

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 218 OF 2010

BETWEEN: LEON BUCKERIDGE

PLAINTIFF

AND: SERGEANT ORLANDO MASON

FIRST DEFENDANT

AND: ATTORNEY-GENERAL OF THE CAYMAN ISLANDS

SECOND DEFENDANT

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

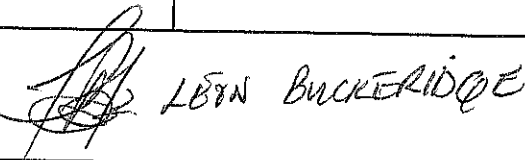
IN THE MATTER OF SECTION 14 (2) OF THE CRIMINAL PROCEDURE CODE

IN THE MATTER OF THE CAYMAN ISLANDS CONSTITUTION ORDER 2009

IN THE MATTER OF R V LEON BUCKERIDGE CHARGE 04034/10

APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman	
Name, address and description of applicant(s)	Leon Buckeridge c/o Polack and Co Fund Accountant
Judgment, order, decision or other proceeding in respect of which relief is sought	Summary Court Charge 04034/10
<p style="text-align: center;">Relief Sought</p> <p>Leave for Judicial Review Order of Certiorari to review decision to charge applicant. Order to stay proceedings Order of Mandamus to quash Charge 04034/10 Order of Prohibition against reinstatement of charge.</p>	
Name and address of applicant's attorneys, or, if no attorneys acting, the	Peter Polack Polack and Co

address for service of the applicant	135 Savannah Ave, Grand Cayman.	
Signed	 LEON BUCKERIDGE	Dated 1 <sup>st</sup> June 2010

GROUNDS ON WHICH RELIEF IS SOUGHT

1. Failure to comply with the requirements of section 14 (2) of the Criminal Procedure Code namely that the Defendant had no belief of a reasonable and probable cause to make the complaint being Charges 04034/10 (1) and Charges 04034/10 (2).
2. That the Defendant abdicated his responsibility to have belief of a reasonable and probable cause to Senior Crown Counsel Trevor Ward and/or the Legal Department and/or the Attorney –General.
3. That the Defendant had no belief of a reasonable and probable cause to make the complaint being Charges 04034/10 (1) and 04034/10 (2) as there was no evidence or legal principle to support same.
4. The Applicant is charged before the court with two counts of possession of an unlicensed firearm having been arrested on 20 June 2009.
5. The First Defendant charged the Applicant on 19 April 2010.
6. At the time of presenting Charges 04034/10 (1) and 04034/10 (2) the First Defendant had no belief from a reasonable and probable cause that the offence had been committed.
7. Pursuant to Section 14 (2) of the Criminal Procedure Code it is impermissible and or unlawful for a police officer to present a charge without a reasonable and probable cause that the offence had been committed.
8. Pursuant to Section 14 (2) of the Criminal Procedure Code it is an improper exercise of the discretion granted to charge a person without their being reasonable and probable cause.
9. There is in fact no reasonable or probable cause for the Applicant's Charge 04034/10 (1) or Charge 04034/10 (2).
10. The charges are not in conformity with the Criminal Procedure Code.
11. The Applicant has been adversely affected by his arrest and charge in the circumstances herein.
12. The Summary Court hearing of the charges are forthcoming.
13. The Applicant has no adequate alternative means of Redress.