

*Goonhillend Cottage Goongumpas Redruth Cornwall TR16 5JL*

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27 April 2010

Mrs Nicky Deery  
Exeter Crown & County Court  
Southernhay Gardens  
EXETER  
Devon  
EX1 1UH      Also by e-mail and fax

Dear Mrs Deery

**PZ 200604 / Crime reference 843 15 April 2010**

Judge Griggs

Unsurprisingly I have not had a reply to any of my e-mails requesting that Judge Griggs (or the Court) supply proof that allegations and statements he has made are truthful. Mr Malvaney of the OJC has advised that if I believe that a Judge is untruthful then I should make a complaint to the police and not the OJC. I believe Judge Griggs has made untruthful allegations and statements and have taken [Mr Malvaney's advice](#) (First attachment).

Judge Wainwright

In your letter of [5 February 2010](#) you state (regarding my [29 June 2009 application](#)) that *"the District Judge confirmed that the consequences of the order of His Honour Judge Griggs on 14 July 2009 was that unless and until Mr and/or Mrs Layte successfully appeal that order, any consequential directions relating to the costs must fall (sic)"*. Subsequently you confirmed that *"the District Judge"* was Judge Wainwright. Mr Malvaney of the OJC has advised (in an un-solicited "letter" attached to an e-mail) that, since I disagree with this "direction", the only option I have is to apply to set it aside or appeal it. I will apply to set aside the "direction" allegedly made by Judge Wainwright sometime in July 2009 however the only evidence that it ever existed is your letter of [5 February 2010](#) which of course is not sufficient to base an application on. Will you please supply me with a copy of the "direction" together with a statutory declaration (or affirmation) stating that the "direction" is genuine, it has been present in the Court file since July 2009 and "it" is not a figment of your imagination and/or something Judge Wainwright recently told you happened and you did not check the Court file to ascertain she was telling you the truth. In the absence of such a statutory declaration (within 10 working days please) I will take it that Judge Wainwright was not telling you the truth and will again take Mr Mulvaney's advice regarding untruthful Judges.

Judge Griggs has said (several times) that we must make an application to appeal his order of 14 July 2009 (that, despite his denials, he deliberately went ahead with in full knowledge that we would both not be able to attend). We have said (several times) we will not make such an application because we agree with the order he made in our absence. Judge Griggs seems to think his order means something different to what it states. Five months after the order he supplied a copy of the Judgement he made at the hearing which only confirms he set aside Judge Wainwright's two orders because she

should not have “deemed” our applications to be “applications for relief from sanctions” (as regards her 10 September 2007 order). Again we agree. Judge Wainwright should not have deemed our applications to be “applications for relief from sanctions” because they were not. We do not need relief from sanctions regarding her 10 September 2007 order because we complied with that order some six months before it was made.

#### Future applications

Judge Griggs has stated in his order of the 30 October 2009 (drawn 17 November 2009 by Mr Clarke. N.B. 21 days are allowed to appeal) that the effect of his 14 July 2009 order was to “resurrect” Judge Wainwright’s order of [12 September 2007](#) (actually he means 10 September 2007). There is nothing in his Order, or the belatedly supplied Judgement, which states this but if this the case then he has also resurrected our right to appeal (or set aside) Judge Wainwright’s order. Thus :-

1. We will apply to set aside the [order of 10 September 2007](#) on the grounds that it was unfair and unjust and in any case we had complied with it six months before it was made. We will seek compensation from the Court regarding the three year delay in paying our costs occasioned by Judge Wainwright’s mishandling of the case and Judge Griggs’s subsequent (false) belief that Judge Wainwright had judged our bills to be in a non compliant form when in fact they were compliant and the paying party was perfectly capable of disputing them (as has now been proved regarding the second Defendant’s bill)
2. Mr Arthur has failed to comply with Judge Wainwright’s [16 March 2009 order](#) (requiring points of dispute to my bill of costs). I will apply for a Defaults Costs Certificate.
3. Alternatively to 2. and provided that you supply a copy of the “direction” you allege Judge Wainwright made in July 2009 and a stat dec/affirmation within 10 days I will apply to set aside the direction that rejected my 29 June 2009 application and will expect my [29 June 2009 application](#) to be dealt with properly.

I look forward to your reply.

Yours sincerely

**COPY**

J.H. Layte

Cc The Chief Constable Devon & Cornwall police  
E-mail attachment to various (see e-mail recipients)