



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. *368* OF 2006
LEGAL AID CERT. 93/06

BETWEEN: NALIA LEONTYNE JOHNSON PLAINTIFF

AND: RADCLIFFE BANCROFT JOHNSON DEFENDANT

WRIT OF SUMMONS

TO: **Radcliffe Bancroft Johnson**
 24 Carrington Lane
 Pease Bay
 GRAND CAYMAN



THIS WRIT OF SUMMONS 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 the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the Court Office, P.O. Box 495G, George Town, Grand Cayman, the accompanying Acknowledgment of Service stating therein whether you intend to contest these proceedings.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued this ^{7th} day of *September* 2006

NOTE - This Writ may not be served later than 4 calendar months (or, if leave is required to effect service out of the jurisdiction, 6 months) beginning with the date of issue unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

PARTICULAR OF CLAIM

1. The Plaintiff is a resident of Pease Bay, Grand Cayman, Cayman Islands and has been residing in the matrimonial home with the Defendant and their three children at 24 Carrington Lane, Pease Bay, property legally described as Bodden Town, Block 48E Parcel 75 Grand Cayman.
2. The Defendant is a resident of Pease Bay, Grand Cayman, Cayman Islands and the spouse of the Plaintiff.
3. The Plaintiff and Defendant have been married for 7 years their marriage commencing on the 31st day of October 1998.
4. The parties have three children which are not of the marriage, ages ranging from 17 through 10 years of age.
5. The Defendant has been pursuing a course of conduct which amounts to harassment and physical abuse of the Plaintiff and the children.
6. The Defendant is a mature adult and ought to know that his course of conduct is unacceptable behaviour.
7. The harassment and physical abuse is potentially dangerous and life threatening to the Plaintiff and the children, as the Defendant has repeatedly hit the Plaintiff and the Plaintiff has suffered physical, verbal and mental abuse.
8. The Defendant embarrasses the Plaintiff in public places by shouting obscenities and threats at the Plaintiff.
9. This harassment of the Plaintiff and the children by the Defendant places the Plaintiff and the children in a frustrating position, as they are unable to defend

themselves because of the distress caused by the Defendant's threats, his dangerous acts and verbal abuse.

10. The Defendant is abusive toward the children and the Plaintiff is afraid that the Defendant will now take out his frustration on them.

11. The Plaintiff has stated that the Defendant has been using alcohol for the past five (5) years which has escalated his abuse toward them.

12. The Plaintiff recently obtained a letter from First Caribbean International Bank which stated that the Defendant and the Plaintiff had a joint loan. The Plaintiff was not aware of such a loan. Evidently, the Defendant fraudulently obtained the loan without knowledge of the Plaintiff.

13. The Defendant over the years has made only minimal payments to the household expenses; the majority of the expenses have been the Plaintiff's responsibility.

AND THE PLAINTIFF claims:

1. An injunction restraining the Defendant in the following manner:- with an attached Penal Notice;
 - a. An Order restraining the Defendant from the Plaintiff and the Children at all times and from the home where they presently live;
 - b. For the Defendant to be removed from the premises forthwith and that the Defendant be evicted from the matrimonial home pending the outcome of this action;
 - c. For the Defendant not to come within 50 yards of the premises or the Plaintiff;

- d. For the Defendant not to come within 50 yards of the children;
 - e. For the Defendant not to have any contact with the Plaintiff or the Children either directly or indirectly;
 - f. An Order that the Defendant be evicted.
2. That the Defendant be evicted from the matrimonial where the Plaintiff resides with their children forthwith;
 3. Any other relief this Honourable Court deems fit.
 4. Costs.

Creary & Associates

Creary & Associates, Attorneys-at-Law
Attorney – Nalia Leontyne Johnson

THIS WRIT was issued by Creary & Associates, Attorneys-at-Law whose address for service is 1428 Trafalgar Place, Suite C4, PO Box 30689, Seven Mile Beach, Grand Cayman, Cayman Islands.