

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: ⁶¹ OF 2017

IN THE MATTER OF SECTIONS 61 AND 62 OF THE CAYMAN ISLANDS CONSTITUTION ORDER 2009

AND IN THE MATTER OF AN APPLICATION PURSUANT TO SECTION 29A OF THE ELECTIONS LAW (2013 REVISION)

BETWEEN:

THE SUPERVISOR OF ELECTIONS

Applicant

AND:

NICKOLAS DACOSTA

Respondent

ORIGINATING SUMMONS

LET ALL PARTIES concerned attend before the Judge in Chambers, at the Law Courts, George Town, Grand Cayman on the day of 2017, at o'clock on the hearing of an application by the Applicant for the following orders pursuant to section 29 A of the Elections Law 2013 (as amended by the Elections (Amendment) Law 2016:

1. A declaration as to the Respondent's qualification for election as a member of the Legislative Assembly in light of the requirements of section 61(1)(c) of Schedule 2 of the Cayman Islands Constitution Order 2009 (the "Constitution") on the basis that the Respondent was domiciled and/or resident in the United States of America at the date of his nomination for election;
2. A declaration as to the Respondent's qualification for election as a member of the Legislative Assembly in light of the requirements of sections 61(1)(d) and section 61(2)(a) of the Constitution on the basis that the Respondent, at the date of his nomination for election, possessed United States' citizenship;
3. A declaration as to the Respondent's disqualification from election as a member of the Legislative Assembly in light of the requirements of section 62(1)(a) of the Constitution on the basis that the Respondent is, by virtue of his own act, under an acknowledgement of allegiance, obedience or adherence to a foreign power or state, namely the United States of America, as per section 62(1)(a) of the Constitution, having regard to:
 - (i) the Respondent's appointment to the public office of Notary Public in the State of Florida; and

- (ii) his registration as a voter in the electoral district of Miami, Florida since 2010.

4. Such further orders and directions as this Honourable Court shall deem fit; and

5. That the parties bear their own costs.

Dated the 5th day of April 2017.



Attorney General's Chambers
Attorneys for the Applicant

TO: The Clerk of the Court
Law Courts Building,
George Town,
Grand Cayman, Cayman Islands.

AND TO: Etienne Blake
Attorneys at Law for the Respondent,
3rd Floor, Bayshore Centre,
31 Warwick Drive, P.O.Box 2496, KY1-1104,
Grand Cayman, Cayman Islands.

TIME ESTIMATE: The estimated length of the hearing of this Summons is ½ day.

This Originating Summons was taken out for and on behalf of the Applicant whose address for service is the Attorney General's Chambers, 133 Elgin Avenue, Government Administration Building, P.O.Box 136, KY1-9000, George Town, Grand Cayman, Cayman Islands.