## IN THE REPUBLIC OF TRINIDAD AND TOBAGO

#### CHRISTOPHER ROSS GIDLA

#### ATTORNEY AT LAW

#### GIC2006148

#### #123 Duke STREET

#### PORT OF SPAIN

### IN THE HIGH COURT OF JUSTICE

Claim

**VONLEY AUGUSTUS JOSEPH**

**Claimant**

**AND**

**FLAVIAN JEREMIAH**

**Defendants**

**\* \* \* \* \***

**Affidavit in support**

I **VONLEY AUGUSTUS JOSEPH** of # 3 Hill Street, St.James, Port of Spain in the Island of Trinidad make oath and say as follows:-

1. I am the Claimant herein.
2. The house that is the subject matter of this application is a lot of land situated at #3 Hill Street, St.James in the City of port of Spain, with two buildings on the land one in the front with access from the Hill street and the other on the rear with access from Jameson Street(hereinafter called the “disputed land”)
3. That the Grandmother of the Claimant Late RUBY SIMMONS at the time of her death was seised and possessed of the disputed land in fee simple
4. The Deceased died on the 11th day of April, 2006 after having made and published her Will dated the 13th of May, 2005 whereof she appointed the Claimant the sole executor and thereby devised and bequeathed the disputed land for his absolute use and benefit.
5. That through the deed of assent no DE 200700555779 the dispute lands was conveyed to the claimant from the administrator Carlyle Ambrose Serrano of 141 Edward Street, in the City of Port of Spain to the Claimant after the letters of administration with will annexed of the disputed lands were granted by the High Court on 12th January, 2007. A true copy of the deed is annexed hereto and marked ‘A’.
6. That the Defendant was residing in the house which is situated at the rear with the access from Jameson Street.
7. The Defendant has no license or legal or equitable rights to the said premises and they are not tenants or tenants at will nor is there any Statutory Provisions which affect the said lands.
8. Inspite of several requests from the claimant the Defendant refused to vacate the premises.
9. In the circumstances the Claimant is asking the Honourable Court to give him possession of the premises, which he is entitled to by law.

**I HEREBY** certify that all the facts set out in the Claimant’s Statement of Case are true to the best of my knowledge, information and belief and the Claimant is entitled to the relief claimed.

Sworn to at

Port of Spain this day

of 2008.

Before me,

Commissioner of Affidavits