

IN THE GRAND COURT OF THE CAYMAN ISLANDS
ON APPEAL FROM THE SUMMARY COURT

GRAND COURT CAUSE NO. ⁷⁰ OF 2011
(CAUSE NO. SC 415 OF 2009)
Appeal 2 / 2011

BETWEEN:

CLEVELAND DILBERT

-AND-

MICHEAL PIETRAS



Appellant

Respondent

NOTICE OF APPEAL

TAKE NOTICE that, Cleveland Dilbert, intends to appeal against the Judgment dated 25 February 2011. To the best of the knowledge of the Appellant the order arising from the Judgment has not yet been perfected.

The grounds of the appeal are:

1. Pursuant to section 38 of the Summary Jurisdiction Law (2006 Revision) an appeal shall lie to the Grand Court from any final judgment of the court in any proceedings.
2. On 25 February 2011 judgment was handed down in these proceedings against the Appellant.
3. Pursuant to Rule 15 of the Summary Court Rules an appeal shall be made by Notice of Appeal within 14 days of the filing of order appealed from in accordance with GCR O. 42 Rule 5. To the best of the knowledge of the Appellant no such order has been filed however the Appellant has filed this Notice of Appeal in order to protect its right of appeal.
4. Rule 15 of the Summary Court Rules provides that an appeal shall constitute a re-hearing.
5. The Appellants first ground of appeal is that he is entitled to appeal as of right in accordance with the law and that the appeal shall be a re-hearing.

6. Without prejudice to the above, the Appellant's further grounds his appeal on the basis that the learned Magistrate made errors both of fact and law the result of which is that the Judgment should not be permitted to stand and that the Grand Court should re-hear the matter. Given that the appeal is a re-hearing particulars are not provided, however, should it be determined that the Court would be assisted by particulars the Appellant will provide them.

Dated the 10th day of March 2011

BROADHURST
Broadhurst LLC
Attorneys-at-Law for the Appellant

This Notice of Appeal was filed by Broadhurst LLC, Attorneys-at-Law for the Appellant, whose address for service is 40 Linwood Street, P.O. Box 2503, George Town, Grand Cayman, Cayman Islands, B.W.I. KY1-1104.