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Form 4 C: INFORMATION FOR COURT USE

THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE OF
GUYANA
CIVIL JURISDICTION
PROCEEDING FOR JUDICIAL REVIEW

2020-HC-DEM-CIV-FDA-

BETWEEN:

MISENGA JONES

Applicant

- and -

1. THE GUYANA ELECTIONS COMMISSION
2. CHAIRMAN OF THE GUYANA ELECTIONS
COMMISSION
3. THE CHIEF ELECTION OFFICER
4. ATTORNEY GENERAL OF GUYANA

Respondents

INFORMATION FOR COURT USE

1. This proceeding is commenced as a:

[] Statement of Claim
[X] Fixed Date Application

2. This proceeding falls under the High Court's:

- Appellate Jurisdiction
- Admiralty Jurisdiction
- Commercial Jurisdiction
- Criminal Jurisdiction
- Family Jurisdiction
- Regular Jurisdiction

(must check one of these boxes and, except where proceeding is under the regular jurisdiction of the Court, must specify the applicable jurisdiction in the General Heading (Form 4A))

3. The proceeding is a(n):

- Admiralty Proceeding in personam
- Admiralty Proceeding in rem
- Probate Proceeding
- Proceeding for Judicial Review
- Proceeding for relief under the Constitution
- Proceeding for other Administrative Order
- Proceeding for Administration
- Proceeding commenced under the Summary Jurisdiction (Appeals) Act Cap 3:03)
- Other Proceeding

(must check one of these boxes and, except where the proceeding relates to the last option, specify so on the General Heading (Form 4A))

4. I certify that the above information is correct, to the best of my knowledge.

Date: 14th day of July 2020.



B. Mayo Robertson

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FIXED DATE APPLICATION - URGENT

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FIXED DATE APPLICATION - URGENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the Applicant. The claim made by the Applicant is set out in the following pages.

THIS APPLICATION will come on for a hearing on _____ day of _____, 2020 at _____ hours at Victoria Law Courts, Avenue Republic, Georgetown, Guyana.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the Application or to be served with any documents in the application, you or an Attorney-at-Law acting for you must forthwith prepare an Affidavit in Defence in Form 10C prescribed by the Civil Procedure Rules 2016, serve it to the Applicant's Attorney-at-law or where the Applicant does not have an Attorney-at-law, serve it on the Applicant, and file it, with proof of service, at a Registry, AT LEAST FOUR DAYS before the date fixed for the hearing of the Application, and you or your Attorney-at-Law must appear at the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, AN ORDER OR JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO OPPOSE THIS APPLICATION BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

THIS NOTICE OF APPLICATION has no validity unless it served on you at least seven or four, as applicable days before the date fixed for the hearing of the application.

DATE: _____

Signature of Registry
Issued by:

Address of Registry where issued:
Avenue of the Republic,
Georgetown, Demerara, Guyana

TO:

1. THE GUYANA ELECTIONS COMMISSION
Fort Street, Kingston, Georgetown, Guyana.
2. CHAIRMAN OF THE GUYANA ELECTIONS COMMISSION
Fort Street, Kingston, Georgetown, Guyana
3. THE CHIEF ELECTION OFFICER
Fort Street, Kingston, Georgetown, Guyana
4. ATTORNEY GENERAL OF GUYANA
Attorney General's Chambers Carmichael Street, Georgetown, Guyana

APPLICATION

The Applicant makes application for:

- (i) A Declaration that this Court has jurisdiction to hear this Application on the basis of prima facie evidence that there has been noncompliance by the Guyana Elections Commission and the Chairman of the Guyana Elections Commission in that they have not complied with the constitutionally stated process as outlined in Article 177(2)(b) of the Constitution with regard to the March 2, 2020 General and Regional Elections.
- (ii) A Declaration that the Chair of the Guyana Elections Commission (GECOM) has failed to act in accordance with the advice of the Chief Election Officer as mandated by Article 177(2)(b) of the Constitution of Guyana in that she has failed to declare the Presidential candidate deemed to be elected as President in accordance with the advice tended in the report by the Chief Elections Officer dated the 11th day of July 2020.
- (iii) A Declaration that the Respondents and in particular the Guyana Elections Commission (GECOM) have no authority to declare any person as President except in accordance with the advice of the Chief Election Officer tended in his report pursuant to Section 96(1) of the Representation Act.
- (iv) A Declaration that the Respondents and in particular the Guyana Elections Commission (GECOM) have no authority to declare any person as President except in accordance with the advice of the Chief Election Officer tended in his report pursuant to Article 177(2)(b) of the Constitution of Guyana.
- (v) A Declaration that the report required by the Chief Election Officer under Section 96 of the Representation of the People Act must be based on the votes counted and information furnished by the ten (10) Returning

Officers from their respective ten (10) Electoral Districts which were submitted to the Chief Election Officer on the 13th day of March, 2020.

- (vi) A Declaration that the Chief Election Officer is not entitled to base his report required by Section 96 of the Representation of the People Act on data generated from the recount purported to be carried out under Order No. 60 of 2020.
- (vii) A Declaration that the votes counted at the National Recount pursuant to Order No. 60 of 2020 as amended, are invalid for failure to conform with the concept of valid votes described by the CCJ in its Judgement in the Appeal of Ali and Jagdeo v David, et al [2020] 10 (AJ) GY.
- (viii) A Declaration that data generated from the recount purportedly conducted under Order No. 60 of 2020 is generated by an unconstitutional process in that the Order requires decisions on validity of ballots that by Article 163(1)(b) are the exclusive province of the High Court.
- (ix) A Declaration that the votes counted and information furnished by the Returning Officers of the ten (10) Electoral Districts on March 13, 2020 contain the votes that are ex facie valid in that they were tabulated in the presence of, inter alia, the duly appointed candidates and counting agents of contesting parties and, as such, are properly the valid votes contemplated by Section 96(1) of the Representation of the People Act.
- (x) A Declaration that the Chief Election Officer is not subject to the direction of either the Chairman or GECOM in the content of the advice he is required to furnish under Article 177(2)(b) of the Constitution of Guyana.
- (xi) A Declaration that any instruction from the Chairman of GECOM purporting to direct the Chief Election Officer as to the content of the report he furnishes under Section 96(1) of the Representation of the People Act, is unlawful, void, and of no effect.

- (xii) A Declaration that letters from the Chairman of GECOM on June 13th, July 9th, and July 10th 2020 purporting to direct the Chief Election Officer as to the content of his advice and report under Article 177(2)(b) and Section 96(1) of the Representation of the People Act respectively, are unlawful, constitutional, void, and of no effect.
- (xiii) A Declaration that in particular the letter of July 9th 2020 citing Section 18 of the Election Laws (Amendment) Act No 15 of 2000 as authority that the Chief Election Officer was subject to the supervision and control of GECOM is misguided, invalid, and has no application to the Chief Election Officer in the performance of his duties under Article 177(2)(b) of the Constitution and Section 96(1) of the Representation of the People Act.
- (xiv) A Declaration that any challenge to the advice of the Chief Election Officer furnished in his report to GECOM on July 11th, 2020 can be challenged only in accordance with the provisions of Article 163 of the Constitution of Guyana, in an Election Petition Court.
- (xv) A Declaration that the Commission does not have the constitutional authority to alter the advice contained in the report submitted by the Chief Election Officer in accordance with Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the People Act.
- (xvi) A Declaration that GECOM is obligated to accept the advice of the Chief Election Officer tendered in his report submitted on June 11th 2020.
- (xvii) A Declaration that neither the Chairman nor the Commission is entitled to alter the votes counted and information forwarded by the ten (10) Returning Officers to the Chief Election Officer in accordance with Section 84 of the Representation of the People Act.

- (xviii) A Declaration that Section 22 of the Election Laws (Amendment) Act No. 15 of 2000 is unconstitutional in that it violates the separation of powers and impermissibly usurps the legislative powers of Parliament
- (xix) A Declaration that the Declarations made by the Returning Officers of the ten Electoral Districts of the votes cast by the Electors in the Electoral Districts and or Electoral Returns are final and cannot be set aside, varied and or altered by the Respondents.
- (xx) A Declaration that the Declarations of the respective Returning Officers for each Polling District after compliance with section 84 of the Representation of the People Act, of the votes cast by Electors in favour of the Lists of Candidates in Electoral Districts 1 to 10 are the Final Declarations of the votes cast by the Electors in favour of a List of Candidates in Electoral Districts 1 to 10.
- (xxi) A Declaration that the Declarations of the respective Returning Officers of Electoral Districts 1 to 10 of votes cast by Electors in favour of the Lists of Candidates in the respective Districts at the General and Regional Elections held on March 2, 2020 made on or before the 14th day of March, 2020, are the sole legal basis for the Chief Elections Officer's Report to the Chairman of the Guyana Elections Commission and the Guyana Elections Commission pursuant to section 99 of the Representation of the People Act and the Chief Elections Officer's advice tendered under Article 177 of the Constitution of Guyana
- (xxii) An Order restraining the Guyana Elections Commission from acting in any manner not consistent with the mandate set out in Article 177(2)(b) and Section 96 of the Representation of the People Act with respect to the advice and report of the Chief Election Officer tendered on July 11th 2020.

- (xxiii) An Order restraining the Chief Election Officer from acting in any manner inconsistent with the mandate contained in Article 177(2)(b) of the Constitution of Guyana and Section 96 of the Representation of the People Act in the performance of his duty to submit a report containing his advice to the Guyana Elections Commission.
- (xxiv) An Order restraining the Second Respondent whether by herself, her servants or agents, from acting in any manner inconsistent with the provisions of Article 177(2)(b) of the Constitution of Guyana as it relates to declaring a person deemed to be President.
- (xxv) An Order restraining from taking the oath of office as President of Guyana any person identified as the Presidential candidate in the list of parties contesting the elections, other than the Presidential candidate in the list which the Chief Election Officer advised in his report to GECOM on July 11, 2020 to be the list in favor of which more votes were cast.
- (xxvi) An Order setting aside the decision of the Commission not to accept the advice of the Chief Elections Officer as contained in his report dated July 10th 2020, furnished in accordance with Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the People Act.
- (xxvii) An Order setting aside the decision of the Commission purporting to invalidate the votes counted and information furnished by the ten (10) Returning Officers to the Chief Election Officer in accordance with Section 84 of the Representation of the People Act.
- (xxviii) Such further or other Orders as this Honorable Court may deem just.
- (xxix) Costs

2. THE GROUNDS FOR THIS APPLICATION ARE: -

- (i) The Applicant is a citizen of Guyana, a Registered voter in Electoral District No. 4 and was duly qualified to vote and voted at the Last General and Regional Elections held in Guyana on the 2nd day of March 2020, at Tucville Primary School
- (ii) National and Regional Elections were held in the Co-operative Republic of Guyana on the 2nd day of March 2020 during which registered voters within the ten (10) Electoral Districts cast their votes.
- (iii) The said votes were counted and tallied in accordance with the Representation of the People Act, Chapter 1:03, Laws of Guyana.
- (iv) Judicial Review proceedings were instituted against the Returning Officer of District 4, Mr. Clairmont Mingo after he had purported to issue a Declaration with respect to that District in accordance with Section 84 of the Representation of the People Act, Chapter 1:03, Laws of Guyana.
- (v) Certain orders were made by the Honourable Madam Chief Justice in the said application that occasioned the recounting of the votes on the Statement of Polls held by Mr. Clairmont Mingo for District No. 4 and a subsequent declaration was made on the 13th day of March, 2020 and which declaration has not been challenged.
- (vi) Applications for recounts made of the Returning Officers of several Electoral Districts were refused for varying reasons and all Declarations were forwarded by the various Returning Officers to the Chief Election Officer in accordance with Section 89(1)(f) of the Representation of the People Act, Chapter 1:03.

- (vii) Pursuant to section 96 (2) of the Representation of the People Act, Chapter 1:03, the Chief Election Officer after calculating the total number of valid votes of electors which had been cast, prepared his report in accordance with Subsection 96(2) for the benefit of GECOM and furnished GECOM with the same.
- (viii) Pursuant to an agreement between the President and the Leader of the Opposition and brokered by the Chairman of CARICOM a recount was undertaken on or about March 17th, 2020. However, that process was aborted after this Honorable Court on the Application of Ulita Grace Moore granted an Injunction restraining any purported recount from being carried out under the supervision of CARICOM.
- (ix) After the Court of Appeal in the case of Ulita Grace Moore vs GECOM, et al, declared that any agreement giving any person or entity other than GECOM supervisory authority over any aspect of the election would be unconstitutional, Order No. 60 of 2020 was issued by GECOM authorizing a recount in which GECOM would retain supervisory authority.
- (x) That Order in its 8th (eighth) recital made detailed provisions for assessing the validity of ballots during the recount process.
- (xi) On July 8, 2020 the Caribbean Court of Justice (CCJ) in their decision of in Jagdeo Appeal No 41 of 2020, declared that Order No. 60 could not create a new election regime and that any extra steps included in that Order to ascertain validity of votes are unconstitutional.
- (xii) The Court further declared that validity means, and could only mean, those votes that, ex facie, are valid. Determination of such

validity is a transparent exercise conducted in the presence of, inter alia, the duly appointed candidates and counting agents of contested parties.

- (xiii) After votes were duly cast in the General and Regional Elections of 2020 votes were tabulated, and spoiled and rejected ballots were removed in the presence of counting agents and representatives of the political parties by Returning Officers as required by Section 84 of the Representation of the People Act and a return in writing was issued by each of the ten (10) Returning Officers in accordance with Section 89(1)(f) of The Representation of the People Act.
- (xiv) Based on returns received from the Returning Officers of the ten (10) Electoral Districts the Chief Election Officer calculated the total number of valid votes and prepared a report as required by Section 96 of the Representation of the People Act.
- (xv) That report was furnished to the Chairman on or about the 13th day of March, 2020 and GECOM at a meeting shortly thereafter in March, 2020 decided to hold the report in abeyance because complaints had arisen concerning purported improper acts by Returning Officer Mingo which resulted in judicial review proceedings described above and out of which arose the undertaking for the recount described above.
- (xvi) At no time were the returns by the Returning Officers of the ten (10) districts set aside or invalidated by any Court or competent authority.

- (xvii) By its decision in the Ali, Jagdeo Appeal, the Caribbean Court of Justice (CCJ) effectively invalidated any report generated by the recount process as being useable in the tabulation of valid votes.
- (xviii) In paragraph 46 of its judgment the Caribbean Court of Justice (CCJ) makes it clear that it is only an Election Court that can make any further determination of valid votes once the Returning Officers have submitted their returns to the Chief Election Officer.
- (xix) The only process that meets the criteria by which the tabulation of valid votes could be made by the Chief Election Officer as required by Section 96 of the Representation of the People Act, is the process contained in the returns of the ten (10) Returning Officers furnished to the Chief Election Officer on or about the 13th day of March, 2020.
- (xx) Article 177(2)(b) of the Constitution of Guyana requires a meeting of GECOM be summoned so that it may act in accordance with the advice of the Chief Election Officer in the declaration of presidential candidate deemed to be elected as President.
- (xxi) The Chief Election Officer has calculated the total number of valid votes cast for each list of candidates as is required by Section 96 of the Representation of the People Act and has furnished his advice based on such calculation to the Chairman and each individual member of GECOM.
- (xxii) GECOM has to date failed to act on the advice of the Chief Election Officer as it is constitutionally required to do by Article 177(2)(b) of the Constitution of Guyana.

- (xxiii) By letters dated July 9th, 10th and 13th 2020. the Chairman of GECOM purported to instruct the Chief Election Officer as to the contents of the advice he is required to furnish to GECOM in accordance with Article 177(2)(b) of the Constitution of Guyana. That letter impermissibly directs the Chief Election Officer to prepare his report required by Section 96 of the Representation of the People Act “using the valid votes counted in the National Recount as per Certificate of Recount generated there from”.
- (xxiv) Such an instruction not only violates the principle that the Chief Election Officer should act independently in compiling his Section 96 report, but it also is in direct conflict with the decision of the Caribbean Court of Justice (CCJ) in the Ali, Jagdeo Appeal where the Court makes it clear that Order No. 60 of 2020 could not introduce additional requirements of credibility .
- (xxv) Recital No. 8 of Order No. 60 of 2020 introduces such prohibited new grounds and prohibited grounds were used in calculating valid votes in the National Recount.
- (xxvi) In any event Order 60 of 2020 was issued under the purported authority of Section 22 of the Election Laws (Amendment) Act which section is flagrantly unconstitutional in that it violates the principle of Separation of Powers and impermissibly usurps the legislative function of Parliament. As such any order issued under Section 22 is ipso facto unconstitutional and void.
- (xxvii) Similarly, any Recount purportedly carried out under Section 222 is unconstitutional void and of no effect.
- (xxviii) At a meeting of the GECOM held on July 13, 2020 the Commission in violation of Article 177(2)(b) of the Constitution of

Guyana and in violation of the Representation of the People Act refused to accept the advice of the Chief Election Officer tendered to the Commission on July 11, 2020.

(xxix) At the said meeting on July 13th 2020 Gecom unconstitutionally purported to invalidate the votes counted and information furnished to the Chief Election Officer by the returning officers of the 10 Electoral Districts.

(xxx) Members of the Commission nominated by the Peoples Progressive Party/Civic have made public statements that they would not accept and act on the advice furnished by the Chief Election Officer in his report made pursuant to Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the People Act.

3. The following documentary evidence will be used at the hearing of the application: -
- (i) Affidavit of Misenga Jones with exhibits.



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The Registry is located at the Law Courts, Georgetown, Demerara. The office is open to the public between 8:30 am and 3:30 pm Mondays to Thursdays and 8:30 am to 2:30 pm on Fridays, except holidays.

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4. ATTORNEY GENERAL OF GUYANA

Respondents

AFFIDAVIT OF MISENGA JONES

I, **MISENGA JONES** of 12B Tucville Georgetown, Guyana, being duly sworn,
make oath and say as follows: -

1. That I am the Applicant herein.

2. That the matter to which I depose herein are within my personal knowledge save and except where it is otherwise stated.
3. That I am a citizen of Guyana, a Registered voter in Electoral District No. 4 and was duly qualified to vote and voted at the Last General and Regional Elections held in Guyana on the 2nd day of March 2020, at the Tucville Primary School.
4. That the First Named Respondent is a Constitutional body established pursuant to Article 161 of the Constitution of the Co-operative Republic of Guyana and is responsible for, inter alia, the conduct of elections in accordance with the Constitution, the Representation of the People Act, Chapter 1:03, Laws of Guyana and such other applicable laws.
5. That the Second Named Respondent is the Chairman of the First Named Respondent.
6. That the Third Named Respondent is a Statutory Officer.
7. That the Fourth Named Respondent is the Attorney General of Guyana who is included as a Respondent because this matter raises constitutional issues.
8. That I have been advised by my Attorney-at-Law and truly believe that this Court in its decision in the Holladar case in paragraph 33 of its Judgement made it clear that the Court has jurisdiction to hear an Application as regards to whether there has been compliance with the Constitutional and Electoral Law by a GECOM official. Further, the Court in paragraph 42 of its judgement observed ***“however, there can clearly be cases where the Courts supervisory jurisdiction can be invoked to ensure the correct and smooth operation or progress of the elections proceedings or process....a Court cannot shirk its duty in this***

regard and shelter behind a contention that an elections petition should be filed when the case clearly does not so warrant”.

9. That Article 162(1)(a) of the Constitution provides that the functions of the Guyana Election Commission shall be those set out in the Constitution or such Act of Parliament as may be applicable and expressly stipulates that GECOM *“shall exercise general direction and supervision over the registration of electors and the administrative conduct of all elections of members of the National Assembly”*.
10. That the Representation of the People Act, Chapter 1:03, Laws of Guyana and the Election Laws (Amendment) Act, 2000 are two Acts of Parliament that, in addition to the Constitution, contain substantially the powers and functions of the Guyana Elections Commission.
11. I am a community organizer with a strong interest in politics. Having voted, I anxiously awaited the results of the General and Regional Elections held on the 2nd March 2020. I expected that within a few days after the said elections that there would have been a public announcement of the results and that I would know who was elected President of Guyana and all were elected members of the National Assembly.
12. That I have been advised by my Attorney-at-Law and verily believe that:
 - (a) by virtue of Section 96 (1) of the said Act, the Chief Elections Officer shall, after the Declarations have been made by all the Returning Officers for all of the ten (10) Electoral Districts and same communicated to him, calculate the total number of valid votes of electors which have been cast for each List of Candidates and, on the basis of the votes counted and the information furnished by the Returning officers, ascertain the results of the elections; and

(b) that the Chief Elections Officer upon being in receipt of the Declarations of the valid votes cast and or Electoral Returns for all ten (10) Electoral Districts is required to prepare a Report in accordance with Section 96 (2) of the Representation of the People Act and furnish same to the Guyana Elections Commission.

13. That to the best of my knowledge and belief, the Chief Election Officer has been in receipt of the said Declarations of valid votes cast, Election Return for all the Electoral Districts.
14. That I have been advised by my Attorney-at-law and verily believe that the Chief Elections Officer has thus complied with Section 96 (2) of the Representation of the People Act Chapter 1:03 and has furnished the First and Second Named Respondents with the Report pursuant to the said Section. (A copy of the Report is now shown to me and is attached hereto and marked Exhibit UM 3 (1-2).
15. That upon receipt of and upon the basis of this Report, the Guyana Elections Commission is then mandated to make a public declaration of the results of the elections in accordance with Section 99 of Representation of the People Act Chapter 1:03.
16. That the Chief Election Officer in accordance with Article 177 of the Constitution of Guyana is required to advise the Chairman and the Guyana Elections Commission that in accordance with the information furnished to him by the Returning Officers who is the Presidential Candidate who has been elected at the March 2nd, 2020, General and Regional Elections.
17. That to the best of my knowledge the Chief Election Officer has failed in accordance with Article 177 of the Constitution of Guyana to advise the

Chairman and the Guyana Elections Commission that in accordance with the information furnished to him by the Returning Officers who is the Presidential Candidate who has been elected at the March 2nd, 2020, General and Regional Elections.

18. That the Chairman of the Guyana Elections Commission is required to convene a duly summoned meeting of the Guyana Elections Commission to receive the advice of the Chief Elections Officer pursuant to Article 177 of the Constitution of Guyana
19. That since the conclusion of the said elections there have been many complaints and allegations of improprieties from all corners of the political spectrum concerning the tabulation and declaration of results of the elections.
20. That I have been advised by my Attorney-at-law and truly believe that on or about the 13th day of March, 2020 votes were counted and information furnished by the Returning Officers of the ten (10) Electoral Districts in accordance of Section 84 of the Representation of the People Act.
21. That I have been further advised by my Attorney-at-Law and verily believe that Article 162 Subsection 1 (b) of the Constitution does not permit the Guyana Elections Commission to reopen or restart any process lawfully concluded under the Representation of the People Act and to employ procedures that are outside the provisions of the Act or to instruct persons who have lawfully exercised powers or perform duties under the Act to vitiate such exercise of power or to again re-perform such duties.
22. Following the submission of votes and information by the ten (10) Returning Officers to the Chief Election Officer an Application was filed by Reeaz Holladar in the matter of Holladar v Returning Officer, Clairmont Mingo et al. Based on the Application the Court ordered the

Returning Officer for Electoral District 4 to submit a Declaration which he could certify from his personal knowledge was completed in accordance with Section 84 of the Representation of the People Act.

23. Based on what I have learnt from both the print and electronic media and which I truly believe, that as a consequence of the Order of the Honourable Madam Chief Justice, the process of tabulating the Statement of Polls was again conducted by the Returning Officer for District Four and a declaration of the valid votes cast in favour of each List of Candidates, that is to say, an Election Return was made by the Returning Officer on the 13th day of March, 2020 in accordance with Section 84 (1) of the Representation of the People Act, Chapter 1:03, Laws of Guyana.
24. That I have been advised by my Attorney-at-Law and truly believe that:
 - a. Section 96(1) of the Representation of the People Act provides that, ***“the Chief Election Officer shall, after calculating the total number of valid votes of electors which had been cast for each list of candidates, on the basis of the votes counted and information furnished by returning officers under Section 84(11), ascertain the result of the election in accordance with Sections 97 and 97”***. Further Section 96(2) of the Representation of the People Act provides as follows ***“The Chief Election Officer shall prepare a report manually and in electronic form in terms of Section 99 for the benefit of the Commission, which shall be the basis for the Commission to declare and publish the election result under Section 99”***.
25. That to the best of my knowledge and belief, the Chief Election Officer has received the votes counted and information furnished from Returning Officers of valid votes cast for all ten (10) Electoral Districts. Copies of

those submissions are attached hereto and marked Applicant's Exhibit 1(a – j).

26. From information I have seen in the print and electronic media I truly believe that the Chief Election Officer on the 11th day of July 2020 furnished each of the members of the First named Respondent, GECOM, individually as well as the Second Named Respondent with the Report pursuant to Section 96 of the Representation of the People Act. Copies of that submission is attached hereto and marked Applicant's Exhibit 2.
27. I have been advised by my Attorney-at-law and truly believe that GECOM is now statutorily obligated to make a public declaration of the results of the elections in accordance with Section 99 of Representation of the People Act Chapter 1:03 of the Laws of Guyana.
28. That in accordance with Article 177(2)(b) of the Constitution of Guyana the Chairman of GECOM shall declare the candidate deem to be elected as President and such Declaration shall be solely in accordance with the advice tendered by the Chief Election Officer in his report submitted to the Commission on July 11, 2020.
29. That based on information I have observed in the print and electronic media I truly believe that the Commission did not make the Declaration as required by Article 177 of the Constitution of Guyana in violation of the provision in the said article that requires a meeting of Gecom to be summoned after the report of the Chief Election Officer is received, for the purpose of making a declaration of the person deemed to be president based solely on the advice of the Chief Election Officer
30. That the Chairman of GECOM is required to declare the President elected in accordance with Article 177 of the Constitution of Guyana.

31. That on the 4th day of May 2020 GECOM issued an Order under the hand of its Chairman Honorable Madam Justice Claudette Singh authorising a National Recount. That Order was subsequently amended but not substantially changed. A copy of the Order is attached hereto and marked Applicant's Exhibit 3.
32. Recital 8 of Order No. 60 provides "***AND WHEREAS the Guyana Elections Commission, in exercise of the authority vested in it under Article 162 of the Constitution and pursuant to Section 22 of the Elections Laws (Amendment) Act, No. 15 of 2000, seeks to remove difficulties connected with the application of the Representation of the People Act, Chapter 1:03, in implementing its decisions related to the conduct of the aforementioned recount of all ballots cast at the said elections, including the reconciliation of the ballots issued with the ballots cast, destroyed, spoiled, stamped, and as deemed necessary, their counterfoils/stubs; authenticity of the ballots and the number of voters listed and crossed out as having voted; the number of votes cast without ID cards; the number of proxies issued and the number utilized; statistical anomalies; occurrences recorded in the Poll Book***". Paragraph 16 of the Order make the Recitals part of the Order.
33. That during the process of the Recount the Elections Commission arrogated to itself the function and authority to decide on the validity of votes cast at the March, 2,2020 General and Regional Elections.
34. That the Elections Commission developed criteria and standards for the determination of the validity of votes cast which were inconsistent with the requirements of the Representation of the People Act.
35. That votes which were determined to be valid pursuant to the process set out in the Representation of the People Act, were determined by the Election Commission to be invalid on the criteria and standards

determined by the Elections Commission during the Recount and similarly votes which were determined to be invalid pursuant to the process set out in the Representation of the People Act were determined by the Elections Commission to be valid during the Recount process.

36. That also during the Recount process different criteria and standards of validity were applied to at different times to the resolution of questions of the validity of the votes. That attached and marked exhibit 4 is the Basket of Issues developed by the Commission as evidence of both the establishment of criteria and standards by the Elections Commission inconsistent with the Representation of the People Act as well as the inconsistent application of the criteria and standards established by the Elections Commission.
37. That at the time of count at the place of poll Presiding Officers invalidated votes for want of Official Mark, that is to say the six digit stamp not being visible, ballots with names and or initials, ballot papers marked by Electors with more than one marking, torn ballot papers, but at the recount the Elections Commission validated some of those votes.
38. That the decision by the Elections Commission to validate some of the votes which were determined by the Presiding Officers to be invalid for want of the Official Mark, ballots with names and or initials, ballot papers marked by Electors with more than one marking, torn ballot papers was taken many days after the Recount process had started and consequently there were votes which had been determined by Presiding Officers to be invalid for want of Official Mark, ballots with names and or initials, ballot papers marked by Electors with more than one marking, torn ballot papers which were never validated by the Elections Commission.
39. That the Elections Commission during the Recount had initially invalidated votes where the Presiding Officers had written missing

numbers of the Official Mark, but later treated such votes as valid, but nevertheless did not revisit those votes which had earlier been treated as invalid.

40. That from May 6, 2020 to the May 23, 2020, the Elections Commission opened and examined envelopes containing spoiled ballots and determined that some of those ballots were valid votes and such ballots were recorded as valid votes.
41. That ballots which were considered to be smudged and invalid by the Presiding Officers were treated by Recount Work Station Supervisors and District Coordinators as valid based on their understanding of voter intent being clear. After May, 27, 2020 the Elections Commission took a decision to channel smudged ballots through the hierarchy for decision. This resulted in a variance because on some occasions the members of the Elections Commission and the Chairman determined such votes to be valid and on other occasions the District Coordinator made such decisions and determined such votes to be invalid.
42. That the determination of what constituted a valid vote was not only at variance with the Representation of the People Act, but was constantly changing and was never uniformly and consistently applied by the Elections Commission during the Recount process.
43. That the Work Station Supervisors, the District Coordinators and the Commissioners of the Elections Commission were never authorized by the Representation of the People Act to operate and function as Elections Officers and there was no Presiding Officer or Returning Officer present and participating during the Recount. Such Presiding Officer and Returning Officer did not operate or function in such a capacity during the Recount Process.

44. That on July 8, 2020 the Caribbean Court of Justice (CCJ) in its judgement issued in the Ali/Jagdeo v David Appeal declared at paragraph 45, *“Validity in this context means, and could only mean, those votes that, ex facie, are valid. The determination of such validity is a transparent exercise that weeds out of the process, for example, spoilt or rejected ballots. This is an exercise conducted in the presence of, inter alia, the duly appointed candidates and counting agents of contesting parties. It is after such invalid votes are weeded out that the remaining “valid votes” count towards a determination of not only the members of the National Assembly but, incidentally as well, the various listed Presidential candidates. If the integrity of a ballot, or the manner in which a vote was procured, is questioned beyond this validation exercise, say because of some fundamental irregularity such as those alleged by Mr. Harmon, then that would be a matter that must be pursued through Article 163 after the elections have been concluded”, and further at paragraph 52, “The Court also notes that an Order issued by GECOM in any particular context can never determine how the Constitution is to be interpreted. It is a matter of elementary constitutional law that if ordinary legislation is in tension with the Constitution, then the courts must give precedence to the words of the Constitution and not the other way around. With respect, the notion that Order 60 could either impact interpretation of the Constitution or create a new election regime at variance with the plain words of the Constitution is constitutionally unacceptable”.*
45. That I have been advised by my Attorney-at-Law and truly believe that Recital 8 of Order No 60 of 2020 set out a different method of determining validity than the one authorised by the CCJ in paragraph 45 of its judgement.

46. That the statutory documents required by the Representation of the People Act, that is, Form 24, the Declaration Forms to be signed by the Returning Officers are the documents which must be submitted to the Chief Elections Officer and these are the documents which must be used to declare the results of the Elections under Section 96 of the Representation of the People Act.
47. That none of the documents, (inclusive of the Statement of Recount and the Certificate of Recount) used in the Recount process were gazetted and are not required or permitted by the Representation of the People Act to be used for the Declaration of the results of the Elections under Section 96 of the Representation of the People Act.
48. That I have been further advised by my Attorney-at-Law and truly believe that Recital 8 is **in tension with** Articles 177 and 163 of the Constitution as construed by the CCJ and as such is rendered invalid in accordance with the opinion expressed by the Court in paragraph 52 of its Judgement. Further, The Order as a whole conflicts with the Representation of the People Act.
49. That I have been advised by my Attorney-at-Law and truly believe that the validation process described by the Court in paragraphs 37 and 45, inter alia, of its Judgement is reflected in the process conducted during the counting of the ballots by Returning Officers immediately after the March 2, 2020 Election. On that occasion the validation exercise was conducted **in the presence of, inter alia, the duly appointed candidates and counting agents of contesting parties.** My belief is fortified by the reference in Paragraph 37 of the Judgement to Returning Officers as the sole basis for votes to be counted under the Representation of the People Act. Returning Officers were engaged in the March count only and not in the National Recount.

50. That I have been advised by my Attorney-at-Law and truly believe that the count of votes and information transmitted by the ten (10) Returning Officers of the Electoral Districts are fully compliant with the Law as declared by the CCJ in the Ali/Jagdeo v David Appeal.
51. That further, I have been advised by my Attorney-at-Law and truly believe that the count of votes and information transmitted by the ten (10) Returning Officers of the Electoral Districts are still valid and subsisting, and though held in abeyance in the purported National Recount, were never invalidated or set aside by any Court of competent jurisdiction.
52. That by letters dated June 16, 2020, July 9, 2020, July 10, 2020 and July 13th 2020 attached hereto as Applicant's Exhibit 5(a-d), the Chairman of GECOM purported to direct the Chief Election Officer as to the content of the report containing the advice required by him under Article 177(2)(b) of the Constitution and Section 96 of the Representation of the People Act. Specifically, the Chairman directed the Chief Election Officer to prepare his report "using the valid votes counted in the National Recount as per Certificates of Recount generated therefrom".
53. That I have been advised by my Attorney-at-Law and truly believe that such a direction by the Chairman to the Chief Election Officer is constitutionally impermissible since Article 177(2)(b) was specifically enacted to introduce a degree of independence into the process of the Declaration by requiring a report from the Chief Election Officer, a technical staff person, to be used as the sole basis for the Declaration of a President. If the Commission or the Chairman were to be able to tell the Chief Election Officer what the content of that advice should be, it would mean Parliament enacted Article 177(2)(b) for no purpose.
54. That I have been advised by my Attorney-at-Law and truly believe when the Chairman seeks to invoke the authority of Section 18 of the Election

Laws (Amendment) Act her reliance on such authority is misplaced. While the Chief Election Officer is generally subject to the control and direction of the Commission such control does not extend to his constitutionally mandated duty as described in Article 177(2)(b) and Section 96 of the Representation of the People Act. Any other construction would make nonsense of the constitutional and statutory provisions which are premised on independent advice from the Chief Election Officer. Further, and in any event as the Court noted paragraph 52 of its judgement in the Ali/Jagdeo v David case, if Section 18 is **in tension with** Article 177(2)(b) of the Constitution, Section 18 must give way.

55. That I have been advised by my Attorney-at-Law and truly believe that there is no lawful impediment to the Chairman making a Declaration of the candidate deemed to be President and as such, the Court should declare that such a Declaration should be promptly made having regard to the fact that elections took place more than four (4) months ago and results have not yet been declared.
56. That I have been advised by my Attorney-at-Law and truly believe that Article 162(1)(b) of the Constitution permits GECOM to issue instructions and take such actions as appear to it necessary or expedient to ensure impartiality, fairness and compliance with the provisions of the Constitution or of any act of Parliament, only while such persons are exercising powers or performing duties in connection with the matters of GECOM but not after the lawful conclusion of the exercise of such powers or the performance of such duties.
57. That I have been further advised by my Attorney-at-Law and verily believe that Article 162 Subsection 1 (b) of the Constitution does not permit the Guyana Elections Commission to reopen or restart any process lawfully concluded under the Representation of the People Act and to employ procedures that are outside the provisions of the Act or to instruct

persons who have lawfully exercised powers or perform duties under the Act to vitiate such exercise of power or to again re-perform such duties.

58. That I have been advised by my Attorney-at-Law and truly believe that any failure of GECOM to carry out its mandate pursuant to Section 99 of the Representation of the People Act would amount to a dereliction of duty and non-compliance with its statutory mandate and is unconstitutional, unlawful, illegal, improper and arbitrary.
59. That I have been advised by my Attorney-at-Law and truly believe that as a registered voter at the last General and Regional Elections held, I am owed by the Respondent, a constitutional duty to act fairly towards me and to execute its mandate in compliance with Section 99 of the Representation of the People Act, Chapter 1:03, provided there is no lawful impediment to same. There is no such lawful impediment in this instance.
60. That I have been advised by my Attorney-at-Law and truly believe that moreover, as a registered voter at the last General and Regional Elections, I am entitled to legitimately expect that, Section 96(1) of the Representation of the People Act having been complied with by the Chief Election Officer in that he has prepared a Report in the terms of Section 99 for the benefit of GECOM, GECOM would proceed to act in accordance with Article 177(2)(b) and Section 96(1) of the Representation of the People Act.
61. That from information I received in both the print and the electronic media I believe that at a meeting held on July 13th 2020 GECOM refused to accept or act on the advice furnished to it in his report by the Chief Election Officer.

62. I have been advised by my Attorney and truly believe that such failure by GECOM to accept and act on the advice of the Chief Election Officer tendered on July 11th, 2020 pursuant to Article 177(2)(b) and Section 96(1) of the Representation of the People Act amounts to a violation of their constitutional duty to act solely on the advice of the Chief Election Officer contained in the said report in declaring the person deemed to be elected as President.
63. That I have seen reports in both the print and electronic media which I believe that GECOM intends to attempt a swearing in of a person other than the person identified as the Presidential candidate on the list in favor of which the Chief Election Officer reported that more votes were cast.
64. That I have been advised by my Attorney-at-Law and truly believe that such action would be a flagrant violation of Constitutional provision contained in Article 177(2)(b) and Section 96(1) of the Representation of the People Act.
65. That I have received information in both print and electronic media which I truly believe to be accurate that GECOM in a meeting on July 13th 2020 took a decision purported to invalidate the votes counted and information furnished by the ten (10) Returning Officers to the Chief Election Officer immediately following the March 2nd 2020 Elections in accordance with Section 86 of the Representation of the People Act.
66. That I have been informed by my attorney and truly believe that such action by GECOM is a violation of Article 163 of the Constitution of Guyana that requires any challenges about the lawfulness of the conduct of an Election to be brought exclusively in the High Court.
67. That I am further informed by my attorney and verily believe that this action is also in flagrant violation of the ruling of the Caribbean Court of

Justice (CCJ) in the Appeal of Ali and Jadeo v Eslyn David and others and in particular paragraph 37 and 45 of that judgment.

68. That I have received information in both print and electronic media which I truly believe to be accurate that GECOM in a meeting on July 13th 2020 took a decision not to accept the advice contained in the report of the Chief Election Officer and furnished to the Commission on July 10th 2020.
69. That I have been informed by my attorney and truly believe that such action is a violation of Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the people Act.
70. That from information contained in Order 60 of 2020, exhibit 3, the Commission purported to act under Section 22 of the Election Laws (Amendment) Act No. 15 of 2000.
71. That I have been advised by my attorney and I truly believe that Section 22 of the said Act is unconstitutional in that it seeks to give to the Commission the power to legislate and is thus an impermissible violation of the doctrine of separation of powers and an unconstitutional usurpation of the constitutional authority of Parliament to enact substantive legislation.
72. Further, I have been advised by my attorney and truly believe that any recount conducted under the authority of Section 22 is unlawful, void and of no effect.
73. That in the above circumstances, Application is hereby respectfully made for the Declarations prayed in the Application filed herein.
74. That this Affidavit is prepared in accordance with my instructions by Mr. B. Mayo Robertson, Attorney-at-Law of Lot 166 Charlotte Street,

Lacytown, Georgetown, Guyana who is authorized to represent me in all aspects of this Application.

.....
MISENGA JONES

Sworn to at Georgetown, Demerara,

this day of July 2020.

BEFORE ME

A COMMISSIONER OF OATHS TO AFFIDAVITS

THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE OF
GUYANA
CIVIL JURISDICTION
PROCEEDING FOR JUDICIAL REVIEW

2020-HC-DEM-CIV-FDA-

BETWEEN:

MISENGA JONES

Applicant

- and -

5. THE GUYANA ELECTIONS COMMISSION
6. CHAIRMAN OF THE GUYANA ELECTIONS
COMMISSION
7. THE CHIEF ELECTION OFFICER
8. ATTORNEY GENERAL OF GUYANA

Respondents

BEFORE THE HONOURABLE

JUSTICE _____

DATED THE DAY OF 2020.

B. MAYO ROBERTSON, Attorney-at-Law for the Applicant

ORDER

THIS APPLICATION, made by **MISENGA JONES** was heard this _____ day
of _____ 2020, at the High Court, Georgetown.

ON READING the Application and on hearing the submissions of Counsel.

THIS COURT ORDERS THAT:

1. The Guyana Elections Commission be and they are hereby are restrained from acting in any manner not consistent with the mandate set out in Article 177(2)(b) and Section 96 of the Representation of the People Act with respect to the advice and report of the Chief Election Officer tendered on July 11th 2020; and it is further

ORDERED THAT:

2. The Chief Election Officer be and hereby is restrained from acting in any manner inconsistent with the mandate contained in Article 177(2)(b) of the Constitution of Guyana and Section 96 of the Representation of the People Act in the performance of his duty to submit a report containing his advice to the Guyana Elections Commission; and it is further

ORDERED THAT:

3. The Second named Respondent be and she hereby is, whether by herself, her servants or agents, from acting in any manner inconsistent with the provisions of Article 177(2)(b) of the Constitution of Guyana as it relates to declaring a person deemed to be President; and it is further

ORDERED THAT:

4. No person identified as the Presidential candidate in the list of parties contesting the Election, other than the Presidential candidate on the list which the Chief Election Officer advised in his report to GECOM on

July 11, 2020 to be the list in favor of which more votes were cast. shall take the oath of office as President of Guyana; and it is further

ORDERED THAT:

5. The decision of the Commission not to accept the advice of the Chief Elections Officer as contained in his report dated July 10th 2020, furnished in accordance with Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the People Act be and it is hereby set aside; and it is further

ORDERED THAT:

6. The decision of the Commission invalidating the votes counted and information furnished by the ten (10) Returning Officers to the Chief Election Officer in accordance with Section 84 of the Representation of the People Act be and it is hereby set aside; and further

THIS COURT DECLARES THAT:

7. This Court has jurisdiction to hear this Application on the basis of prima facie evidence that there has been noncompliance by the Guyana Elections Commission and the Chairman of the Guyana Elections Commission in that they have not complied with the constitutionally stated process as outlined in Article 177(2)(b) of the Constitution with regard to the March 2, 2020 General and Regional Elections.
8. The Chair of the Guyana Elections Commission (GECOM) has failed to act in accordance with the advice of the Chief Election Officer as mandated by Article 177(2)(b) of the Constitution of Guyana in that she has failed to declare the Presidential candidate deemed to be

elected as President in accordance with the advice tendered in the report by the Chief Elections Officer dated the 11th day of July 2020.

9. The Respondents and in particular the Guyana Elections Commission (GECOM) has no authority to declare any person as President except in accordance with the advice of the Chief Election Officer tendered in his report pursuant to Section 96(1) of the Representation of the People Act.
10. The report required by the Chief Election Officer under Section 96 of the Representation of the People Act must be based on the declarations of the ten (10) Returning Officers from their respective ten (10) Electoral Districts which were submitted to the Chief Election Officer on the 13th day of March, 2020.
11. The Chief Election Officer is not entitled to base his report required by Section 96 of the Representation of the People Act on data generated from the recount purported to be carried out under Order No. 60 of 2020.
12. Data generated from the recount purportedly conducted under Order No. 60 of 2020 is generated by an unconstitutional process in that the Order requires decisions on validity of ballots that by Article 163(1)(b) are the exclusive province of the High Court.
13. The Declarations made by the Returning Officers of the ten (10) Electoral Districts on March 13, 2020 contain the votes that are *ex facie* valid in that there were tabulated in the presence of, *inter alia*, the duly appointed candidates and counting agents of contesting parties.
14. Any challenge as to whether the result of the March 2nd General and Regional Elections was affected by any purported unlawful conduct of

any Returning Officer or other Official must be resolved exclusively by the High Court via election petition in accordance Article 163(1)(b) of the Constitution of Guyana.

15. A Declaration that the Chairman of the Guyana Elections Commission (GECOM) must summon a meeting of the Guyana Elections Commission as soon as is practicable, to receive the report of the Chief Election Officer.
16. The Chief Election Officer is not subject to the direction of either the Chairman or GECOM in the content of the advice he is required to furnish under Article 177(2)(b) of the Constitution of Guyana.
17. Any instruction from the Chairman of GECOM purporting to direct the Chief Election Officer as to the content of the advice he furnishes in accordance with Article 177(2)(b) of the Constitution, is unlawful, void, and of no effect.
18. The letter of July 9th 2020 citing Section 18 of the Election Laws (Amendment) Act No 15 of 2000 as authority that the Chief Election Officer was subject to the supervision and control of GECOM is inconsistent, invalid, and has no application to the Chief Election Officer in the performance of his duties under Article 177(2)(b) of the Constitution and Section 96(1) of the Representation of the People Act.
19. Any challenge to the advice of the Chief Election Officer furnished in his report to GECOM on July 11th, 2020 can be challenged only in accordance with the provisions of Article 163 of the Constitution of Guyana, in an Election Petition Court.

20. The Commission does not have the constitutional authority to alter the advice contained in the report submitted by the Chief Election Officer in accordance with Article 177(2)(b) of the Constitution of Guyana and Section 96(1) of the Representation of the People Act.
21. Guyana Elections Commission (GECOM) is obligated to accept the advice of the Chief Election Officer tendered in his report submitted on June 11th 2020.
22. Neither the Chairman nor the Commission is entitled to alter the votes counted and information forwarded by the ten (10) Returning Officers to the Chief Election Officer in accordance with Section 84 of the Representation of the People Act.
23. Section 22 of the Election Laws (Amendment) Act No. 15 of 2000 is unconstitutional in that it violates the separation of powers and impermissibly usurps the legislative powers of Parliament
24. The Declarations made by the Returning Officers of the ten (10) Electoral Districts of the votes cast by the Electors in the Electoral Districts and or Electoral Returns are final and cannot be set aside, varied and or altered by the Respondents A Declaration that the Declarations of the respective Returning Officers for each Polling District after compliance with section 84 of the Representation of the People Act, of the votes cast by Electors in favour of the Lists of Candidates in Electoral Districts one (1) to ten (10) are the Final Declarations of the votes cast by the Electors in favour of a List of Candidates in Electoral Districts one (1) to ten (10).
25. The Declarations of the respective Returning Officers of Electoral Districts one (1) to ten (10) of votes cast by Electors in favour of the Lists of Candidates in the respective Districts at the General and

Regional Elections held on March 2, 2020 made on or before the 14th day of March, 2020, are the sole legal basis for the Chief Elections Officer's Report to the Chairman of the Guyana Elections Commission and the Guyana Elections Commission pursuant to section 99 of the Representation of the People Act and the Chief Elections Officer's advice tendered under Article 177 of the Constitution of Guyana and it is hereby further

ORDERED that the Applicant be awarded costs in the amount of _____.

.....
Signature of Judge/Registrar

PLEASE BE ADVISED THAT YOU HAVE THE RIGHT TO MAKE AN APPLICATION TO SET ASIDE OR VARY THE AFORESAID ORDER(S) WITHIN FOURTEEN (14) DAYS OF THE DATE OF THE SAID ORDERS.

IF YOU FAIL TO COMPLY WITH THE TERMS OF THIS ORDER, YOU WILL BE IN CONTEMPT OF COURT AND MAY BE LIABLE IMPROSIONMENT OR TO HAVE YOUR ASSETS CONDISCATED.

Filing Attorneys-at-Law: **B. MAYO ROBERTSON**

Attorney-at-law

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Georgetown, Guyana

Tel: 225-7287

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THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE OF
GUYANA

CIVIL JURISDICTION

PROCEEDING FOR JUDICIAL REVIEW

2020-HC-DEM-CIV-FDA-

BETWEEN:

MISENGA JONES

Applicant

- and -

5. THE GUYANA ELECTIONS COMMISSION

6. CHAIRMAN OF THE GUYANA ELECTIONS
COMMISSION

7. THE CHIEF ELECTION OFFICER

8. ATTORNEY GENERAL OF GUYANA

Respondents

FIXED DATE APPLICATION - URGENT

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BETWEEN:

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- and -

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11. THE CHIEF ELECTION OFFICER

12. ATTORNEY GENERAL OF GUYANA

Respondents

INFORMATION FOR COURT USE

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BETWEEN:

MISENGA JONES

Applicant

- and -

13. THE GUYANA ELECTIONS COMMISSION

14. CHAIRMAN OF THE GUYANA ELECTIONS
COMMISSION

15. THE CHIEF ELECTION OFFICER

16. ATTORNEY GENERAL OF GUYANA

Respondents

ORDER OF COURT

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THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE OF
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CIVIL JURISDICTION

PROCEEDING FOR JUDICIAL REVIEW

2020-HC-DEM-CIV-FDA-

BETWEEN:

MISENGA JONES

Applicant

- and -

17. THE GUYANA ELECTIONS COMMISSION

18. CHAIRMAN OF THE GUYANA ELECTIONS
COMMISSION

19. THE CHIEF ELECTION OFFICER

20. ATTORNEY GENERAL OF GUYANA

Respondents

AFFIDAVIT IN SUPPORT OF APPLICATION

