

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO: **G0259**
OF 2014

IN THE MATTER OF SECTION 17 (2) OF THE IMMIGRATION LAW (2013
REVISION)

AND IN THE MATTER OF A DECISION OF THE IMMIGRATION APPEALS
TRIBUNAL DATED 15 AUGUST 2013

BETWEEN: ANDRE AMANDO MALCOLM

APPLICANT

AND: IMMIGRATION APPEALS TRIBUNAL

RESPONDENT

**NOTICE OF ORIGINATING MOTION FOR LEAVE TO EXTEND THE
TIME TO APPEAL**

Take Notice that the Court will be moved on the day of 2014 at am/pm or so as Counsel can be heard on behalf of the Applicant Andre Amando Malcom for leave to extend the time to appeal from the decision (*in part*) of the Immigration Appeals Tribunal ("the Tribunal") dated the 15 August 2013.

And Further Take Notice that the grounds on which the Applicant relies on in Support of his Application for Leave to extend the time for appeal are as follows:-

1. The Tribunal erred in Law (*in part*) in that it:
 - i. Wrongly took away points lawfully awarded to the Applicant by the Caymanian Status and Permanent Residency Board under the points system, pursuant to section 30 (3) of the Immigration Law (*as revised*).

At no material time was the Applicant informed by or on behalf of the Tribunal that the Tribunal would consider reducing the number of points previously awarded and at no material time was the Applicant invited to make any submissions as to why his previously earned points should not be reduced; and
 - ii. Wrongly failed to take into account alternatively into proper account the Appellant's further financial evidence in respect of his savings and award him points accordingly under the *Funds and Salary* category of the points system, pursuant to section 30 (3) of the Immigration Law (*as revised*).

And the Applicant therefore Prays that:

2. He be granted leave to extend the time to Appeal herein;

3. Interim relief in the form of an injunction pending the final determination of this application an any formal application, restraining the Chief Immigration Officer and/or any Immigration Officer and/or Agent or any of them whomsoever, from sending the Applicant out of the Cayman Islands until these proceedings for leave to extend the time to appeal or any order of the Court is heard and determined;
4. Such further or other relief as the Court deems proper.

DATED: day of November 2014


GOLDFIELD CAYMAN
Attorneys for the Applicant

TO: The Clerk of the Court

AND TO: The Immigration Appeals tribunal and the Attorney General's
Chambers and the Chief Immigration Officer