



[2022] JMSC Civ. 249

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

IN CIVIL DIVISION

CLAIM NO. SU2020CV04592

**IN THE MATTER OF AN APPLICATION BY
RITA BECKFORD FOR A DECLARATION OF
PRESUMPTION OF DEATH OF **MICHAEL
BECKFORD****

RE: MICHAEL BECKFORD

IN CHAMBERS

**Miss Kayann A. Balli, instructed by the Norman Manley Law School Legal Aid
Clinic, on behalf of the Applicant.**

Heard: May 12, 2022 and June 27, 2022

**Presumption of Death - Law of Persons - Continuous absence for seven years -
Exposure to special peril/danger - Discretion of the Court - Factors to be
Considered.**

MAXINE JACKSON, J (AG.)

INTRODUCTION

[1] Michael Beckford went missing on Thursday, 27 July 2007. His wife, Rita Beckford, the applicant, now seeks a declaration that he be presumed dead.

[2] The only issue for this court to decide is whether to grant the order.

The Evidence

- [3] The evidence supporting this application includes affidavits detailing Mr. Beckford's strong relationships and connections with the affiants. They collectively state that leaving without contact or communication with them is uncharacteristic of him. The court reproduces their account verbatim, even though some may breach the hearsay rule. The verbatim account serves to preserve the honour of his loved ones and associates while also protecting the dignity with which they choose to express such views. The hearsay aspect, in this court's view, provides relevant context.

Camille Beckford Morrison,

- [4] Camille Beckford Morrison, his daughter, was the last person to see him. Here are the relevant portions of her account:

"1....

2.... On or about July 26, 2007, sometime after 9:00 p.m., my father visited my house for one of his usual visits. We had dinner together and watched a movie. After the movie, he said he would head home to his house at 22 City View Road. That was about 1:00 a.m.

3... I tried to discourage my father from leaving at that time of night because a resident in the community had been shot and killed the day before, making the community tense. Given the circumstances, I did not feel it was safe for him to be out at that time. I told him he could stay at the house until morning, but he rejected my offer and decided to go home. He left for his house shortly afterwards.

4... That was the last time I saw my father. I have not seen or heard from him since.

5...On Saturday morning, July 28, I received a call from my stepmother, Miss Rita, asking whether I was with him. That was the first time I learned he had not

made it home and was missing. After I received the call, I tried calling him directly, but there was no response. His phone rang without an answer. It was very unusual for my father not to be in touch with either me or Miss Rita, as he habitually told her where he would be. My father was not the type to stay away from his home or family and be out of touch with his community for any length of time. I have not seen or heard from him for over 13 years.”

6....”

The Applicant

[5] The material aspects of her account was fashioned as follows:

“1....

2. My husband, Michael Beckford, was born on 23 August 1959 and was a plumber by trade. He had two children before we were married: Marvin Beckford and Camille Beckford-Morrison. I did not know Marvin, as he died before we got married. Camille is the only surviving child, and they shared a very close relationship. Up to the time he went missing, she was living in Jack’s Hill, in a section called Top Road, which is about two miles from our home. Camille now lives in Portmore, Saint Catherine, having moved from the community after Michael went missing because she thought his disappearance was suspicious.

3....

4.... Michael had a habit of visiting her regularly, especially during the week when I was at work. It was like his second home. Even so, he would tell me when he was going to check on her and let me know when he got home.

5... The last time I heard from my husband was on Thursday, 26 July 2007. To my knowledge, he was working at a building site. When we spoke, he told me he was going to Camille. I am aware that he was there until very early on Friday morning, 27 July 2007.

6... *Based on what I know of his work schedule, he was expected to visit another plumbing job in the country with my boss, Billy Brown, on the same Friday. I called him on Friday and received no reply. I am aware that he did not attend his job. Mr. Brown also contacted him but received no reply.*

7.... *When he did not come on the Saturday, which was the Sabbath, or make any contact, I grew worried. So, I called Camille to check if he was there. That's when she told me he had left her early on Friday morning, even though she had asked him not to go out because it was so late. She hadn't heard from him since.*

8.... *Michael also had family members living in Papine, Saint Andrew, and Saint Mary. I contacted them, but they have neither seen nor heard from him.*

9... *By Sunday, I was very worried. Camille, one of his cousins from Papine, and I went to the Papine Police Station to report it. A missing person advisory for my husband, along with a picture of him, was broadcast on Television Jamaica on 29 July 2007. I have not received any response to date from the advisory.*

“10... *No one has heard from Michael since July 2007. About three years later, family members are still contacting me asking about him, which tells me they have not heard from him either.*”

11.... *Members of the community and our church family at the Jacks Hill Seventh-Day Adventist church have not heard from him. He was well-loved in the community and highly involved in the church. He had a habit of always informing me of his whereabouts, and it was very unusual for him to go anywhere without letting me know.*

12... *It has been over ten years (10) since I or anyone else last heard from Michael. At the time of his disappearance, he was in a good relationship with me, and there is no reason why he wouldn't make contact to inform me of his whereabouts.*

13....”

Courtney Wright

- [6] Courtney Wright was a very close friend and associate of Mr. Beckford. The pertinent part of his account recorded by this court is as follows:

"1....

2... I have known Michael since we were growing up in Jack's Hill. Even though he was older than me, we were good friends and had a close relationship throughout our adult years.

3... For over twenty years, he and I worked together. He was a plumber, and he would take me along with him on his plumbing jobs. We worked as a team. Given the amount of time we spent together, I came to know him well.

4.... Additionally, we have been members of the Jacks Hill Seventh Day Adventist Church and served on the Deacon Board. Michael was the head Deacon and was repeatedly elected to this position in the church for nearly 20 years. Due to his role, we also worked together on several church maintenance projects for which he was responsible over the years. I know him to be a man of faith and dedication.

5... Deacon Beckford was actively involved in church life and the community. Some of his responsibilities as head deacon included collecting the offering, helping with the maintenance of the church, preaching, and leading discussions in Sabbath School. He also assisted with the operational aspects of the Crusades in the community. The church held crusades at least twice a year.

6.... As head deacon, Michael was next in line after the pastor. He was reliable, and his words could be trusted. He was highly respected and regarded with respect in the community. Because of his involvement in church and community life, whenever there were flare-ups of violence in the area, he did not back down in fear. He carried on with his activities believing he was not in danger, as he had a good relationship with the community and was not involved with anyone.

7.....

8... *The day before he went missing, we had been scheduled for a job the next day. He packed his tools that day, and they remained on the site. It surprised me that he did not turn up for work. It was not his habit to leave without informing anyone.*

9... *When I didn't see him come to work, I thought that something must be wrong. As far as I could remember, it was the first time something like this had happened.*

I do not know of him being ill when I last saw him. When he left work, he seemed fine from what I could tell; he just never showed up, and that had never happened before.

11... *If Mr. Beckford is not working, he is usually at his home, so I went to his house to check on him. His shoes were there, and his clothes were well pressed and laid out on his bed in readiness for work the next morning, Friday. No one knew where he was.*

12... *His wife said he did not come home on Friday and was not at church on Saturday. All of this was strange behaviour for him.*

13... *The only explanation for what happened was that he probably went to see his daughter, believing it was safe for him to do so since neither he nor anyone else was involved in any dispute. He never made it back home. Since then, I have not seen or heard from him.*

14... *It has been over ten years since I last saw Michael, whether at church, in our community, at work, or elsewhere. Considering our relationship, there is no reason for him not to have made contact with me...*

15.....”

Wayne Silvera

- [7] Mr Silvera is the stepson of Mr Beckford; the main portion of his accounts states the following:

“1....

2.... It is said that men took Mr. Beckford away and killed him. I believe that is true because of the ongoing war in the community at the time... It is my honest opinion that this is what happened to Mr. Beckford; he probably encountered the wrong group of men that night, and they killed him.

3.....

4... When I heard about him going missing, I thought it looked like, when he was coming, he encountered men in a car who might have killed him. People heard a shot fired that night. I heard that shot too, so the theory is that those same men met up with him and took him away. Then I heard he was missing. I connected the dots, and it seemed that this is what happened.

5.... Mr. Beckford was not the sort of person to just get up and leave without informing anyone, especially given that he had children and grandchildren. From what I understand, he wasn't someone who would become fed up and simply sever ties like that. Perhaps he encountered the wrong individuals, and they took him away and killed him. He had been warned not to go out late at night because the community was tense.

6.... It's a lot of people we hear about who go missing, and we cannot find their bodies.

7....”

Further Orders given by the Court

- [8] After reviewing the evidence, I concluded that both the additional steps and those previously taken required updating. The court ordered inquiries to be made with the Passport, Immigration and Citizenship Agency, the Registrar General's Department, the University Hospital of the West Indies, Kingston Public Hospital,

the Department of Correctional Services, and through publications in the print media.

- [9] These yielded no positive results. The Passport Immigration and Citizenship Agency's Border Management System revealed that the agency had no record of him leaving any ports within the island, and their office had never issued him a travel document. The Registrar General's Department stated that there were no records of anyone registering Mr. Beckford's death, nor was there any pending application for the registration of his death.
- [10] The University Hospital of the West Indies reported that its records show Mr. Beckford has never been admitted or treated there since his disappearance in July 2007. The Department of Correctional Services confirmed that its records indicate Mr. Beckford has not been incarcerated or detained at any of its facilities. A missing person's report concerning Mr. Beckford was published in the Gleaner on 6 June 2022, and there has been no response to the advertisement or contact from the applicant.
- [11] Having considered this further information regarding the efforts to investigate Mr. Beckford's whereabouts, the court is now better placed to assess the evidence and exercise discretion on whether it is reasonable to grant the order.

The Law

- [12] Rule 68.47 of the **Civil Procedure Rules 2002** outlines the procedure for making an application to swear to death. The party must, among other requirements, provide a summary of the evidence on which the court is to presume death.
- [13] In Jamaica, the court's authority to issue a presumption of death order is based on common law, which contrasts with most other common law and civil law jurisdictions. For example, the United Kingdom enacted the **Presumption of Death Act** in 2013, which took effect in 2014.

- [14] The common law presumes a person to be dead if they have not been seen or heard from continuously for seven years. The development of law was illustrated in **Eagle v. Emmet**, 4 Bradf NY 117 118, as follows:

"The common law is in accordance with the civil law, in the adoption of the principle that the continuation of life is presumed until the contrary is shown. The statutes relative to bigamy, and to leases for life...[made] an inroad upon this doctrine, and established a rule which was ultimately adopted by way of analogy, in cases beyond the purview of the statutes. Accordingly, when a party has been absent for seven years since any intelligence of him, he is, in contemplation of law, presumed to be dead."
(My emphasis)

- [15] In **Re Watkins** [1953] 1 WLR 1323, at page 1330, the court clarified how to approach these applications in the absence of a statutory framework. It was held as follows:

"In the absence of a statute, there is no magic in the mere fact that a period of seven years elapses without there being positive evidence of a person being alive. It is generally speaking a matter in each case of taking the facts as a whole and balancing, as a jury would, the respective probabilities of life continuing or having ceased."

- [16] Consideration has also been given to situations where a person has been missing for less than seven years. In the cases of **Davie v. Briggs** (97 U.S. Reports 628) and **Re Burgess**, 2004 BCSC 62, the courts have granted applications in which individuals have been declared missing for less than seven years. In **Davie v. Briggs**, the court provided this guidance for judges as follows:

"If it appears in evidence that the absent person within the seven years encountered some specific peril or within that period came within the range of some impending or imminent danger, which might reasonably be expected to destroy life, the Court, or jury, may infer that life ceased before the expiration of the seven years."

- [17] Karen Nunez-Tesheira, in her text, "**Non-Contentious Probate Practice in the English-Speaking Caribbean**," contributes to this discourse by writing that:

"The general rule is that where a person has not been seen or heard of for a period of seven years or more, such person may be presumed dead...however... leave may be obtained in a shorter period where there is cogent evidence to raise such presumption".

- [18] In **Re Beagle Hole, 1908 TS, 49**, guidance on how a court should handle these applications was helpfully provided by Chief Justice Innes. The learned Chief Justice stated as follows:

"..... I am satisfied that it was not a hard and fast rule of the Roman-Dutch law that the court was bound to presume death after the lapse of any fixed period of years. Some writers did hold that view. And various terms were suggested, seven years, nine years, fifteen years, and so on. But the weight of authority seems to have been in favour of leaving the question in each case to the discretion of the judge. Schorer (Note 45) is of that opinion; and..... who discusses the subject at considerable length, says the matter is entirely one for the discretion of the judge. In coming to a conclusion, he adds the judge should take into consideration the age of the absent person at the date of disappearance his position in life; his occupation, whether he was exposed to any special risk or danger, and so on; and taking all these circumstances into consideration he should deal with each case upon its merits.... That was the rule of the Roman-Dutch law, and I think it was a sound, common-sense one. It left full discretion to the judge; it laid down the lines upon which that discretion should be exercised, and it gave him power to safeguard the interests of the absent person...."

- [19] Decades later, Didcott J., in a decision originating from South Africa in **ex parte Govender**, 1993, 4 All SA 772 (D) Division, held that:

"The court requested to presume the death of a person will not do so unless it is satisfied that such can rightly and should therefore be inferred on a preponderance of probability from the evidence adduced in the proceedings. Whether the inference can rightly be drawn in any given case is always a question of fact, the answer to which depends on its own particular circumstances. Over the years, judicial accord has developed, ... about the treatment of one set of facts. It consists simply of the disappearance of the person concerned and his subsequent absence from the scene. Those circumstances, standing alone, are generally regarded as insufficient to warrant the inference that the explanation from them lies in his death, even when he has been absent for a long time. Something more suggestive of the explanation is required in addition. That he disappeared in an intrinsically dangerous situation or area, for instance, will usually tip the scales once such is the case. So the fact that, although his disappearance remains an unsolved mystery, he can no longer be alive without having reached an age so great that it exceeds any span of life which is realistically imaginable with reference to him."

- [20] Recently, in **Ex parte application of Anna Christina Bezuidenhoudt**, [2019] NAHCMB 374 (26 September 2019), Masuku J, opined that:

“[14] ...In Ex parte Rookminia: In re Sardha, Caney AJP, after reference to relevant authorities, namely, In re: Widdicombe, opined that ‘there are two grounds upon which orders presuming death are granted: the one is based upon the time between the disappearance of the person concerned and the application to presume his death being so long as to raise the inference that he is dead. The other is based upon his disappearance in circumstances which would lead to the inference that he died at a particular time.

“[15] ... whether death should be presumed in any case, is a matter that has to be left to the judicial sagacity of the court seized with the therewith and in that connection, the court has a discretion which is to be exercised judicially, and in accordance with the circumstances and the dictates of the particular case at hand. The court has to answer the question by looking at the complete conspectus of the facts and the circumstances at hand and decide whether on a balance of probabilities, it can be said that the person in question is dead and should for that reason be presumed so.”

Application of the principles as established in law to the facts

[21] Considering the valuable guidance and principles derived from the law, I now need to review several factors relevant to this case. These include Mr. Beckford's age at the time of his disappearance and when the application was made, the nature of his relationship with the witnesses, the circumstances surrounding his disappearance, any information about his behaviour or conversations prior to going missing, media coverage about him, evidence of enquiries from the church he attended, whether he has unresolved debts, activity in his bank account, whether he applied for a pension, recent travel history, any social media activity since his disappearance, and whether media reports about his disappearance led to information regarding his whereabouts.

[22] In addition to the above, I must also remind myself of the caution set out in ***Ex parte application of Anna Christina Bezuideenhoudt***, Masuku J, that:

“[13] It must be stated that although mere absence for a considerable amount of time is not sufficient evidence for a court to grant a presumption of death order, the length of the person's absence is an important factor and may be decisive in whether or not a presumption of death order is appropriate to be granted. The same principle is applicable when regard is had to the age and health of the disappeared person. The fact that the missing person had already reached an advanced age at the

time when the application is made and the fact that the missing person was not in good health at the time of his or her disappearance may contribute towards the court leaning more readily towards the granting of a presumption of death order.”

- [23] This application is uncontested. It was not prompted by any necessity related to administering his estate or managing property, as would usually be the case under Rule 68.47 of the CPR. Based on the evidence, the loved one’s primary aim is to achieve closure, restore dignity to the process, and secure a death certificate.
- [24] Nonetheless, I must ensure that certain preliminary conditions are met. The first and most important is establishing locus standi. That is, the court must be satisfied that the applicant has a sufficient interest to initiate proceedings. The evidence before me shows that the applicant is the wife of Mr. Beckford. They had been living together for a year before his disappearance. I am satisfied that she qualifies as a person with a sufficient interest.
- [25] A second, equally important consideration is a reminder to myself about the burden and standard of proof. These proceedings follow the same general common law principle that he who asserts must prove. Therefore, the applicant bears the burden of proof. The standard is on the balance of probabilities. As a key to these well-established principles, it is necessary to remind myself that a presumption of death order carries with it a rebuttable presumption; therefore, a missing person is presumed dead until the contrary is proven.
- [26] Thirdly and finally, the decision whether to grant the order ultimately rests with me after careful consideration of the evidence relied upon by the applicant. This is ultimately a question of fact. In these circumstances, I will accordingly bear in mind the caution of Nunez-Tesheria, “that to satisfy the court that such a person may be presumed dead, all appropriate inquiries relevant to the circumstances of the case must be conducted before an order can be granted.”
- [27] Simply put, what this all means for the court is that I must be satisfied that the evidence of each witness proves, on a balance of probabilities, that sufficient efforts and inquiries were made to locate Mr. Beckford under the law and that

those efforts and inquiries were appropriate given the circumstances of this case, even without a third-party objection.

- [28] It is clear from the authorities that the presumption of a person's death should not be taken lightly when a court is asked to make such a determination. Masuku J states this explicitly in the ***Ex parte application of Anna Christina Bezuidenhoudt*** as follows:

*"[10] ... **Such an order will of course not be granted lightly.** There are various factors that need to be taken into account and met before an order, admittedly with far-reaching consequences, as aforementioned, can be issued by the court." (My emphasis)."*

- [29] Based on the law relating to proceedings of this kind, as I understand it, two circumstances allow a court to make an order presuming death. The first happens when a continuous period of seven years or more has passed, and the second occurs when a set of circumstances indicates that the missing person may have died at a specific time after being exposed to a dangerous situation.
- [30] Regarding this particular case, Mr. Beckford has been missing for nearly fifteen years. He was forty-six when last seen or heard from. If he were still alive today, he would be sixty-three and approaching retirement age for men in this jurisdiction. Although this long absence suggests that Mr. Beckford is probably now deceased, the authorities have clarified that a prolonged absence alone may not be sufficient. Instead, a comprehensive review and analysis of all the evidence supporting the application are required. I will therefore examine the evidence submitted.
- [31] The family's efforts to locate Mr. Beckford were thorough, swift, and comprehensive. Within less than 24 hours, concerns about his disappearance arose among family members and community acquaintances; several calls were made to his phone, which went unanswered. Each witness confirmed that it was unusual for him not to respond, return calls, or stay in contact. He did not report for work, which was out of character, as he usually called in or made contact.

Added to this was the fact that he was scheduled for a special assignment with his boss and his friend, Courtney Wright.

- [32] Courtney Wright visited his house, spoke to his wife, and noticed that the clothes prepared for his new assignment outside Kingston remained in the same place, untouched. Within seventy-two hours of his disappearance, a missing person's report concerning him was filed at the Papine Police Station. There was also an advertisement placed by the local television station as well as in the print media of the national newspaper, the Jamaica Gleaner, with his picture and his wife's contact details.
- [33] Throughout the period, the entire family remained in close contact, and their communication channels stayed open. Members of the community, along with his family, searched the community and surrounding areas. The applicant personally contacted the University Hospital of the West Indies, but she received no positive response. The applicant did not receive a reply to the publications sent via the audio and print media. Mr Beckford, during that period and up to now, has not reached out to the applicant or any family member.
- [34] The further inquiries made in June 2022 to the Registrar General's Department, the Passport and Immigration Department, the Corrections Department, the Kingston Public Hospital, the University of the West Indies Hospital, and the print media also did not receive a positive response.
- [35] In this case, the facts that have emerged show that, in addition to being missing for nearly fifteen years, Mr. Beckford was also exposed to danger due to the increasing violence in the community of Jack's Hill. The evidence suggests that other people from the community also went missing under similar circumstances.
- [36] Having thoroughly examined the evidence presented, I am satisfied that it would be reasonable to conclude on a balance of probabilities that Mr. Beckford can be presumed dead. I am equally persuaded in this view when I consider the Lord

Chief Justice's findings in **Re Beagle's case**. Based on the evidence before him, the Lord Chief Justice refused the application and made the following pronouncements, for doing so:

"...This man has been absent for fifteen years. He was thirty-one years old when last heard of, so that if alive now, he would only be forty-six. He was exposed to no special peril;; he did not follow a dangerous occupation. He was a miller, living somewhere in the south of England; but for fifteen years he has not communicated with his relatives. What strikes me is that it would have been possible to have made more accurate inquiries as to what had become of him. It is not as if he went away to a foreign country. He was last heard of next door to where he had formerly lived. If he was a miller, surely it would have been easy to ascertain from the persons who employed him what became of him, and when and where he was last heard of. Information on those points should have been laid before the Court; but it is not forthcoming, and I do not think, in the exercise of my discretion, that I should make any order. True, the period of absence has been considerable, and the amount in dispute is not large. But if I make this order, it will be used as a precedent in some cases in which probably the amount in dispute is very large, and I think we should be careful before we divide the estates of absent persons. There will be no order on the application".

[37] Before concluding, I would like to briefly address the issue of violence in the community during the period Mr. Beckford went missing. While this discussion might be purely academic at this stage, the court nevertheless considered it essential to say a few words, given the common law position regarding persons disappearing in situations of peril. With this in mind, a relevant question would be whether the court could have been asked to make this order in 2007, around the time he went missing, in light of the authorities of **Davie v Biggs** and **Re Burgess**.

[38] My short answer is yes. Both his daughter and stepson provided evidence before this court about the crime in the community. Mr. Beckford left his daughter's house early in the morning despite being advised not to go out. He did not return home, even though he lived only two miles away. His stepson also told the court he heard a gunshot and mentioned several people who had gone missing under similar circumstances. By linking that evidence with the quick responses from his family in their attempts to find him—efforts which ultimately failed—the court

believes that Mr. Beckford was placed in a dangerous or perilous situation. It is a reasonable conclusion for this court or any court to reach that he may have been killed in 2007.

[39] Although the evidence from his stepson can be considered hearsay, I find the decision in **Re Burgess** and the way hearsay evidence is treated in similar cases to be persuasive. In **Re Burgess**, the court was asked to make an order presuming death before the seven-year period had passed.

[40] Rick Burgess, who had vanished, had not been heard from or seen for 22 months. He had ties with the Hells Angels Motorcycle Club and attended a meeting on the day he disappeared. Mr. Burgess's wife received confidential information from the police, informing her that the Hells Angels probably killed her husband, based on that hearsay evidence. Crawford J granted the application and held as follows:

"[34]. The Supreme Court of Canada has widened the scope for the acceptance of hearsay evidence in the "hearsay trilogy of R. v. Khan, 1990 CanLII 77(SCC), 1990 CanLII 77 (SCC) 2 S. C.R 531, R. v. Smith, 1992 CanLII 79 (SCC), 1992, 2 S.C.R 915 70 and R. v. B. (K.G.), 1993 CanLII 116 (SCC), [1993] 1 S.C.R. 740. The circumstances are such that I consider the police information to be reasonably trustworthy, the police officers would be disinterested, and the statements would not be made with the thought of litigation in mind. The sources are possessed of a peculiar or special means of knowledge. And there is some consistency in the reported statements of both the police and the members of the motorcycle gang. The underpinnings of the admission of the comments of the police and the Hells Angels Club member are a necessity, which is plainly the case here, and reliability, which I find may reasonably be inferred".

"[35]. The evidence satisfies me that no person has seen Rick Burgess since January 7, 2002. The last recorded activity appears to have been on his telephone at midday that day. While the evidence of events after Mr. Burgess' disappearance are by their nature hearsay, they are in the circumstances the best evidence available and can only lead to the conclusion, that the "dark side" of Mr. Burgess' life caught up with him and the only reasonable inference is that his life has been ended by "person unknown".

"[36]. I am satisfied on the balance of probabilities that Mr. Burgess died by misadventure".

Disposition

[41] In conclusion, when I assess the circumstances of the case both collectively and individually—particularly the length of his disappearance, which exceeds the seven-year requirement set by law, and the fact that he was subjected to a dangerous situation that existed at the time of his disappearance—I find the applicant's case sufficiently established for me to exercise my discretion and grant the order sought.

[42] The order of this court, therefore, as prayed, and is granted as follows:

- a) Michael Beckford, born on August 23, 1959, is hereby presumed to be dead, not having been seen or heard from since July 27, 2007.
- b) The Applicant's attorney at law is to prepare, file and serve this order on the Registrar General's Department and any other interested parties.