

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: 764 OF 2000

BETWEEN: WARREN LANE

PLAINTIFF

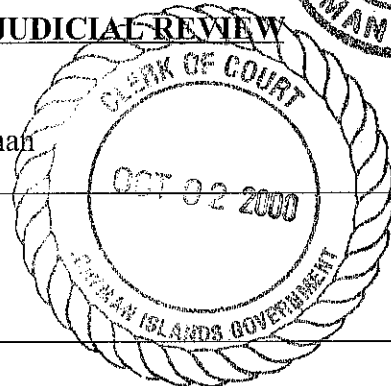
AND: SUMMARY COURT

DEFENDANT



APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

To the Clerk of Courts, Law Courts, George Town, Grand Cayman



Name, address and description of applicant

WARREN LANE

Judgment, order, decision or other proceeding in respect of which relief is sought.

Decision of Magistrate Nova Hall on 29th September 2000 to enter a plea of not guilty for the Plaintiff in the matter of R v Warren Lane Criminal charge 5924/00.

Relief Sought

- (i) Order of Certiorari to quash the said decision of the Summary Court
- (ii) Order of Mandamus for the Summary Court to accept the Plaintiff's plea of guilty.
- (iii) Costs

Name and address of applicant's attorneys, or, if no attorneys acting, the address for service of the applicant.

Polack & Co.
No. 15 Pasadora Place, Smith Road, George Town
Grand Cayman

Signed Polack & Co. Date: 2nd October 2000
Polack & Co.

GROUNDS ON WHICH RELIEF IS SOUGHT

1. That the Learned Magistrate erred in law in entering a not guilty plea for the Plaintiff on 29th September 2000 after the Plaintiff had entered a plea of guilty and the matter had proceeded to the sentencing phase in breach of Sections 66, 69 and 74 of the Criminal Procedure Code.
2. That the Learned Magistrate erred in law and in breach of the rules of natural justice by forcing the Plaintiff to contest irregular proceedings.
3. That the Learned Magistrate erred in law by permitting the prosecution to re-open their case to adduce controversial evidence.
4. That the Learned Magistrate erred in law by permitting the prosecution to re-open the case in circumstances where the substance, the subject of the certificate of analysis had not been put into evidence.

Filed by POLACK & CO. whose address for service is No. 15 Pasadora Place, Smith Road, George Town, Grand Cayman. Attorney-at-Law for the Applicant.