



GRAND COURT OF THE CAYMAN ISLANDS
IN RE: [REDACTED]

GC CAUSE OF 2025

KEVIN LEVY

Plaintiff

AND:

(1) THE COMMISSIONER OF THE ROYAL CAYMAN ISLANDS POLICE SERVICE

(2) THE ATTORNEY GENERAL

Defendants

WRIT OF SUMMONS

TO: THE COMMISSIONER OF THE ROYAL CAYMAN ISLANDS POLICE SERVICE and
THE ATTORNEY GENERAL c/o the Attorney General's Chambers, 4th Floor, Government
Administration Building, 133 Elgin Avenue, George Town, P.O. Box 136, Grand Cayman KY1-
9000.

THIS WRIT OF SUMMONS has been issued against you by the above-named Plaintiff, with address c/o
his Attorneys-at-Law, Samson Law Associates, The White House, 20 Genesis Close, PO Box 2425, Grand
Cayman, KY1-1105, in respect of the claims set out on the next page.

Within 14 days after service of this Writ on you, (or where this Writ is served on you out of the jurisdiction
pursuant to an Order of the Court, within 28 days) counting the day of service, you must either satisfy the
claim or return to the Courts Office, P.O. Box 495, George Town, Grand Cayman, KY1-1106, 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 any intention to contest the proceedings, the Plaintiff may
proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this 21st day of October 2025.

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 that date of original issuance unless renewed by order of
the Court.

IMPORTANT

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

THIS WRIT AND STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his attorneys Samson
Law at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

GC CAUSE OF 2025

BETWEEN:

KEVIN LEVY

Plaintiff

AND:

(1) THE COMMISSIONER OF THE ROYAL CAYMAN ISLANDS POLICE SERVICE

(2) THE ATTORNEY GENERAL

Defendants

STATEMENT OF CLAIM

1. The Plaintiff is an individual resident in Grand Cayman.
2. The 1st Defendant is a relevant public official who is responsible for the effectiveness and governance of the Royal Cayman Islands Police Service (RCIPS). He also holds the title of Chief Officer for the Office of the Commissioner of Police, inter alia, which oversees the RCIPS. Therefore, having responsibility for all members of the RCIPS.
3. The 2nd Defendant is a party to these proceedings by virtue of the *Crown Proceedings Act* and O.77A, r. 4(2) of the *Grand Court Rules*.
4. On 6 September 2024 the Plaintiff came before the Summary Court on traffic related matters (C#00476/2024) and was sentenced to an 18-month Probation Order. The terms of the order mandated that he spend the first 6 months of the Order subject to a 6 p.m. to 4 a.m. curfew. It was also a term of his probation order for him to be electronically monitored.

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

5. On 20 October 2024, the Plaintiff was arrested by police officers, acting as servants and/or agents of the 1st Defendant, “*following a breach of his court order.*” He was taken to the Cayman Islands Prisoner Detention Centre, booked into custody at 06:09 a.m., and his court-mandated electronic anklet was removed by the police. His custody record does not indicate what review if any was conducted as to the lawfulness of his detention, nor does it state who authorized it.
6. Soon after his arrest the Plaintiff’s Attorneys-at-Law contacted the RCIPS Custody Sergeant on duty and explained stridently that there was no lawful basis for his detention. No record of these representations was found to be made in the Plaintiff’s custody record.
7. On the following day of his arrest, 21 October 2024, the Plaintiff was put before the Summary Court via Zoom link from the Detention Centre. The Plaintiff’s Attorney advanced submissions, to the Honourable Chief Magistrate, relying on s.39 of the *Alternative Sentencing Act* (the Act) that there was no lawful basis for the Plaintiff’s detention by the police.
8. After reviewing the circumstances of the Plaintiff’s case, the learned Chief Magistrate concurred with the assessment of the Plaintiff’s Attorney. She concluded that, as there was no information before her pursuant to the Act, there was nothing for the Court to deal with.
9. Based on there not being any warrant or summons, issued in pursuance of s.39 of the Act, the police officers had no power of arrest and an order for the immediate release of the Plaintiff was made, as per the original Probation Order.
10. This was communicated to the police by way of an email from the Criminal Registry to the “RCIPS Custody Supervisors” email group on Monday, 21 October 2024 at 4:23 p.m. with subject line “*Kevin Levy*”. The email read:

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

“Good Day All,

As per the hearing this morning in respect of the Defendant mentioned above, the Hon. Magistrate has ordered for the release from the CIDC, as there is no basis to remand or hear any matters in the absence of a breach summons.

Kind Regards,

Lourdes Paz, Executive Officer, Criminal Registry”

11. Despite the observations of the Court and its Order sent via email to the RCIPS that the Plaintiff be released immediately, the Plaintiff was unlawfully detained in custody for a further 24 hours. The custody record reflected, *“inmate released to conditional bail for released by court 10/22/2024 11:47:58 – Inmate released after he was re tagged with EM device.”*

Unlawful Detention & Breach of Constitutional Rights

12. The Defendants are in breach of the Plaintiff's Constitutional Rights, specifically section 5 (6) of the Cayman Islands Bill of Rights, in that they:
 - a. Breached s. 39 of the *Alternative Sentencing Act* by not having the power of arrest for a breach of a Probation Order;
 - b. Wrongfully and unlawfully detained the Plaintiff for a period of 52 hours and 39 minutes

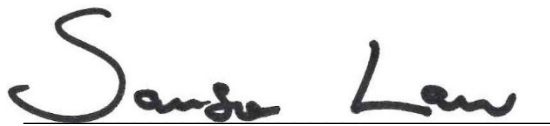
AND THE PLAINTIFF CLAIMS:

- (i) A Declaration that the servants and/or agents of the 1st Defendant, wrongfully and without lawful justification arrested and detained the Plaintiff.

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

- (ii) A Declaration that the servants and/or agents of the 1st Defendant are in breach of section 5 of the Cayman Islands Bill of Rights.
- (iii) Constitutional Damages.
- (iv) Interest.
- (v) Costs; and
- (vi) Such further and other equitable relief as this Honourable Court may consider just.

DATED at Grand Cayman this 21st day of October 2025.

A handwritten signature in black ink, appearing to read "Samson Law", is written over a horizontal line.

Samson Law

Attorneys for the Plaintiff

TO: The Clerk of the Court

AND TO: The Defendants

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

**IN THE GRAND COURT OF THE CAYMAN ISLANDS
CIVIL DIVISION**

GC CAUSE OF 2025

BETWEEN:

KEVIN LEVY

Plaintiff

AND:

**(1) THE COMMISSIONER OF THE ROYAL CAYMAN ISLANDS POLICE
SERVICE**

(2) THE ATTORNEY GENERAL

Defendants

ACKNOWLEDGMENT OF SERVICE OF WRIT OF SUMMONS

If you intend to instruct an Attorney to act for you, give that Attorney 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 the Defendant may have to pay the costs 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 the Defendant 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 is acknowledged accordingly

Signed.....

Attorney for

Address for service:

Please complete overleaf

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

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, the Defendant must give the Defendant's post office box number and the physical address of the Defendant's residence or, if the Defendant does not reside in the Cayman Islands, the Defendant must give an address in Grand Cayman where communications for the Defendant 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 that Plaintiff's name, address and reference, if any, in the box below.

Samson Law
PO Box 2425
The White House
20 Genesis Close
Grand Cayman KY1-1105
CAYMAN ISLANDS
Attn: J Hughes

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

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

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 495, 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 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

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)

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 (or 28 days in the case of a writ served outside the jurisdiction pursuant to an order of the Court), 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 (.....)" 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.

THIS WRIT OF SUMMONS and STATEMENT OF CLAIM is filed by the Plaintiff whose address for service is that of his Attorneys at The White House, 20 Genesis Close, PO Box 2425, George Town, Grand Cayman KY1-1105 (Attn: Jonathan Hughes – email: jhughes@samsonlaw.ky)