

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 60176 OF 2016

IN THE MATTER OF THE IMMIGRATION LAW (2015 REVISION)

AND

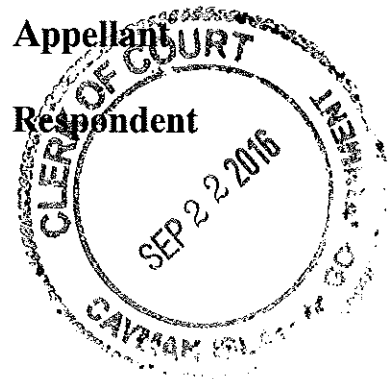
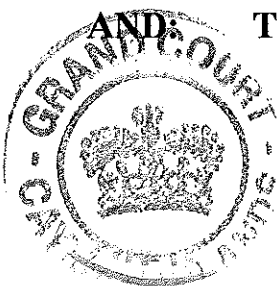
IN THE MATTER OF A DECISION OF THE IMMIGRATION APPEALS TRIBUNAL DATED 29 AUGUST 2016

BETWEEN: JASMINE CLAIRE MINOTT

Appellant

AND: THE IMMIGRATION APPEALS TRIBUNAL

Respondent



NOTICE OF ORIGINATING MOTION

Take Notice that the Court will be moved on the _____ day of _____ 2016 at _____ a.m. /p.m., or soon thereafter as Counsel can be heard on behalf of the above Appellant, Carmen Jack-Chowtee on Appeal from a decision of the Respondent, the Immigration Appeal Tribunal dated the 29 August 2016.

GROUND OF APPEAL

And Further Notice that The Grounds of Appeal are as follows:-

1. The Immigration Appeals Tribunal in reviewing all the Appellants documentation to support the allocation of Points to receive Permanent Residence and Employment Rights failed to take relevant considerations into account.

2. The Immigration Appeals Tribunal in reviewing the Appeal Statement dated 28 August 2014 which outlined the reasoning behind the decision to refuse the grant of Permanent Residence to the Applicant together with her Grounds of Appeal, failed to exercise its statutory discretion reasonably toward the Appellant.

3. The Immigration Appeals Tribunal in hearing the Appellants appeal failed in its statutory duty to exercise its discretion reasonably to take into account all the evidence of the Appellants circumstances.

4. The Immigration Appeals Tribunal erred in Law as it failed to treat the Applicant's Appeal as a rehearing of the Applicant's application for Permanent Residence and Employment Rights.

5. The decision of the Immigration Appeals Tribunal in all the circumstances of the case and the documents before it, failure to award the Appellants one hundred (100) points of the system is so unreasonable that no reasonable tribunal seeking to act in a way that is fair and just, and according to substantial justice and the merits of the case would have refused the Appellant Permanent Residence and Employment Rights.

6. That the Immigration Appeals Tribunal in coming to its decision not to allow the Appellant's Appeal acted contrary to the established principles of natural Justice.

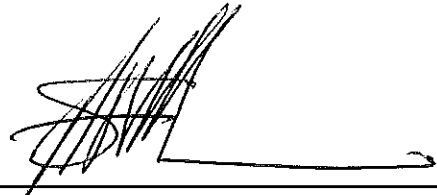
And Further Take Notice that the Appellant crave leave to file Additional and/or Supplementary Grounds of Appeal on receipt of the notes of evidence from the Immigration Appeals Tribunal.

And The Appellant Therefore Prays That:

1. The decision of The Immigration Appeals Tribunal made on the 29th day of August 2016 be set aside; and or,

2. The Immigration Appeals Tribunal be ordered to review the Appellants Appeal with the view to awarding the Appellant the Necessary Points to be granted Permanent Residence and Employment Rights.
3. A declaration that the Appellant qualifies for Permanent Residence and employment Rights and her Dependants be included.
4. Interim relief in the form of an injunction pending the final determination of this Appeal and any further final application to remain in the Cayman Islands restraining the chief Immigration Officer and/or any Immigration Officer and/or Servant or agent and/or any of them from sending the Appellant out of the Cayman Islands until these proceedings of Appeal and any further proceedings or formal application to remain in the Cayman Islands are heard and determine.
5. An Order that the be granted the appropriate permission to work in the Cayman Islands pending final determination of these proceedings.

Dated this 15 day of September 2016.



A. Steve McField & Associates
Attorneys-at-Law for the Appellant

To: The Clerk of The Court

And To: The Immigration Appeals Tribunal

THIS APPEAL was **FILED** by **A. STEVE MCFIELD & ASSOCIATES** of George Town, Grand Cayman, Cayman Islands, Attorney-at-Law for the Appellant whose address for service is that of her said Attorneys-at-Law.