

LEGAL AID NOS.

166/06

167/06

168/06

IN THE GRAND COURT OF THE CAYMAN ISLANDS

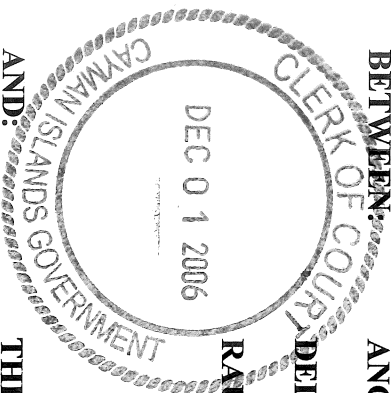
CAUSE NO. 511 OF 2006



**BETWEEN:** ANGEL DANIEL DIEGUEZ PLAINTIFF (1)

DELVIS MARTINEZ ROLOVA PLAINTIFF (2)

RAUL GARCIA HURTADO PLAINTIFF (3)



**AND:** THE DIRECTOR OF HER  
MAJESTY'S PRISON NORTHWARD  
DEFENDANT

**EX-PARTE APPLICATION FOR  
WRIT OF HABEAS CORPUS AD SUBJICIENDUM  
(GCR 0.54, r.1(1))**

To the Clerk of the Court, Law Courts, George Town, Cayman Islands	ANGEL DANIEL DIEGUEZ, DELVIS MARTINEZ ROLOVA AND RAUL GARCIA HURTADO of HMP Northward, Grand Cayman, Cayman Islands.
Name, address and description of applicants	



Judgement, order, decision or other proceeding in respect of which relief is sought	The unlawful arrest and detention in custody without bail of the Plaintiffs by the Director of HMIP Northward.
<u>Relief Sought</u>	
<ol style="list-style-type: none"> <li data-bbox="1150 248 1507 1356">1. An immediate Writ of Habeas Corpus Ad Subjiciendum be issued directed to the Director of Her Majesty's Prison Northward to have the bodies of ANGEL DANIEL DIEGUEZ, DELVIS MARTINEZ ROLOVA AND RAUL GARCIA HURTADO immediately before the Court at the Law Courts, George Town, Grand Cayman, Cayman Islands together with the day and cause of their being taken and detained, that the Court may examine and determine whether such cause is legal;</li> <li data-bbox="926 248 1073 1356">2. An Order that ANGEL DANIEL DIEGUEZ, DELVIS MARTINEZ ROLOVA AND RAUL GARCIA HURTADO be forthwith discharged out of the custody of the Director of Her Majesty's Prison Northward;</li> <li data-bbox="384 248 852 1356">3. Alternatively a Direction by the Court that an application be made by the said Plaintiffs by Originating Motion that a Writ of Habeas Corpus Ad Subjiciendum be made to the Court that the Director of Her Majesty's Prison Northward do have the bodies of ANGEL DANIEL DIEGUEZ, DELVIS MARTINEZ ROLOVA AND RAUL GARCIA HURTADO immediately before the Court at the Law Courts, George Town, Grand Cayman, Cayman Islands together with the day and cause of their being taken and detained, that the Court may examine and determine whether such cause is legal ;</li> <li data-bbox="220 248 306 1356">4. An Order that the Defendant do disclose and discover to the Plaintiffs attorney copies of all documents in the possession or control of the</li> </ol>	



**Defendant relevant to the Plaintiffs relating to the day and cause as to why the Plaintiffs were detained in custody;**

5. **Further and/or other relief; and**
6. **Costs**

**Plaintiff's Attorneys**

**STEPHEN HALL-JONES**

**Barrister & Attorney**

**Cayman Chambers**

**68, Smith Road Villas,**

**George Town,**

**Grand Cayman,**

**Cayman Islands KY1-1001,**

**PO Box 10046 APO,**

**Grand Cayman,**

**Cayman Islands,**

**Tel: 925 2224,**

**Fax: +1-305-675-7919,**

**E-mail: [SHJ@WESTSTARTYV.COM](mailto:SHJ@WESTSTARTYV.COM)**

**(Ref SHJ/LA).**

**Signed:**



**STEPHEN HALL-JONES**

**Dated: 6<sup>th</sup> November 2006**



**GROUNDNS ON WHICH RELIEF IS SOUGHT**

The Plaintiff relies on the following grounds:

1. That the custody and detention of the Plaintiffs and each of them is unlawful.
2. That the custody and detention of the Plaintiffs and each of them is a breach of their human right to liberty and their right to freedom from abuse and degrading treatment by other prisoners and prison staff pending any future prosecution;
3. Alternatively, that even if the custody and detention of the Plaintiffs is lawful that they ought in the interests of justice to be permitted to be discharged from prison pending the trial (if any) of the offences with which they and each of them stand charged either subject to no conditions or on such conditions as the Court thinks fit;

*Stephen Hall-Jones*

STEPHEN HALL-JONES  
Counsel for the Plaintiffs

