

No. 7

Petition (0.9, r2)

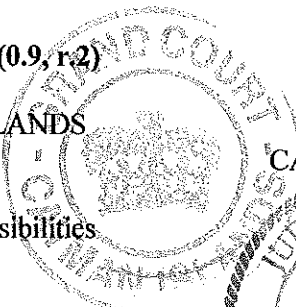
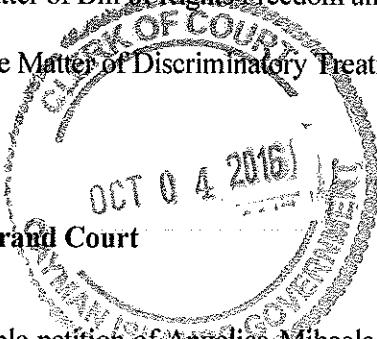
IN THE GRAND COURT OF THE CAYMAN ISLANDS

In the Matter of Bill of Rights Freedom and Responsibilities

And in the Matter of Discriminatory Treatment

PETITION

To the Grand Court



60184  
CAUSE NO: OF 20 10

The humble petition of Angelica-Mihaela Luculescu, residing in Romania, Str. Al. Odobescu, No. 79, Apt. 16, Timisoara, Timis County, shows that:-


1. The Petitioner understands to apply to the Grand Court of Cayman Islands, to claim that government has breached and infringed her rights and freedoms regarding marriage under the Bill of Rights, Freedoms and Responsibilities, prevailed in Constitution of Cayman Islands, section 14.

Your Petitioner therefore humbly prays that:-

1. Her request for marriage will be approved while the Petitioner and her ex-husband , Mihai Tanjala, are physically in the Cayman Islands.
2. The Petitioner accepts to come to an agreement with the Cayman Islands Government if it approves her marriage and apologizes through a clerk or official.
3. Compensation of KYD 250,000 for the financial losses and the trauma suffered as a result of this discrimination (according to Cayman Islands Constitution, Section 27 (1) and (2)).

AND your Petitioner will ever pray etc.

Dated the 4th day of October 2016.

  
\_\_\_\_\_  
[Signature of Petitioner]

**NOTE:** This petition is intended to be served on Cayman Islands,

This Petition was presented by *Angelica-Mihaela Luculescu* whose address for service is *B6 Trinity Square,, Eastern Avenue, Grand Cayman, Cayman Islands, PO Box 167, APO, KY 1-1109.*

## **Summary of facts**

In conformity with section 14 (1) of Cayman Islands Constitution, which provides: "Government shall respect the right of every unmarried man and woman of marriageable age (as determined by law), freely to marry a person of the opposite sex and found a family", the Petitioner applied at the office of Her Excellency H.K. for approval to marry Mihai Tanjala, Romanian citizen detained in H.M.P. Northward, Cayman Islands.

## **Chronology of facts**

- Mihai Tanjala, the Petitioner's ex-husband whom she wishes to remarry, requested approval for marriage in March 2016. The application was rejected on illegal and unconstitutional grounds, in a letter signed by Mr. Neil Lavis, Director of Prisons, Her Majesty's Cayman Islands Prison Services. (see Attach)
- On May 17th, 2016, based on the answer received from Mr. Neil Lavis that the impediment in their marriage lays upon the approval from the Immigration services, the Petitioner had therefore emailed Mr. Brian Ebanks, Senior Immigration Officer, and brought this matter to the attention of the Immigration Services to seek approval, however the Immigration services failed to give them an answer since then. (see Attach)
- On or about May 23rd, 2016, the Petitioner has asked Mrs. Jondo Malafa Obi, Director of Cayman Islands Red Cross to help them in this matter to act as the United Nations representative in the Cayman Islands and received an answer from her on May 24th, 2016 which said that she would contact the CI Government as soon as possible, however she failed to give the Petitioner an answer since then. (see Attach)
- On June 10th and June 15th, 2016, the Petitioner sent at the suggestion of Mrs. Joanne Vaughan, two emails to Mrs. Kathryn Dinspel-Powell, from the Ministry of Home Affairs, in Cayman Islands, regarding their marriage application, to kindly approve it and proceed with the ceremony. The Petitioner had since tried to contact and call Mrs. Dinspel-Powell from Romania, repeatedly. She had always failed to answer the Petitioner's emails and phone calls. (see Attach)
- The Petitioner personally addressed on June 24th, 2016 an email to the Director of Prisons Mr. Lavis, requesting him to think over the decision, but he didn't want. He indicated the

Petitioner on July 7th 2016, instead of insisting at the Immigration Services, as he originally based his refusal for Mihai Tanjala's marriage application, dated May 17th, 2016, to address Her Excellency H.K. for a special approval. The Petitioner therefore sent an email to H.E.'s office, but no one bothered to email the Petitioner back from this office ever since.

When the Petitioner informed Director of Prisons, Mr. Neil Lavis in her letter of June 24, 2016, that she considers herself as being a victim of discrimination, according to section 14 of Cayman Islands Constitution, he indicated that the Cayman Islands Constitution doesn't apply in the Petitioner's case because **she was not a Cayman Islands citizen**. This, again, confirms that the Petitioner is discriminated, because the Cayman Islands Constitution belongs to the state itself, and applies to anybody that happens to be on Cayman Islands territory and not only to Cayman Islands citizens. ( see Attach)

- In this time, other prison inmates received permission and got married, fact which gives the Petitioner the certitude and prove of the discrimination.

In conformity with section 14 (3) of Cayman Island Constitution, which provides: "Nothing in any law or done under its authority shall be held to contravene subsection (1) to the extent that the law makes provisions that I s reasonably justifiable in a democratic society –

- (a) In the interest of public order, public morality or public health;
- (b) For regulating, in the public interest, the procedures and modalities of marriage; or
- (c) For protecting the rights and freedoms of others.

Based on provisions indicated above, the Petitioner acknowledges that there were met all the discriminatory conditions presented in section 16 (1) and 16 (2). The Petitioner considers that she had been discriminated over "national or social origin" or "other status" and she provides the following application in conformity with section 26 of Cayman Island Constitution:

(1) Any person may apply to the Grand Court to claim that government has breached or threatened his or her rights and freedoms under the Bill of Rights and the Grand Court shall determine such an application fairly and within a reasonable time.

(2) If, in any proceedings in any court established in the Cayman Islands other than the Grand Court or the Court of Appeal, any issue arises as to the interpretation of the Bill of Rights, the court in which the question has arisen shall refer the question to the Grand Court if it is in its opinion necessary for the issue to be determined.

(3) An appeal shall lie as of right to the Court of Appeal from any final determination of any issue by the Grand Court under the Bill of Rights, and an appeal shall lie as of right from the Court of Appeal to Her Majesty in Council; but no appeal shall lie from a determination by the Grand Court under this section dismissing an application on the ground that it is frivolous or vexatious.

(4) Proceedings under subsection (1) shall be commenced within one year of the decision or act that is claimed to breach the Bill of Rights, or from the date on which such decision or act could reasonably have been known to the complainant; but the Grand Court shall extend time on application by the complainant where such an extension would, in the opinion of the Court, be in the interests of justice.

(5) Nothing in this section adversely affects the ability of courts to manage their own procedure to ensure that cases are dealt with justly, fairly and expeditiously, including their ability to dismiss applications that are vexatious or unreasonable.

The Petitioner needs to mention that she came especially to Cayman Islands for this marriage, twice. First from U.S.A. and second from Europe; she spent a substantial amount of money, over KYD 40,000, for flight tickets, hotels, apartments, car rentals and legal consultations. She stayed in Cayman Islands over 3 months, now prolonging her stay again, and thus blocking all her business activities. Once again, the Petitioner considers the situation they've been involved in, Mihai Tanjala and the Petitioner, while requesting approval to marry as ridiculous, lacking minimum respect towards two human beings and discriminatory.

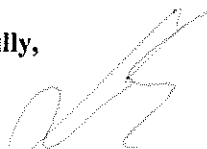
The Petitioner understands to request KYD 250,000 in compensation for the financial losses and the trauma suffered as a result of this discrimination (according to Cayman Islands Constitution, Section 27 (1) and (2)). The Petitioner accepts to come to an agreement with the Government if it approves their marriage and apologizes through a clerk or official.

If otherwise concluded, the Petitioner understands to continue her application for discrimination at European Court of Human Rights and to inform UNHCR.

**The Petitioner can be contacted at email address: [mlucu@hotmail.com](mailto:mlucu@hotmail.com), phone number (345) 325-1381 while in the Cayman Islands or +1 (352) 396-3701, while outside the islands territory.**

**Tuesday, 04 October 2016**

Respectfully,



**Angelica-Mihaela Luculescu**

Tanjala Mihai's immigration case

Joanne.Vaughan@fco.gov.uk <joanne.vaughan@fco.gov.uk>

Mon 5/16/2016 11:03 PM

Thank you for your email.

I am out of the office on Friday and Monday is a public holiday in the Cayman Islands. Please contact Gillian.Skinner@fco.gov.uk if your query is urgent.

Many thanks

Joanne

*Joanne  
Policy Officer  
The Governor's Office  
Suite 101  
Government Administration Building  
133 Elgin Avenue, George Town  
Grand Cayman KY1 9000*

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\*\*\*\*\*

Mihaela Luculescu <mlucu@hotmail.com>

Mon 5/16/2016 11:00 PM

To:

Joanne.Vaughan@fco.gov.uk (joanne.vaughan@fco.gov.uk)

MT Letter .pdf

2 MB

Dear Mrs. Vaughan,

I am you sending in attachment the letter Mihai Tanjala addressed to Her Excellency, the Governor of Cayman Islands, Mrs. Helen Kilpatrick CB.

Being desperate, afraid, scared, he starts and will go on hunger strike on May 17th, 2016, at 7 am. You can find more details and explanations in the attached letter.

Respectfully and desperately I'm asking you to find a solution to help me. I am afraid he will commit suicide as he previously informed you.

Respectfully yours,

Mihaela Luculescu

TANJALA MIHAI

Detainee no. 4620, Her Majesty's Prison Northward  
Criminal charge no. 06596/2015, Grand Court

JUDICIAL  
ADMINISTRATION

SEP 14 2016

To: Her Excellency, The Governor of the Cayman Islands, Mrs Helen Kilpatrick CB

Your Excellency,

Respectfully I am addressing you this letter in which I'd like to re-enforce the facts you already know:

- 1) I did not commit a criminal deed in Romania and I was unlawfully and abusively convicted. I have submitted my documents and evidence that support my innocence to Cayman Islands Department of Immigration, more specifically to Senior Immigration Officer, Mr. Brian Ebank and partially to the Grand Court.
- 2) For 5 years I have to stand the shame of this conviction, I am internationally wanted, my life was destroyed and so was my family, and my name splashed with mud.
- 3) Until today I've spent about 15 months in prison in the USA and Cayman Islands for a crime I did not commit, while with understanding I hoped for truth and justice.
- 4) My companies have been destroyed, my assets have been confiscated and I have been aggressed and threatened.

In all this time I showed respect and an outstanding behaviour and I believed in justice, righteousness and God.

All were in vain.

Morally exhausted, weary of suffering and hopeless, I decided that to prevent my extradition and not being humiliated, aggressed and threatened like a criminal, to be on hunger strike until a decision will be taken or until I die.

I will not allow half measures and justifications about the lack of procedures nor "Romania is a friend country", etc .. as long as I know I am innocent and that the law was made for people, not for formal procedures and justifications. The law should protect people from criminals, not turn them into criminals.

Please respectfully understand that it is not an attempt to force your hand. It is a more deliberate decision, which I think if I'm wrong, I will atone before the law, people and before God.

I will interrupt the hunger strike only if you and justice will go beyond procedures, where application of the law begins, you will study the evidence I submitted, you will find my innocence and will dispose my release, I refuse to go back to Romania alive!

I would like to set clear that the USA established my innocence, intended to grant me political asylum, but under Romania's pressures, where the USA has big interests and military bases, I was given voluntary departure to find a different country, and stayed in the USA twenty more months until finally leaving in September 2016 (all my evidence was submitted to Officer Brian Ebanks).

I have applied, according to all procedures at HMP Northward, to re-marry Angelica-Mihaela Luculescu, my wife that I had to divorce from last year due to my unclear and negative situation. I can not accept that my fundamental right of marriage not to be given and under the motivation that the law is being applied, her life to be destroyed as well, just as mine had.

With the hope that you will intervene in the law being respected, in the virtue of your rights and power, please kindly:

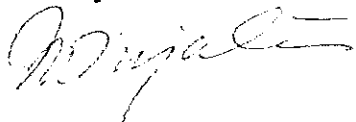
1. Approve my political asylum application in the Cayman Islands.
2. Approve my marriage with Angelica-Mihaela Luculescu that had arrived legally in the Island last week and will respect all provisions of the law.
3. In the situation that you will not approve my political asylum application, please approve my voluntary departure and grant me a legal stay in the Cayman Islands for 6 months to find another country.
4. As shown above, I do not accept to go back to Romania where I was illegally convicted and I know what is there waiting for me and in this situation I have decided to kill myself.

If you wish to help me, you can by approving my marriage with my ex-wife Angelica-Mihaela Luculescu. I have requested approval for getting married at HMP Northward through Director Neil Lavis about 2 months ago, but did not receive an answer yet, other than awaiting clearance from the Immigration Services. I wish that my ex-wife will have a correct social status and a safe financial situation if I were to die.

Hoping for the application of justice and a humanist act that will be in your power and responsibilities, I am respectfully awaiting your decision.

Yours,

Mihai Tanjala



Subject: Tanjala Mihai - hunger strike

ML

Mihaela Luculescu

Tue 5/17, 3:29 PM

Brian.Ebanks@gov.ky Ebanks (brian.ebanks@gov.ky)

JUDICIAL  
ADMINISTRATION

SEP 14 2016

CAYMAN ISLANDS GOVERNMENT

MT Letter .pdf

2 MB

Dear Mr. Ebanks:

I am sending you attached the Memorandum submitted by Tanjala Mihai to Her Excellency, the Governor of Cayman Islands, Mrs Helen Kilpatrick CB.

I'd like to know if I can meet you. Apparently the application of getting married doesn't go through, being blocked by the immigration services. This is what we've been told by Mr. Neil Lavis, the director of HMP Northward:

"We need to check with immigration if it is a foreign national and then once that is completed we arrange for a marriage officer to conduct counselling."

Mihai didn't kill anybody, we won't go on a honeymoon..I'm just worried that things will get worse and we are still not married 2 months after applying for this human right. I do not want and do not intend to extend my stay in the Cayman Islands. But intend to go back home to Romania married, so I can further help Mihai there, including with his new revision trial that was set for June 29th, 2016.

Please consider to see me or recommend me someone I can talk to from the Immigration Department in regards to our marriage.

Thank you,  
Mihaela Luculescu

For those who...

approve the following:

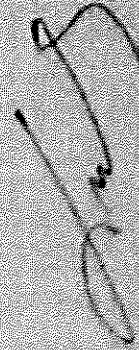
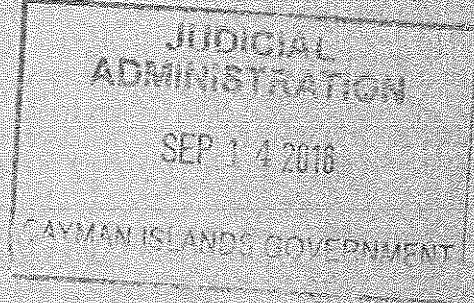
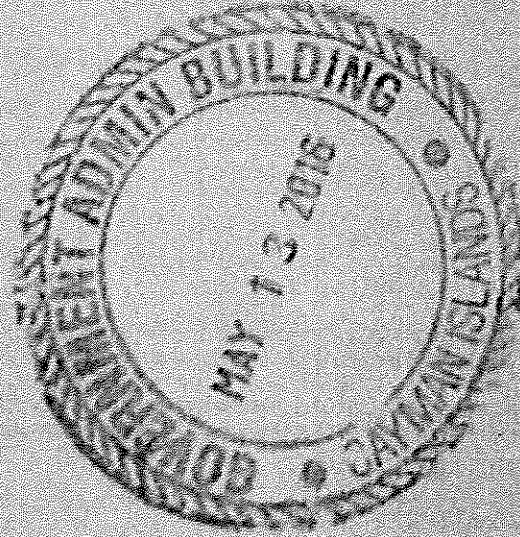
1. Tanjala Mihai's request for political asylum.
2. To remarry Tanjala Mihai who submitted an application in this regard to the manager of H Northward. In this way I will have legitimacy and be able to take care of Tanjala Mihai's businessse the event of imprisonment or would he be killed. I can help him officially and legally, and what I requesting here is provided by the United Nations Human Rights Charter.
3. In the event he will not be granted political asylum, please do not extradite him and agree withi reasonable period of 3 - 6 months for us to find another country that would receive us.

Your Excellency, what I am asking here stands in Your power, is legal and will make You hap that You have not participated in an illegal and abusive conviction of a man nor in his murder.

Thank You!

Most respectfully,

Mihaela Luculescu

To: Her Excellency, The Governor of the Cayman Islands, Mrs Helen Kilpatrick CB

Your Excellency,

The undersigned, Luculescu Angelica-Mihaela, identified with passport no. 052572149, issued by Romania, ex-wife of Tanjala Mihai, detainee at Her Majesty's Prison Northward, unjustly convicted in Romania for a deed that he did not commit, I'm writing to You, Your Excellency, this letter in George Town, Cayman Islands for the following reasons:

- I consider it normal to find ways to defend the man that I love and from whom I was forced to divorce due to unfair circumstances;
- I know he is not guilty, he was convicted unlawfully and by abuse in Romania;
- I know he will be maltreated, abused and/or killed if sent to Romania, facts that break my heart if happen;
- Together with about 1,000 pages of documents filed in defense of Tanjala Mihai I can testify about his innocence;
- I can mobilize and bring to the island to testify as witnesses the following people that have been threatened along the years due to their close and honest relationship to Tanjala Mihai: CIUCLEA CATALIN, the real author of the deed Tanjala Mihai is convicted for; my father, Luculescu Ioan, that was herd during Tanjala Mihai's conviction trial and that at the time of the hearing was put under conditions of maximum pressure only two weeks after his heart bypass surgery, being subjected to a high risk of heart attack due to the false allegations brought by the corrupt prosecutor; Barbuliceanu Mihai, Romanian politician and journalist that can prove and testify that Tanjala Mihai is innocent and politically convicted and Gabriella Gyorbyro that can testify that he was also convicted for refusing to sell the Muschong rights where Romania owes them (Gabriella Gyorbyro and Tanjala Mihai) compensation of about 200 million euros.

For those showed above, please Your Excellency, that in virtue of Your rights and power to approve the following:

1. Tanjala Mihai's request for political asylum.
2. To remarry Tanjala Mihai who submitted an application in this regard to the manager of HMP Northward. In this way I will have legitimacy and be able to take care of Tanjala Mihai's businesses in the event of imprisonment or would he be killed. I can help him officially and legally, and what I am requesting here is provided by the United Nations Human Rights Charter.
3. In the event he will not be granted political asylum, please do not extradite him and agree within a reasonable period of 3 - 6 months for us to find another country that would receive us.

Your Excellency, what I am asking here stands in Your power, is legal and will make You happy that You have not participated in an illegal and abusive conviction of a man nor in his murder.

Thank You!

Most respectfully,

Mihaela Luculescu

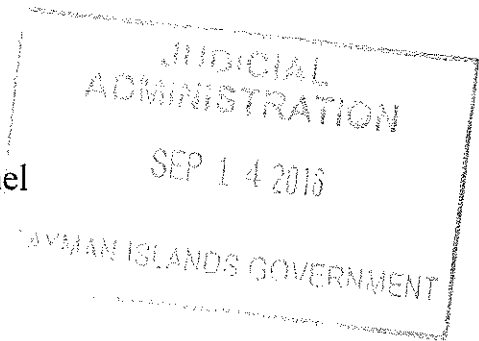
Romanian seeking asylum in the Cayman Islands



Jondo Obi <director@redcross.org.ky>

Tue 5/24, 10:27 PM

You; 'SIEGEL@unhcr.org' ([siegel@unhcr.org](mailto:siegel@unhcr.org)); 'Michael Meyer' ([MMeyer@redcross.org.uk](mailto:MMeyer@redcross.org.uk))



Dear Ms. Luculescu,

Thank you for your e-mail of 22 May.

As you may know, the Cayman Islands Red Cross, like other Red Cross bodies, is a humanitarian organisation.

Among our activities, we offer our humanitarian services to migrants in the Cayman Islands. This normally consists of the provision of welfare support, such as clothing, bedding and sometimes food. We do this with the agreement of the CI authorities, and our visits are normally confidential (that is, we do not normally publicise them).

We do not offer legal services.

We will be happy to approach the CI Government to offer our normal humanitarian services to Mr. Mihai Tanjala.

We will contact the CI authorities as soon as possible.

Thank you for writing to us about Mr. Tanjala.

Yours sincerely,

Jondo

**Jondo Malafa Obi | Director | Cayman Islands Red Cross**

Cayman Corporate Centre, Hospital Road, George Town, Grand Cayman

P.O. Box 10508, Grand Cayman KY1-1005, Cayman Islands

Switchboard: (345) 949-6785 Option 5 | Cell: (345) 916-3345 | Fax: (345) 947-6344 |

Email: [director@redcross.org.ky](mailto:director@redcross.org.ky) | Website: [www.redcross.org.ky](http://www.redcross.org.ky) |

<http://www.facebook.com/CaymanIslandsRedCross>

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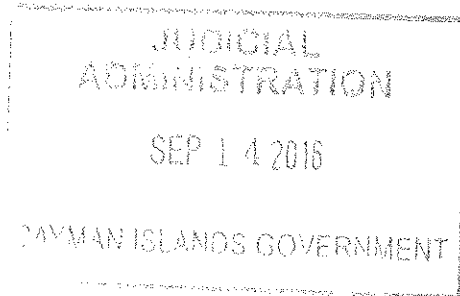


Mihaela Luculescu <[mlucu@hotmail.com](mailto:mlucu@hotmail.com)>

Mon 5/23, 1:22 AM

Memo Guvernatoare.pdf  
41 KB

MT Letter .pdf  
2 MB



Dear Mrs. Jondo Obi,

I am the ex-wife of Mihai Tanjala, the Romania citizen detained at HMP Northward in the Cayman Islands.

I came on the island about 2 weeks ago with the intention to re-marry Mihai and attend his last court hearings, set for Thursday and Friday of this coming week, May 26th and 27th. We have divorced last year when Mihai's situation became worse and worse every day, and we thought it is better for both of us to do that knowing the uncertainties Mihai would've had to face. Unfortunately, the procedure to get married is more complicated than we thought it would be. Mihai had applied with the director of the prison, Mr. Neil Lavis 2 month ago and we still don't have an answer, other than we have to wait and be patient.

I am sending you attach the letter I submitted to Her Excellency the Governor of Cayman Islands.

Due to the many postponements Mihai had faced in regards to the marriage, his asylum application and his extradition trial, he had also sent a letter to Her Excellency announcing her of his intention of going on a hunger's strike until a final answer would be given to him. I went to visit him today, on his 6th day of hunger strike and he doesn't look good. I am afraid for his life and I am afraid things might take a worse direction. I've tried to be the best I could, announcing the management of the prison to supervise him, asked for a doctor to see him, providing supplements, etc...

The reason I am emailing you is also to ask you if you could visit him at the prison one of these days, preferably before his court hearing, on Thursday. Please if you could help him in any way you can!

Right now he is a man without a country. He wishes to find one. He had applied for political asylum in the US as well and the judge wanted to grant him, but because of Romania's pressures and the many interests the US has in Romania, he was granted voluntary departure. Now he had applied according to the procedure for political asylum in the Cayman Islands. That was back in October, 2015. As of right now he has no answer regarding his asylum application.

Both of us, Mihai and I, feel that the odds are not in our favor, regardless of the effort we make. The saddest part is that he is a victim of Romania's mafia system, convicted by abuse and order. The crime he is accused of in Romania, he did not commit it.

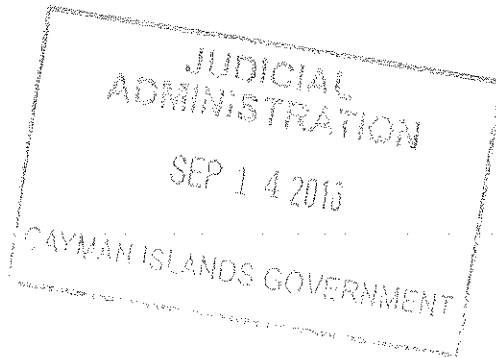
We feel hopeless facing this adversity. I do not know what else there is to do, besides what we did already.

If there's any way you could help and intervene, please kindly do so!

Thank you very much!

I hope there is a favorable solution in the life of a man and his family.

Respectfully Yours,  
Mihaela Luculescu

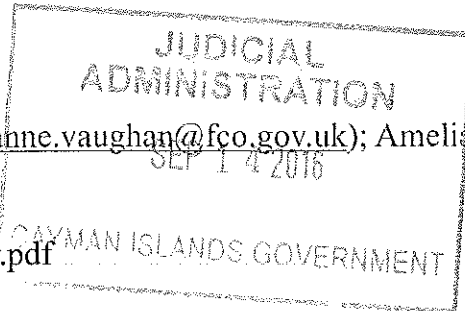


Tanjala Mihai - Marriage

Mihaela Luculescu

Wed 6/15/2016 12:15 AM

To: kathryn.dinspel-powell@gov.ky  
Cc: Joanne.Vaughan@fco.gov.uk (joanne.vaughan@fco.gov.uk); Amelia Fosuhene (amelia@caymanislandslaw.ky)



Letter in attn of Deputy Chief Officer.pdf  
751 KB

ML flight ticket KY RO.pdf  
33 KB

Dear Mrs. Dinspel-Powell,

I am writing to you today to add more information to the email sent to you on Friday, June 10th, 2016.

I've also submitted at the Reception of the Government Building, the attached documents in your attention today.

As stated in the previous email, I will indeed leave the island this coming Monday, June 20th, but will return on July 21st, 2016 with the hope that my ex-husband's situation will be more clear.

I do hope and wish that until I leave next week, our marriage application will be approved and we can proceed and have the ceremony. However, I understand that there might be a certain procedure to follow, which may take more than a week.

Kindly, if you could confirm this email and let me/us know the steps we'd need to take to accomplish this wish.

With Kind Regards,

Mihaela Luculescu

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In Attn of: Deputy Chief Officer, Mrs. Kathryn Dinspel-Powell

Mihaela Luculescu

Fri 6/10, 8:25 PM

To: Kathryn.Dinspel-Powell@gov.ky (kathryn.dinspel-powell@gov.ky)  
Cc: Amelia Fosuhene (amelia@caymanislandslaw.ky)

Memo Guvernatoare.pdf  
41 KB

JUDICIAL  
ADMINISTRATION

SEP 14 2016

Dear Mrs. Dinspel-Powell,

I am writing to you at Mrs. Vaughan's recommendation. My ex-husband is detained at HMP Northward and had submitted an application two months ago to the Director of the prison, Mr. Neil Lavis. I have also addressed this matter to Her Excellency about a month ago, but as of today this issue had not been approved. We believe we should benefit of this human right of marriage provided by the UN Charter of human rights.

I am attaching to this email the Memorandum sent in attention of Her Excellency, The Governor, on May 13th, 2016.

Please kindly if you could help in resolving this matter as soon as possible. I have been on the island since May 10th, 2016 and my visa expires on June 20th, the day I'm departing going to my home country, Romania.

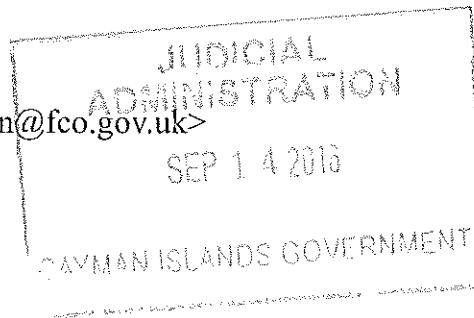
Thank you very much,  
Mihaela Luculescu

Tanjala Mihai - Application to be married

Joanne.Vaughan@fco.gov.uk <joanne.vaughan@fco.gov.uk>

Sun 7/10/2016 11:44 AM

Thank you for your email.



I will be out of the office on leave until Tuesday 19th July. Please contact Gillian.Skinner@fco.gov.uk if you require a response in my absence.

If the email is of a personal nature please re-send to joanne\_aldrige@hotmail.com

Regards

Joanne

*Joanne Vaughan  
Policy Officer  
The Governor's Office  
Suite 101  
Government Administration Building  
133 Elgin Avenue, George Town  
Grand Cayman KY1 9000*

[joanne.vaughan@fco.gov.uk](mailto:joanne.vaughan@fco.gov.uk)  
+1345 244 2434

[www.gov.uk/world/cayman-islands](http://www.gov.uk/world/cayman-islands)  
[www.facebook.com/ukincayman](https://www.facebook.com/ukincayman)

\*\*\*\*\*

Mihaela Luculescu <mlucu@hotmail.com>

Sun 7/10/2016 11:42 AM

Response to Ms Luculescu.docx  
353 KB

ML flight ticket KY RO.pdf  
33 KB

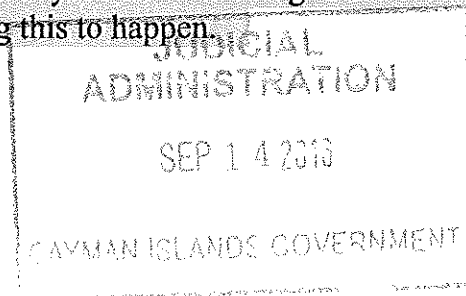
In attention of: Her Excellency The Governor of Cayman Islands, Mrs. Helen Kilparick

Your Excellency,

I am sending in attachment of this email the answer I received from Mr. Neil Lavis, Director of Prisons at HMP Northward, where my ex-husband, Mihai Tanjala is detained, in regards to our application to marry. I am also attaching to this email my flight ticket that I previously sent to Your Excellency's office, showing the date I will return to the island, almost 2 weeks from now.

I hope from the bottom of my heart that Your Excellency will find a legal way to approve our marriage. If necessary I believe it is possible to grant a couple of hours access for Mihai to have the ceremony in town or for me to be allowed access in the prison's church and have a proper marriage ceremony. It is a human gesture and I believe Your Excellency is in the power of allowing this to happen.

Respectfully Yours,  
Mihaela Luculescu



Lavis, Neil <neil.lavis@gov.ky>

Thu 7/7/2016 6:25 PM

Response to Ms Luculescu.docx  
353 KB

Dear Ms Luculescu,

Please find my response to your request

Kind Regards

Neil Lavis

Director of Prisons

**Her Majesty's Cayman Islands Prison Service (HMCIPS)**

Box 1807 | 24 Sheffield Drive, Northward

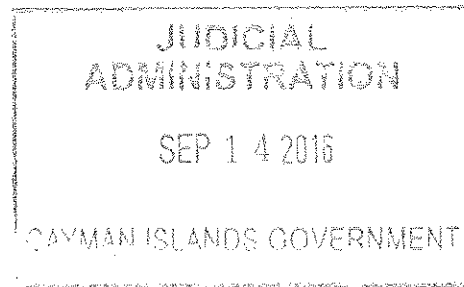
Grand Cayman, KY1-1109 | Cayman Islands, BWI

Ph: 1 345 640 3000 | Ex: 1 345 947 4662

Email: [Neil.lavis@gov.ky](mailto:Neil.lavis@gov.ky)



Her Majesty's Cayman Islands Prison Service (HMCIPS)  
Box 1807 | 24 Sheffield Drive, Northward  
Grand Cayman, KY1-1109 | Cayman Islands, BWI  
Ph: 1 345 947 3000 ext 425 | Fx: 1 345 947 4662



07<sup>th</sup> July 2016

Dear Ms Luculescu,

**Request to remarry Mihai Tanjala**

Thank you for your correspondence of 20 June 2016 in respect of the above matter, in which you:

- a. Claim to have obtained a legal opinion to the effect that the refusal of your request to remarry Mihai Tanjala was unlawful, including on the basis that it breached your right to marriage under s14(1) of Part 1 of the Cayman Islands Constitution Order 2009 ("the Bill of Rights"); and
- b. Reiterate the request.

Having sought legal advice, you are likely to be aware that the right to marriage in the Bill of Rights is not absolute and does not excuse those who wish to marry from compliance with ordinary laws that regulate the exercise of the right. Since neither you nor Mr Tanjala 'reside' in the Islands the Marriage Law (2010 Revision) requires that you obtain a special licence from the Governor in order to marry here. Accordingly, it would not be within my powers and functions as Director of Prisons to allow or refuse your request.

Please be assured that, in the event that you obtain the necessary licence, I would have no intention of obstructing the marriage and would be happy to initiate the usual processes that are followed when any other prisoner applies to marry.

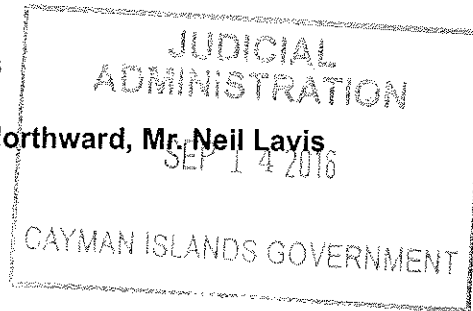
Yours truly,

Neil Lavis  
Director of Prisons, Her Majesty's Cayman Islands Prison Service

June 20th, 2016

George Town, Cayman Islands

To: Director of Prisons, HMP Northward, Mr. Neil Lavis



Dear Mr. Lavis,

The undersigned, Luculescu Angelica-Mihaela, identified with passport no. 052572149, issued by Romania, ex-wife of Tanjala Mihai, detainee at Her Majesty's Prison Northward, unjustly convicted in Romania, I'm writing to you this letter as I have asked for your approval 4 weeks ago to remarry my ex-husband, request that he also submitted to you about 3 months ago.

I have received and acknowledge your answer, and, respectfully and regretfully I am informing you the following:

1. Tanjala Mihai smiled, his eyes were teary and said "This is life".
2. My attorney told me that your answer is illegal: a) through his conviction in Romania, Tanjala Mihai did not lose the right of marriage, only his right to freedom is temporary restricted; b) Tanjala Mihai entered in the Cayman Islands legally, he was not arrested for illegal entrance in this territory, the right to go to Cuba was offered to him by the immigration officer, but he, believing in the British law and its proper application, requested political asylum, procedure under which he still is today; c) I am a free citizen of this planet and you can not prohibit me the right to live and the right to have legal status to marry Tanjala Mihai; d) concretely, you have violated the Cayman Islands constitution, published under 2009 Order, the rights provided by Section 14 (3) were violated and I consider myself discriminated; you have committed acts of discrimination provided by Section 16 (4)(c), 16 (5) and 16 (6).

For all the above I have decided to inform you: \_\_\_\_\_

- I am requesting to you again the approval to re-marry Tanjala Mihai and please kindly consult lawyers when you decide;
- I will send my request to the legal department of UNHR and ECHR, together with your answer and will ask for their written opinion.

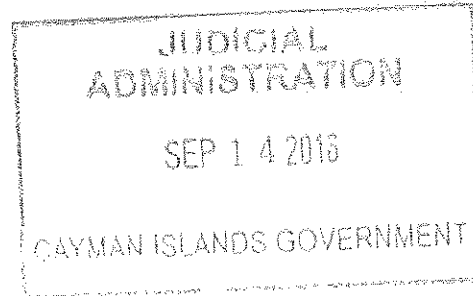
The present petition is an expressed marriage request.

As I have to return to Romania for urgent personal matters and to visit ECHR, I would like to inform you that I will return to the Cayman Islands on July 21st, 2016, date until I hope you will find time to search for the legal solution to approve this marriage.

Thank You!

**Respectfully Yours,**

**Mihaela Luculescu**





**HER MAJESTY'S  
CAYMAN ISLANDS  
PRISON SERVICE**

**MI**

Mihaela Luculescu <mlucu@hotmail.com>

Fri 6/24/2016 4:13 PM

To: neil.lavis@gov.ky

JUDICIAL  
ADMINISTRATION

SEP 14 2016

CAYMAN ISLANDS GOVERNMENT

Dear Mr. Lavis,

Thank you for your intermediary answer from June 20th, 2016. I hope that your final answer will be based on legal grounds and will offer you the possibility of approving my marriage with Tanjala Mihai. I also hope that your answer will be given in a reasonable period of time, in order to avoid traveling without a reason or to make spendings in vain.

Because I've been writing to you on different occasions I'd like to inform you that I consider abusive and discriminatory the treatment applied to Tanjala Mihai in prison and I considered it a necessity to inform UNHCR as well as ECHR.

If Summary Court and Grand Court considers Tanjala Mihai rightfully convicted for 5 years imprisonment, gave the equivalent of his deed classified by Romania as BRIBERY, and in Cayman Islands as conspiracy to defraud, how can you consider him a prisoner that was not yet convicted, you do not grant him a category/classification, do not give him any rights nor approve any of his applications that ask for those rights.

How is it possible that after Cayman Islands law, in downtown George Town, at the Grand Court he is convicted and a few miles further, where he is detained he is considered as not yet convicted. What kind of law do you apply and what right do you have?

Why don't you release him if he is not yet convicted of any crime? Are you abusively keep him incarcerated?

Please kindly decide over the reason of why you consider him guilty or not guilty and please take action accordingly. I consider this email that I'm sending you now an official email and I will register it both at UNHCR and ECHR, together with your answer or will mention whether there's a lack of answer.

As an English man, I know you are a great man and are able to correct those abnormalities if you contact an attorney.

Respectfully,  
Mihaela Luculescu

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Tanjala Mihai - Application to be married



From: Lavis, Neil <neil.lavis@gov.ky>

Mon 6/20/2016 8:36 PM

To: Mihaela Luculescu (mlucu@hotmail.com)

Dear Ms. Luculescu,

Thank you for your letter the contents of which are noted.

Kind Regards

Neil Lavis

Director of Prisons

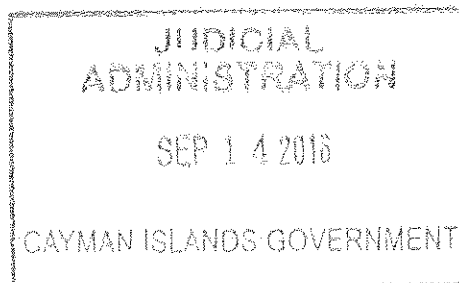
**Her Majesty's Cayman Islands Prison Service (HMCIPS)**

Box 1807 | 24 Sheffield Drive, Northward

Grand Cayman, KY1-1109 | Cayman Islands, BWI

Ph: 1 345 640 3000 | Fx: 1 345 947 4662

Email: [Neil.lavis@gov.ky](mailto:Neil.lavis@gov.ky)



**HER MAJESTY'S  
CAYMAN ISLANDS  
PRISON SERVICE**

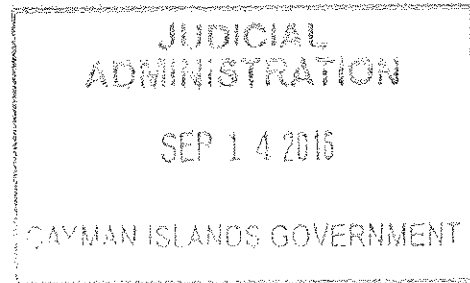


Mihaela Luculescu <mlucu@hotmail.com>

Mon 6/20, 8:25 PM

ML flight ticket KY RO.pdf  
33 KB

Letter Addressed to Mr Neil LAVIS.pdf  
56 KB



Dear Mr. Lavis,

I have received your official answer from Tuesday, June 14, 2016 in regards to the application to be married.

Please kindly find attached my letter addressed to you, Sir.

Thank you!  
Best Regards,  
Mihaela Luculescu

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RE: Mihai Tanjala's ex-wife

MI

From: Mihaela Luculescu <mlucu@hotmail.com>

Sat 5/14, 3:40 AM

To: Lavis, Neil (neil.lavis@gov.ky)

Dear Mr. Lavis,

I understand your procedures and the reasons they are done. My only worry is that Mihai and I won't have enough time to marry before he gets out of the prison. We do not have anything for sure to rely on that when he gets out of the prison he will be free. He might be extradited or not granted asylum.

I can get in contact with Immigration Senior Office Mr Brian Ebanks and see if he would agree to speed up the process a little bit, if that's up to the immigration services.

Thank you though for assuring me that we are on the right track.

Best Regards,  
Mihaela

---

From: Neil.Lavis@gov.ky

To: mlucu@hotmail.com

CC: Cathy.Gomez@gov.ky; Marlon.Hodgson@gov.ky; Daniel.Greaves@gov.ky

Subject: RE: Mihai Tanjala's ex-wife

Date: Fri, 13 May 2016 13:28:02 +0000

Dear Ms. Luculescu,

Thank you for your email.

I am well aware of your ex-husband's request to marry and I know that the chaplain Ms. Gomez has been in contact with him and is advising him.

However when a Prisoner either remand or sentenced is in our care we have to go through certain checks before we can arrange a marriage ceremony. We need to check with immigration if it is a foreign national and then once that is completed we arrange for a marriage officer to conduct counselling. Once this is complete and everything is legal we arrange the ceremony. We are currently working through the process but these things do take time.

Thank you for your patience in this matter, I know Ms. Gomez is keeping your ex-husband informed of progress as it happens

Kind Regards

Neil Lavis

Director of Prisons

**Her Majesty's Cayman Islands Prison Service (HMCIIPS)**

Box 1807 | 24 Sheffield Drive, Northward

Grand Cayman, KY1-1109 | Cayman Islands, BWI

Ph: 1 345 947 3000 | Fx: 1 345 947 4662

Email: [Neil.lavis@gov.ky](mailto:Neil.lavis@gov.ky)



**HER MAJESTY'S  
CAYMAN ISLANDS  
PRISON SERVICE**

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**From:** Mihaela Luculescu [mailto:[mlucu@hotmail.com](mailto:mlucu@hotmail.com)]

**Sent:** Friday, May 13, 2016 7:41 AM

**To:** Lavis, Neil

**Subject:** Mihai Tanjala's ex-wife

Dear Mr. Lavis,

My ex-husband Tanjala Mihai submitted two months ago an application to remarry with me and he did not receive an answer as of today.

I am on the island and will be here until May 30th whilst I wish to remarry Mihai. What we are requesting you is also provided by the United Nations Human Rights Charter.

Please understand that we had to divorce due to unfair circumstances out of our control and there were never problems between us. I just wish to have a legal marriage, to be the wife of Mihai and to be able to continue his businesses if he will be extradited, imprisoned or dead, murdered by the Romanian mafia while in Romania.

Mihai is an innocent man, convicted illegally and by abuse in Romania because he opposed the mafia system in Romania, had disclosed their unlawful actions and had asked for his compensation rights that the Romanian state owes him.

Please agree to have an official meeting or kindly approve Mihai's application to marry because otherwise I find myself forced to address our wish to the United Nations and the press to obtain what is legal and easy to do in normal circumstances and without bothering anybody else.

Respectfully Yours,

Mihaela Luculescu