

IN THE MATTER OF ORDER 55 OF THE GRAND COURT RULES AND SECTION 17(2) OF THE IMMIGRATION LAW (2014 Revision)

BETWEEN:

CHERINE AMANDA ROCHESTER

Appellant

AND:

THE IMMIGRATION APPEALS TRIBUNAL

Respondent



NOTICE OF ORIGINATING MOTION

TAKE NOTICE that the Grand Court at the Law Courts, George Town, Grand Cayman will be moved on the day of 2015, at a.m. / p.m., or as soon thereafter as Counsel on behalf of the above Appellants can be heard, on appeal from a decision of the Immigration Appeals Tribunal communicated by letter dated 21st September 2015 to the Appellant's immigration representatives, Anglin-Lewis & Associates Ltd who communicated the same to the Appellant on the 29th September 2015 dismissing an appeal against the refusal of the Caymanian Status and Permanent Residence Board to grant permanent residence to the Appellant on the ground that no grounds of appeal were served as required by Section 15(6) of the Immigration Law (2015 Revision).

1. The Appellant through a professional immigration services firm, Anglin-Lewis & Associates Ltd. on the 18th August 2014, gave notice of appeal against a decision of the Caymanian Status and Permanent Residence Board on Section 15(7) (b) of The Immigration Amendment (No. 2) Law 2013 on the grounds that it was unreasonable.
2. The Appellant was never personally served with the reasons and the documents from the Caymanian Status and Permanent Residence Board and the Appellant's immigration representatives were not served or properly served with the said documents.

GROUNDS OF APPEAL

AND TAKE FURTHER NOTICE that the grounds of this appeal are as follows:

Breach of procedural fairness and illegality

1. The Immigration Appeals Tribunal failed to serve and or cause to be served the written reasons for the decision of the Caymanian Status and Permanent Residence Board on the Appellant and deprived the Appellant of the opportunity to file the grounds of appeal pursuant to section 15(1)(6) of the Immigration Law (2015 Revision) and in so doing acted contrary to the provisions of the relevant statute.

RELIEF SOUGHT

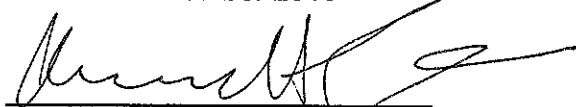
AND TAKE FURTHER NOTICE that the following relief is sought:

1. The decision of the Immigration Appeals Tribunal, communicated by letter dated 21st September 2015 be overturned;
2. The Respondent be ordered to serve on the Appellant or the Appellant's attorneys-at-law the written reasons for its decision on the 28th August 2014 to refuse the permanent residence application of the Appellant;
3. Such further and other relief that the Court deems fit; and
4. Costs.

AND TAKE FURTHER NOTICE that the Appellants request leave to file additional and/or supplementary grounds of appeal on receipt of the notes of evidence from the Immigration Appeals Tribunal.

Dated: 19 October 2015

Filed: October 2015



TRAVERS THORP ALBERGA
Attorneys-at-Law for the Appellants

TO: The Clerk of the Grand Court

AND TO: The Chairman of the Immigration Appeals Tribunal