



THE GRAND COURT OF THE CAYMAN ISLAND

CAUSE NO.

OF 2023

BETWEEN:

CHARMAINE JACKSON

Plaintiff

AND:

ESSIE MAE WRIGHT

Defendant**WRIT OF SUMMONS**

TO: Essie Mae Wright
Finch Drive, West Bay, Grand Cayman
Phone: 345-917-6096

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

Within 28 days after the service of the Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495, George Town, Grand Cayman, Cayman Islands, the accompanying Acknowledgement of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgement within the time stated, or if you return the Acknowledgement without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgement may be entered against you forthwith without further notice.

Issued this 10th day of January 2023.

NOTE: - This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

STATEMENT OF CLAIM

1. The Plaintiff is the widow of Mr. Cassidy Leonard Jackson (“the Deceased”) who died on 9th May 2016.
2. The Plaintiff had a marriage of fourteen (14) years with her husband.
3. The Plaintiff also has two young children with her husband during their marriage. One child is her minor son whose date of birth is 16th August 2010, and the other child is her young daughter whose date of birth is 28th July 2002.
4. The Plaintiff’s young daughter is a second semester full-time student at the University of Brighton in the United Kingdom studying Business Management with Economics with a full scholarship from Dart (KBD Foundation Ltd.). The minor son of the Plaintiff is attending full time middle school here in the Cayman Islands.
5. The Plaintiff remains a widow to date and has been solely shouldering the financial undertakings and the emotional upstirs of her two children since the death of her husband.
6. The biological father of the Plaintiff’s husband is Mr. Cassidy Leonard Jackson who has been married for many years to Mrs. Esther.

7. On 17th May 2016, Mr. Cassidy Leonard Jackson and Mrs. Esther Jackson purchased property registered on the Cayman Islands land Register as Registration Section Prospect Block 23C Parcel 44 also known as Grave Space 11 Garden of Reflection Cemetery (“the Property”).
8. The Defendant is the biological mother of the Plaintiff’s husband.
9. The purpose of the purchase by the Mr. Cassidy Leonard Jackson and Mrs. Esther Jackson was to lay to rest the husband of the Plaintiff.
10. Mr. Cassidy Leonard Jackson and Mrs. Esther Jackson (“the Owners”) have assigned, transferred, and disposed of their legal and beneficial interest, titles and rights of the Property to the Plaintiff by way of an executed Deed of Assignment.
11. The Defendant has unlawfully erected a concrete structure on the Property without authorisation from the Plaintiff (“Unauthorized Structure”).
12. The Defendant has erected the Unauthorized Structure on the Property without authorisation from the Owners of the Property.
13. The Plaintiff has made several requests to the Defendant to remove the Unauthorised Structure she has erected on the Property.
14. Despite the Plaintiff’s several requests, the Defendant has repeatedly refused to remove the Unauthorised Structure she erected on the Property.

15. The Defendant is therefore trespassing on the Property.
16. The Defendant is interfering with the Plaintiff's peaceful and quiet enjoyment of the Property.
17. The Defendant has caused the Owners to be in breach of Agreement with the Vendor of the Property.
18. The Defendant has caused the Plaintiff to be in breach of Agreement with the Vendor of the Property.
19. The Defendant has caused the Plaintiff to suffer emotional distress as a result of her conduct.
20. The Defendant has caused the Plaintiff's young daughter who is in the UK in University studying to suffer emotional distress as a result of her conduct.

AND THE PLAINTIFF claims that:

- a) The Defendant remove the structure erected by her on property registered on the Cayman Islands land Register as Registration Section Prospect Block 23C Parcel 44 also known as Grave Space 11 Garden of Reflection Cemetery ("the Property").

- b) In the event that the Defendant fails to remove the Unauthorized Structure from the Property within fourteen (14) days of this order, the Plaintiff may remove and dispose of the said Unauthorized Structure and the Defendant shall pay the cost of such removal and disposal.
- c) The Defendant to refrain from erecting or building any structure, placing any sign, or additions of like nature to the Property without the prior written permission of the Plaintiff.
- d) Costs to be taxed if not agreed; and
- e) Further or other relief as the Court deems fit.

If within the time for returning the Acknowledgment of Service, the Defendant undertakes to remove the Unauthorized Structure the Property and to from erecting or building any structure, sign, or additions of like nature to the Property without the prior written permission of the Plaintiff, further proceedings will be stayed.

Sonia Bush & Assoc.

Sonia Bush & Associates Law Firm
Attorneys for the Plaintiff

This Writ is filed by Sonia Bush & Associates, Attorneys-at-Law for and on behalf of the Plaintiff herein whose address for service and correspondence is Grand Pavilion Commercial Center, 802 West Bay Road, P.O. Box 11139, Grand Cayman, KY1-1008 Cayman Islands.

DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICES
OF WRIT OF SUMMONS

1. The accompanying form of acknowledgment of Service should be completed by an Attorney acting on behalf of the Defendant or by the Defendant if acting in person.

After completion it must be delivered or sent by post to the Law Courts, P.O. Box 495G, George Town, Grand Cayman.

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings must also serve a defence on the Attorney for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words "Statements of Claim" appear on the top of page 2) the Defence must be served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgement is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 28 days after a Statement of Claim has been served on the Defendant.

If the Defendant fails to serve his defence within the appropriate time, the Plaintiff may enter judgement against him without further notice.

3. A Stay of Execution against the Defendant's goods may be applied for where the Defendant is unable to pay the money for which any judgment is entered. If a Defendant to an action for a debt or liquidated demand (i.e. a fixed sum) who does not intend to contest the proceedings states, in answer to Question 3 in the Acknowledgment of Service, that he intends to apply for a stay, execution will be stayed for 14 days after his Acknowledgment, but he must, within that time, issue a Summons for a stay of execution, supported by an affidavit of his means. The affidavit should state any offer which the Defendant desires to make for payment of the money by instalments or otherwise.

See over for notes for guidance
Please complete overleaf

Notes for Guidance

1. Each Defendant (if there is more than one) is required to complete an Acknowledgment of Service and return it to the Courts Office.
2. For the purpose of calculating the period of 28 days for acknowledging service, a writ served on the Defendant personally is treated as having been served on the day it was delivered to him.
3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words “sued as (the name stated on the Writ of Summons)”
4. Where the Defendant is a FIRM and an attorney is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description “Partner in the firm of (.....) after his name.
5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description “trading as (.....)” his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without an Attorney acting on its behalf.
7. Where the Defendant is a MINOR or a MENTAL PATIENT, the form must be completed by an Attorney acting for a guardian ad litem.
8. A Defendant acting in person may obtain help in completing the form at the Courts Office.

IN THE GRAND COURT OF THE CAYMAN ISLAND

CAUSE NO. OF 2023

BETWEEN:

CHARMAINE JACKSON

Plaintiff

AND:

ESSIE MAE WRIGHT

Defendant

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct an Attorney to act for you, give him this form IMMEDIATELY. .

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED. Delay may result in judgment being entered against a Defendant whereby he may have to pay the costs of applying to set it aside.

1. State the full name of the defendant by whom or on whose behalf the service of the Writ is being acknowledged.
2. State whether the Defendant intends to contest the proceedings (tick appropriate box)

Yes	No
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3. If the claim against the Defendant is for a debt or liquidated demand, AND he does not intend to contest the proceedings, state if the Defendant intends to apply for a stay of execution against any judgment entered by the Plaintiff (tick box)

Yes	No
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Service of this Writ is acknowledged accordingly

(Signed) _____
Defendant/Attorney for the Defendant

Please complete overleaf

Notes on address for service

Attorney: where the Defendant is represented by an attorney, state the attorney's place of business in the Cayman Islands. A Defendant may not act by a foreign attorney.

Defendant in person: where the Defendant is acting in person, he must give his post office box number and the physical address of his residence or, if he does not reside in the Cayman Islands, he must give an address in Grand Cayman where communication for him should be sent. In the case of a limited company, "residence" means its registered or principal office.

Indorsement by Plaintiff's Attorney (or by Plaintiff if suing in person) of his name, address and reference, if any, in the box below.

Sonia Bush & Associates Law Firm
Attorneys-at-Law
Grand Pavilion Commercial Center,
802 West Bay Road,
P.O. Box 11139
Grand Cayman, KY1-1008
Cayman Islands.

Indorsement by Defendant's Attorney (or by Defendant if suing in person) of his name, address and reference, if any, in the box below.