

IN THE GRAND COURT OF THE CAYMAN ISLANDS
HOLDEN AT GEORGE TOWN, GRAND CAYMAN
CAUSE NO. 201 OF 1998



Enter to file.

IN THE MATTER OF THE **GURADIANSHIP AND CUSTODY OF CHILDREN LAW (REVISED)**

AND
IN THE MATTER OF DONLEY CHRISPIN MARTIN, JR. (born 8th November, 1994) a minor

AND
IN THE MATTER OF SHEA ARTHUR MARTIN (born 29th July, 1996) a minor

AND
IN THE MATTER OF AN APPLICATION FOR THE APPOINTMENT OF A GUARDIAN

BETWEEN:	JAMES DONLEY MARTIN	Applicant
AND:	CHRISTOPHER DONLEY MARTIN	1 st Respondent
AND:	DELCT MARIE EBANKS	2 nd Respondent

Appearances:

John Furniss for the father and grandfather
Sheridan Brooks for the mother

Before Kellock, in Chambers
Friday January 18th, 2002



Kellock, J.

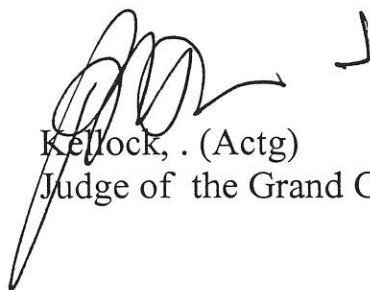
REASONS FOR JUDGMENT

These proceedings were commenced by the grandfather of the two minor children pursuant to the Guardianship and Custody of Children Law (1996 Revision) seeking his appointment as guardian and the custody, care and control of the children. An ex parte application was then made to Graham, J who ordered that the children be made wards of the court. Graham, J's order (which was made March 18, 1998) granted care and control of the children to the applicant. The wardship's order remains in force today.

It appears that from the outset there was concern that the grandfather did not possess the status required to permit him to invoke the provisions of the guardianship statute and as a result Graham, J's order was made pursuant to this court's inherent jurisdiction.

It was agreed by all parties that these proceedings should be continued so that the court's primary obligation, which is to the children, maybe fulfilled. Consequently and on consent I made an order *nunc pro tunc* amending the style of the cause to make the father the applicant (instead of the

grandfather) and deleting the grandfather's name from the style of cause.
Consequently for the purpose of all future proceedings in this matter the
father will appear as applicant and the mother as respondent.


Kellock, . (Actg)
Judge of the Grand Court

Dated 21st January, 2002

