

**IN THE COURT OF APPEAL OF THE CAYMAN ISLANDS
ON APPEAL FROM THE GRAND COURT OF THE CAYMAN ISLANDS
CRIMINAL SIDE**

**CICA (Criminal) No. 0013 of 2022
IND No. 0067 of 2021
SC No. 01192 of 2021**



MIKKYLE BRANDON LESLIE

Appellant

- and -

HIS MAJESTY THE KING

Respondent

BEFORE

**The Rt Hon Sir John Goldring, President
The Hon Sir Michael Birt, Justice of Appeal
The Hon Clare Montgomery KC, Justice of Appeal**

Appearances

**Appellant in Person
Mr Scott Wainwright of DPP for the Respondent**

Date of hearing and judgment: 28 August 2026

Transcript of Oral Judgment delivered on 28 August 2026

Approved for release on the 3 September 2026

THE PRESIDENT:

1. On the 18th of February 2022, the applicant was convicted by Justice St. John Stevens acting, sitting alone, of possession of a firearm. He was sentenced to 16 years' imprisonment. He seeks leave to appeal against conviction and sentence.
2. This case has been before the court on five previous occasions. On the 8th of November 2024, 14th of May 2025, 4th of September 2025, 12th of November 2025 and the 23rd of April 2026,

when this court adjourned the case and said it would be heard "come what may" in August of 2026.

3. Since that hearing on the 23rd of April 2026, the applicant received written legal advice from Leading Counsel in England. It was his conclusion, as we are informed, that there were no viable grounds of appeal against either conviction or sentence and that the appeal should be abandoned. Effectively, the applicant has rejected that advice. He speaks of a breakdown in his relationship with his attorney. He has sought an adjournment to instruct another set of lawyers. Having considered that application, we refused it. In our view, the time had come for this case to be dealt with.
4. We note that even now, there are no particularised grounds of appeal. The applicant submits that he did not have sufficient time to prepare his case.

The facts

5. Shortly after 11 o'clock in the evening of 1st of July 2021, there was an incident outside the Globe Bar in George Town. Three men were standing or sitting outside the bar. Two or three armed individuals fired a number of shots in their direction. Two of the men died, one at the time, one a little later. The judge found the applicant's role was established by admissions he made in a series of WhatsApp messages. In short, as the judge put it in his sentencing remarks:

"The evidence that convicted this defendant came from his own hand and mouth when he was bragging to others about what he had done over the course of a number of WhatsApp messages and a WhatsApp voice mail".

6. In those messages, which began at about quarter to 3:00 in the morning, and which we have today briefly looked at, the applicant bragged that he had been in a gunfight, that he had shot back, that he shot one or more individuals causing injury, and that he believed one of them had been taken to hospital.
7. In later messages, he gave more detail about how people had tried to kill him and those with him. He said one of the individuals he had shot went to the ground. He was to shoot to kill but his gun went "click-click", in other words, ran out of ammunition.

8. As to the firearm, the judge concluded from the circumstantial evidence that it was a 9-millimetre semiautomatic pistol of some description. Spent cartridges from such a weapon were found at the scene. The judge said that it was clear from the applicant's description of the weapon in the WhatsApp messages, the firearm was semiautomatic.
9. It was the applicant's case that what he was describing in the WhatsApp messages did not reflect what he had done. He was bragging, 'bigging himself up.' He was not describing anything he had been involved in. He was relaying what others had told him. It was his case that although he had been at the scene, he left shortly before the shooting began.
10. The judge did not believe the applicant. He was sure that what was described in the WhatsApp messages reflected what the applicant had done. He did note that some of what was said in the messages was not true. As the judge put it in his sentencing remarks:

"The judge had to reflect carefully ... to determine what was true in the sense of whether he was admitting something he had actually done rather than this being messages by way of bravado. The court also had to determine whether the court could be sure he was running from the scene after the gunfight occurred."

11. The judge also said that:

"The court found, so that it was sure, that the defendant gave a lying account in the witness box. This was a truthful acceptance of what had happened in the material part. He even referred to a small clip of audio from Marl Road which actually recorded the gunshots that he [the applicant] identified to another person..."

12. The judge additionally relied on some CCTV footage which, in his view, showed the applicant running from the direction of the shooting at 23.05 hours, some three to four minutes after the first 911 call, in other words, very shortly after the shooting. The judge rejected the applicant's account that he had left the scene before the shooting.

The applicant's submissions

13. The applicant made a number of points to us. There was no physical evidence. No firearm was ever produced. No weapon was found on him. There should have been some cell phone triangulation which would have him put elsewhere. However, there was no application at the

trial for such cell site evidence. He never described the weapon in the WhatsApp messages. He was never charged with the weapon. Other people were shooting. The cartridge cases, he said, could not be traced to a weapon.

Our conclusion

14. In our view, this was the clearest possible case. The WhatsApp messages were clear and highly incriminating. The judge set out his findings with care and balance. He was unarguably entitled to come to them. There is no conceivable basis for this court to interfere. It is in the circumstances unsurprising that the applicant was advised there was no merit in his appeal against conviction.

Sentence

15. As to sentence, the applicant submits that 16 years was excessive. He suggests that nobody had previously received such a sentence for possession of a firearm. We doubt that can be right, but it matters not. The judge explained his sentence in some detail. There were several seriously aggravating features. The applicant had a conviction in 2013 for, as we understand it, importing firearms into the Cayman Islands from the United States. He was in a public place at night with a loaded firearm. He used the firearm. There was evidence of his involvement in the culture of guns. The judge, in our view, rightly rejected as a mitigating feature the suggestion that the applicant could be said to have been acting in self-defence.

Our conclusion

16. In our view the judge was plainly entitled to pass the sentence he did. Indeed, he could not have been criticised had he passed a higher sentence in all the circumstances.
17. These applications are therefore refused.