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**Writ of Habeus Corpus Ad Subjiciendum (O.54, r.10)**

ND COURT OF THE CAYMAN ISLANDS

CAUSE NO: OF 2023

IN THE MATTER OF HABEUS CORPUS  
EX-PARTE APPLICATION

BETWEEN: JUAN CARLOS GONZALEZ INFANTE PLAINTIFF

AND

THE (DIRECTOR)HM PRISONS NORTHWARD	THE DEFENDANT (1)
THE GOVERNOR OF THE CAYMAN ISLANDS	THE DEFENDANT (2)
THE ATTORNEY GENERAL	THE DEFENDANT (3)
THE GOVERNMENT OF UNITED STATES	THE DEFENDANT (4)

APPLICATION FOR WRIT OF HABEUS CORPUS AD SUBJICIENDUM

**CHARLES THE THIRD**, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, King, Head of the Commonwealth, Defender of the Faith

TO: The Director of the Prison

**WE COMMAND** you that you have in the Grand Court [or before the Hon. Chief Justice Ms. Margaret Ramsay-Hale in Chambers] at the Law Courts, George Town, Grand Cayman, on the day and at the time specified in the notice served with this writ, the body of Mr. Juan Carlos Gonzalez Infante being taken and detained under your custody as is said, together with the day and cause of such person being taken and detained, by whatsoever name he may be called therein, that the Court [or the Hon. Chief Justice Ms. Margaret Ramsay-Hale] may then and there examine and determine whether such cause is legal, and have you there then this writ.

WITNESS The Hon. \_\_\_\_\_ Margaret Ramsay-Hale, BSc (Econ)(LSE), LLB (UWI),  
The Chief Justice of the Cayman Islands the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

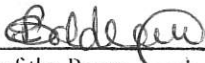
**Indorsement**

Dated the 28<sup>th</sup> day of November 2023.

\_\_\_\_\_  
Mr. Juan Carlos Gonzalez Infante  
Plaintiff

Dated the 28 day of November 2023.

By order of the Court (or Justice of the Peace)

CANISHA BOLDEAU  
  
Justice of the Peace  
ID# CB0062/21

**This Notice of motion:** is served by Mr. Juan Carlos Gonzalez Infante – [“the person restrained”] here and after referred to you as the petitioner, whose address for service is at His Majesty Cayman Islands Prison North 24 Sheffield Dr., Bodden Town Cayman Islands P.O Box 1807, KY1-1109 Grand Cayman. The preferred method of communication is by emailing [HMCIPS] Custodial Manager of Operations Mr. Marlon Hudgson at - [Marlon.hodgson@gov.ky](mailto:Marlon.hodgson@gov.ky)

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This Writ was issued by Mr. Juan Carlos Gonzalez Infante whose address for service is at His Majesty Cayman Islands Prison North 24 Sheffield Dr., Bodden Town Cayman Islands P.O Box 1807, KY1-1109 Grand Cayman. The preferred method of communication is by emailing [HMCIPS] Custodial Manager of Operations Mr. Marlon Hodgson at - [Marlon.hodgson@gov.ky](mailto:Marlon.hodgson@gov.ky)

22) IN THE MATTER OF CAMPUZANO

[1980-83 CILR 363]

WITNESS The Hon. \_\_\_\_\_ Margaret Ramsay-Hale, BSc (Econ)(LSE), LLB (UWI),  
The

Chief Justice of the Cayman Islands the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Indorsement**

Dated the 28<sup>th</sup> day of November 2023.

\_\_\_\_\_  
Mr. Juan Carlos Gonzalez Infante  
Plaintiff

Dated the 28 day of November 2023.

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CANISHA BOLDEAU



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Justice of the Peace  
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**PRIMA FACIE  
EVIDENCE**

<b>APPLICATION FOR WRIT</b>	<b>GRAND COURT – RULE/LAW</b>	<b>Index</b>
1) [habeas corpus ad subjiciendum] (O.54, r.1);	(O.54, r.1);	<b>TAB 1</b>
2) skeleton submission;	(O.54, r.1); - No. 55 (O.54, r.10)	
3) Letter of notice to all parties	(O.54, r.6);	
4) testificandum	(O.54, r.9);	
<b>SUBMISSION MADE BY</b>	<b>Dated</b>	
5) ODPP agent – QC Mr. James Hines	20 November 2019	<b>TAB 2</b>
<b>LOWER COURT DECISION</b>		
6) Ruling on Abuse of the Courts Process application heard by Magistrate Kirsty-Ann Gunn	8 May 2020	<b>TAB 3</b>
7) Summary Court Judgement-Kirsty-Ann Gunn	25 <sup>th</sup> January 2023	
<b>SUBMISSION MADE BY</b>		
8) Petitioner’s representation of the principle to the Governor in Chambers	3 March 2023	<b>TAB 4</b>
<b>EVIDENCE RELIED ON BY STATE</b>		
9) Diplomatic Notes by Department of State Washington	April 9, 2020	<b>TAB 5</b>

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|-----|--|----------------------|
| 10) | Certification of authentication under seal of Department of Justice of the United States, the ["Diplomatic Package"], by Michael R. Pompeo, Secretary of State | 31 March 2020        |
| 11) | "Affidavit in support of request for extradition"  | 26 day of March 2020 |
| 12) | Order to proceed with extradition [ATP] signed by His Excellency the Governor, Hon Martyn Roper  | 16 day of June 2020  |
| 13) | Unsworn "Supplement Affidavit in support of request for extradition"   | 4 February 2021.     |
| 14) | The Governor's decision re: case Number: 0245/2022   | 23 day of March 2023 |

CITED CASE LAW AND AUTHORITIES	YEAR	
15) HARRIS	[1952–79 CILR 277]	<b>TAB 6</b>
16) BODDEN	[1988–89 CILR 259]	
17) P. KRUGER and B. KRUGER v. NORTHWARD PRISON (DIRECTOR), GOVERNMENT OF SWITZERLAND and ATTORNEY GENERAL	[1996 CILR 157]	
18) R (on the Application of Norris) v Secretary of State for the Home Department [2006] EWHC 280 (Admin)	[2006] EWHC 280	
19) Norris (Appellant) v. Government of United States of America (Respondent)	[2010] UKSC on appeal from [2009] EWHC 995 (Admin)	
20) TANJALA	[2016 (1) CILR 382]	
21) MACKELLAR v. UNITED STATES OF AMERICA and GOVERNOR OF CAYMAN ISLANDS	[2020 (2) CILR Note 15]	

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APPLICATIONS FOR A WRIT OF HABEUS CORPUS AD SUBJICIENDUM  
*ACKNOWLEDGEMENT OF SERVICE OF WRIT OF ACKNOWLEDGEMENT OF RECEIPT*

**CHARLES THE THIRD**, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our Other Realms and Territories, King, Head of the Commonwealth, Defender of the Faith

TO: The Director of the Prison

**WE COMMAND** you that you have in the Grand Court [or before the Hon. Chief Justice Ms. Margaret Ramsay-Hale in Chambers] at the Law Courts, George Town, Grand Cayman, on the day and at the time specified in the notice served with this writ, the body of Mr. Juan Carlos Gonzalez Infante being taken and detained under your custody as is said, together with the day and cause of such person being taken and detained, by whatsoever name he may be called therein, that the Court [or the Hon. Chief Justice Ms. Margaret Ramsay-Hale] may then and there examine and determine whether such cause is legal, and have you there then this writ.

**Grounds**

- 1) The Petitioner has been unlawfully abducted and or detained by the Cayman Islands since the 4<sup>th</sup> of June 2019; and
- 2) Since being unlawfully detained on the 4<sup>th</sup> day of June 2019, the petitioner asserts the lawfulness of the detention and the length of time in custody [Inordinate delay], is such, is contrary to the principle of human rights in light of article 3, 5 when read together with article 6 of the [ECHR] European Convention on Human Rights.