeks the Orders in the Summons.
8. The medical report from Dr. Stubbs states that Mrs. Rolle has been followed by the Department of Inland Medicine GBHC for over 20 years. That over the past 5 years she exhibited signs and symptoms of progressive Dementia, likely (Dementia) of Alzheimer's Type. For the past 24 months she has exhibited signs and symptoms of end stage Dementia and is now home confined, bed bound and fully dependent. That all of her activities of daily living inclusive of medical decisions and the affairs of her estate are handled by him. That she supports this application by the Applicant.
9. By an Affidavit of Consent filed by Mrs. Bulamae Rolle-Thomas on November 16, 2021 she states that she supports this application. That her mother is 81 years of age and is both physically and mentally disabled. That she does not "know anybody", is unable to speak, walk or feed herself and has suffered from this condition for seven to eight years. That she is totally dependent on her and the Applicant for her general care and welfare. That she supported her brother's appointment as Receiver and his prayer to be authorized to sell property in her name.
10. Mrs. Rolle-Thomas also exhibited a copy of her birth certificate as proof that she is the daughter of Mr. John N. T. Rolle and Preola Rolle.

11. The Court having read the Summons filed herein, having read the Affidavits filed herein, having considered Section 34 (1) & (2), 35, 36 and 37 of Part VIII of the Mental Health Act entitled "Management of Property and Affairs of Patient", being satisfied on the medical evidence of Dr. Odia Stubbs that Mrs. Preola Rolle is a Patient as defined by the Act, that is, a person suffering from or appearing to be suffering from "mental disorder", and being satisfied that the appointment of Dr. Rolle as Receiver with all the powers associated therewith would be for the benefit of Mrs. Preola Rolle, I make the following Orders that:

- (1) The Respondent Preola Rolle is hereby Declared a Patient incapable by reason of mental disorder of managing or administering her property and affairs;
- (2) The said Dr. Leviticus Rolle is hereby empowered to sign, seal, execute and/or deliver any Deed, document, receipt or paper ancillary to or as evidence of such sale, lease or other transaction provided that prior to such sale, lease or other transaction, the said Dr. Leviticus Rolle shall swear and file herein an Affidavit containing the details and particulars of such transaction;
- (3) The said Dr. Leviticus Rolle, is hereby empowered generally to do all things on behalf of the Respondent Preola Rolle which she was capable of doing for herself prior to suffering mental disorder;
- (4) The said Dr. Leviticus Rolle shall serve a copy of this Order upon each child of the said Patient, Preola Rolle.

Dated this 25<sup>th</sup> day of November A. D. 2021

  
**Petra M. Hanna-Adderley**  
**Judge**

