

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN



Cause No. SC 90 of 20 18

BETWEEN: Manley M. Berry

Plaintiff

AND: Dario Mayorquin

Defendant

AND: Inga Mayorquin

Defendant



To the Defendants

Dario Mayorquin and Inga Mayorquin
668 Walkers Road, George Town
Grand Cayman, Cayman Islands

THIS PLAINT has been issued against you by the above – named Plaintiff in respect of the claim set out on the next page.

Within 14 days after service of this Plaint on you, counting the day of service you must either satisfy the claim or return to the Court Office, PO Box 495, George Town, Grand Cayman, the accompanying Acknowledgment of Service from stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out **full particulars of your defence** in the space provided in the Acknowledgement of Service form.

If you fail to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgment** without any further notice to you.

Issued this 15 day of May, 20 18

PARTICULARS OF CLAIM

(Here set out below the grounds upon which the Plaintiff claims that the Defendants are indebted to him).

On 16 December 2017 Mr. Berry reported that arrangements had been made between his son Matthew Berry and the Mother of his child, Shanee Mayorquin to have his daughter Cali Mayorquin Berry spend the Christmas Holidays with him in the United States where he attends College.

When the Plaintiff arrived at the mother's address to pick up the child, he was told by the child's mother Shanee Mayorquin that her child was taken by the grandmother namely Inga Mayorquin and she does not where she took her.

Police attended 668 Walkers Road and spoke to Shanee Mayorquin. She told the officers that she was in agreement with her child spending the holidays with her father and as such was getting the baby ready for her trip. She stated that whilst doing so, her mother took the child and left the house. She stated that she did not give her mother permission to take her child and that she did not know where she went with her child.

Officers then attended the location and spoke to Shanee Mayorquin's father, Dario Mayorquin. Mr. Mayorquin expressed to the officers that being that he and his wife takes care of their daughter's child by paying for her expenses and spending time with her, they have the right to decide that the child not travel to spend the holidays with her father.

When asked where his wife and the child were, he stated that they were out buying food for the child, but would not reveal the location. He expressed that the child would not travel and that the officers would not see the child and that he would contact same when his wife returned home with child. The mother of the child later left the house about her own business. The child was with the grandmother and no one knew where she was. The flight was at 11am to Tampa, Florida, however, the child was not located and later missed the flight.

When told that the child's mother had the right to grant permission for her daughter's travel, Mr. Mayorquin stated that he would kick his daughter out of his residence if she did such a thing.

Mr. Mayorquin expressed that he would reimburse the cost of the child's ticket to and from the United States and also the ticket for the child's father who would have returned to Grand Cayman with the child.

The grandmother did not return in time with the child to make the flight. The Plaintiff later left the location feeling disheartened and disappointed as all plans to take the child to see her father was not fruitful.

Officers contacted the Inga Mayorquin who stated that she is of the opinion that the matter was being sorted between her husband Dario Mayorquin and Mr. Berry as they are in contact. She stated that she will speak to her husband as she is fully aware of the matter and will inform the officers.

Inga Mayorquin stated that she did not take the child away. However, that is her routine as she and her husband are the ones caring for the baby since she was born.

Inga Mayorquin also stated that she did not give permission for the child to be taken overseas as that time of the year is their family time.

Inga Mayorquin was informed that her husband Dario Mayorquin stated to the office that he will reimburse the tickets, because he gave no permission for the child to be taken away. Inga Mayorquin again informed the officer that she will speak to her husband Dario Mayorquin in relation to paying back the tickets which were purchased to take the child to Florida for the Christmas holidays.

To date no attempts have been made to settle this matter outside of the Courts by the Mayorquins after numerous telephone calls and text messages

This matter is now being brought before the Courts for Judgement in favour of the Plaintiff and for any further relief as it deems just and fit.

The Plaintiff is seeking judgment as per below:

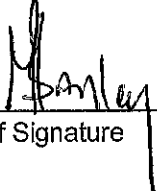
- Tickets (including penalties (\$150.00 x 2 tickets) - CI\$1,256.23
- Police Incident Report – CI\$100.00
- Court fees - \$110.00

Documents Attachments are listed as Appendix A, B and C:

- Police Incident Report (Appendix A)
- Receipt for Incident Report (Appendix C)
- Airlines Tickets (Appendix B)

AND the Plaintiff claims:

The sum of **CI\$1,456.23**



Plaintiff Signature

Plaintiff's address for service:

Manley M. Berry 120 Butterfly Circle Bodden Town Grand Cayman
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Plaintiff's address for service: Manley M. Berry, 120 Butterfly Circle, Bodden Town, Grand Cayman