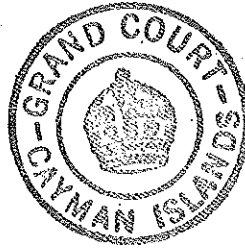


Application for Leave to Apply for Judicial Review (O.53, r.3)

IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: *G02W* OF 2014

BETWEEN: JUNIOR WADE HALL

PLAINTIFF

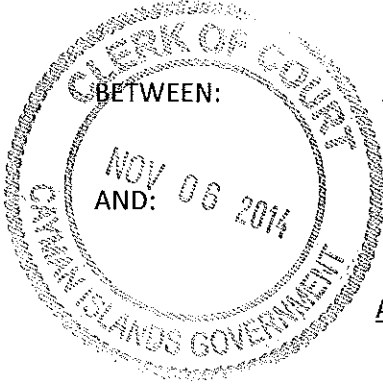
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AND:

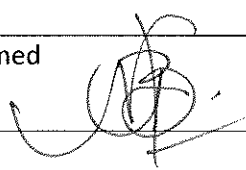
IMMIGRATION APPEALS TRIBUNAL

DEFENDANT

APPLICATION FOR LEAVE TO APPLY FOR JUDICIAL REVIEW

3rd December, 2014 09.30a



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| To the Clerk of the Court, Law Courts, George Town, Grand Cayman | |
| Name, address and description of applicant | JUNIOR WADE HALL 156 ANTHONY DRIVE, APT. #6, GEORGE TOWN PO BOX 1654, GRAND CAYMAN KY1-1109 CAYMAN ISLANDS |
| Judgment, order, decision or other proceeding in respect of which relief is sought | Order of mandamus Quash the decision of the Immigration Appeals Tribunal Recalculation of points in accordance with the Immigration Regulations Grant of Permanent Residence to the Plaintiff |
| <p style="text-align: center;">Relief Sought</p> Quash the decision of the Immigration Appeals Tribunal Recalculation of points in accordance with the Immigration Regulations Grant of Permanent Residence to the Plaintiff | |
| Name and address of applicant's attorney | NATASHA N. BODDEN 5 TH FLOOR GENESIS BUILDING, GEORGE TOWN PO BOX 30796, GRAND CAYMAN KY1-1204 CAYMAN ISLANDS |
| Signed  | Dated 6 th November, 2014 |

GROUND ON WHICH RELIEF IS SOUGHT

1. The Immigration Appeals Tribunal erred in Law by incorrectly calculating the number of points the Plaintiff should have received for Factors 5 and 6 of Schedule 2, Points System, Permanent Residence Assessment, Immigration Regulations (2010 Revision). This is at variance with the Regulations. The Plaintiff should have been granted sixteen (16) points for Factor 5 and sixteen (16) to twenty (20) points for Factor 6. This would have allocated over 100 points to the Plaintiff which would have entitled him to receive the grant of Permanent Residence.
2. The Immigration Appeals Tribunal erred in Law as the slight allocation of points to the Plaintiff was unreasonable. The Plaintiff is entitled to an additional eleven (11) to fifteen (15) points which would have granted him the right to reside permanently in the Cayman Islands.
3. The Immigration Appeals Tribunal erred in Law by failing to notify the appellant of the decision of the Appellate Tribunal with the least possible delay in accordance with Section 16 of the Immigration Law. The Immigration Appeals Tribunal notified the Plaintiff of their decision on 1st September, 2014. The decision was made on 22nd November, 2012. That is an almost two (2) year delay in notifying the appellant of the decision of the Appellate Tribunal which is in direct contravention of Section 16 of the Immigration Law (2011 Revision).
4. The Immigration Appeals Tribunal's decision of 28th October, 2014 which states they are not minded to allow the request for reconsideration is unreasonable and contrary to the principles of natural justice. Having laid out in full detail that the Immigration Appeals Tribunal's calculation was at variance with the Regulations, the failure to review and recalculate the points allocated to the Plaintiff is unreasonable and contrary to the principles of natural justice.
5. The Immigration Appeals Tribunal's decision to dismiss the Plaintiff's appeal is contrary to the principles of natural justice and contrary to the Constitution of the Cayman Islands. The Plaintiff has been legally and ordinarily resident in the Cayman Islands for more than fifteen (15) years and has only known this to be his home for all of those fifteen (15) years.