



COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2024

DALTON WATLER LYONS

PLAINTIFF

AND

THE DIRECTOR OF PUBLIC PROSECUTIONS

FIRST DEFENDANT

GARCIA KIRT KELLY

SECOND DEFENDANT

DETECTIVE CONSTABLE DEAN MURRAY

THIRD DEFENDANT

THE COMMISSIONER OF POLICE

FOURTH DEFENDANT

THE ATTORNEY GENERAL OF THE CAYMAN ISLANDS

FIFTH DEFENDANT

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WRIT OF SUMMONS

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**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 14 Days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

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

Issued this            day of July 2024

**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 unless renewed by order of the Court.

**IMPORTANT**

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

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**INDORSEMENT OF CLAIM**

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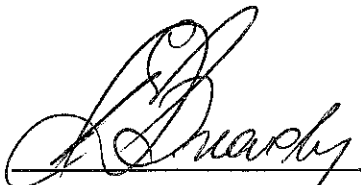
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1. Pursuant to Indictment 81 of 2021, the Plaintiff was unlawfully investigated, arrested, charged and prosecuted (the “Unlawful Acts”) by the First, Second, Third and Fourth Defendants.
2. The First and Fourth Defendants either directly or vicariously, are liable for the Unlawful Acts undertaken by the Second and Third Defendants.
3. The Fifth Defendant is named by virtue of section 11 (2) of the Crown Proceedings Law (1997 Revision).
4. The Plaintiff was acquitted of the allegation on the Indictment 81 of 2021 following a terminatory ruling issued by a Judge of the Grand Court.
5. The Plaintiff claims that with respect to their conduct of Indictment 81 of 2021 the Defendants in diverse ways, directly and vicariously, acted unlawfully in the following respects:
  - i. Maliciously procured a search warrant of the Plaintiff’s home;
  - ii. Unlawfully arrested the Plaintiff;

- iii. Maliciously prosecuted the Plaintiff with respect to the investigation and institution of proceedings under Indictment 81 of 2021.
6. The Plaintiff has suffered severe mental anguish which necessitated medical intervention and ongoing treatment. His reputation as well as his sense of well-being in a small Island community has been affected.
  7. By reason of the matters aforesaid, and as a consequence of the Defendants' unlawful acts, the Plaintiff has suffered loss and damage.

**AND THE PLAINTIFF CLAIMS:**

- (a) Aggravated Damages including the following:
  - i. Injury to reputation-to character, standing and fame.
  - ii. Injury to feelings-for indignity, disgrace and humiliation caused and suffered.
  - iii. Deprivation of liberty-by reason of arrest.
- (b) Exemplary Damages
- (c) Special Damages in respect legal and ancillary costs;
- (d) Interest thereon pursuant to section 34 of the Judicature Law (2017 Revision) on the amount found to be due, for such periods and at such rates as the Court deems fit.



**BRADY ATTORNEYS**

**Attorneys-at-Law for the Plaintiff**

This **WRIT OF SUMMONS** was filed by Brady Attorneys, Attorneys-at-Law, 2<sup>nd</sup> Floor, Anderson Square, 64 Shedden Road, George Town, P.O. Box 1691, Grand Cayman, KY1-1109, Cayman Islands.

**DIRECTIONS FOR ACKNOWLEDGMENT OF SERVICE 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 "Statement of Claim" appear on the top of page 2), the Defence must be served within 14 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If the Statement of Claim is not indorsed on the Writ, the Defence need not be served until 14 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 judgment 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 debtor 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 are 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 14 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 issued 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 issued 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 (.....)" after his name.
6. Where the Defendant is a LIMITED COMPANY the form must be completed by an Attorney or by someone authorised 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 ISLANDS

CAUSE NO. OF 2024

BETWEEN:

DALTON WATLER LYONS

PLAINTIFF

AND

THE DIRECTOR OF PUBLIC PROSECUTIONS

FIRST DEFENDANT

GARCIA KIRT KELLY

SECOND DEFENDANT

DETECTIVE CONSTABLE DEAN MURRAY

THIRD DEFENDANT

COMMISSIONER OF POLICE

FOURTH DEFENDANT

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ACKNOWLEDGEMENT OF SERVICE OF  
WRIT OF SUMMONS

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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

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

Service of the Writ of Summons is acknowledged accordingly

(Signed) \_\_\_\_\_  
Attorney for

Please complete overleaf

**Note 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/she must give his post office box number and the physical address of his/her residence or, if he/she does not reside in the Cayman Islands, he/she must give an address in Grand Cayman where communications for him/her should be sent. In the case of a limited company "residence" means its registered or principal office.

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

**Brady Attorneys**  
**Attorneys-at-Law**  
2nd Floor, Anderson Square,  
64 Shedden Road, George Town,  
P.O. Box 1671, Grand Cayman,  
KY1-1109, Cayman Islands

Endorsement by Defendant's Attorney (or by Defendant if responding in person) of his/her name, address and reference, if any, in the box below.

