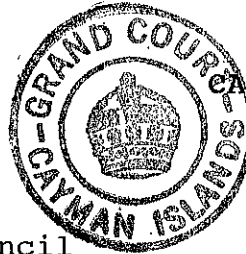


IN THE GRAND COURT OF THE CAYMAN ISLANDS



CAUSE NO: 495 OF 1998

BETWEEN: Maria Leonor Ducon

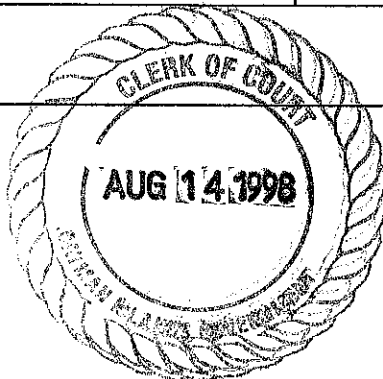
PLAINTIFFS

AND: The Acting Governor in Council  
The Attorney General of The Cayman Islands

DEFENDANTS

APPLICATION FOR LEAVE TO APPLY FOR THE JUDICIAL REVIEW

To the Clerk of the Court, Law Courts, George Town, Grand Cayman	
Name, address and description of applicant	Maria Leonor Ducon P.O.Box 2208 G.T Pease Bay Grand Cayman
Judgement, order, decision or other proceeding in respect of which relief is sought	Decision of The Acting Governor In Council Dated 12th August 1998
<b>Relief Sought</b>	
<p>(1) An Order of Certiorari, to remove into this Honorable Court and to quash The Deportation Order of The Acting Governor In Council made on the 12th August 1998.</p> <p>(2) And Order for Prohibition against the Acting Governor In Council, Prohibiting the Acting Governor in Council from carrying out the said Deportation Order dated 12th August 1998 until the final determination of this cause.</p>	
Name & address of applicant's Attorney, or if no Attorneys acting the address for service of the applicant.	A. Steve McField & Associates P.O.Box 680 George Town Grand Cayman Cayman Islands
Signed	Dated: 14th August 1998



## GROUND ON WHICH RELIEF IS SOUGHT

1. Pursuant to subsection (2) of Section 60 of the Immigration Law (1997 Revision) under which the Acting Governor in Council exercised his power to make the said Deportation Order requires that the Deportee be given Notice of the impending Decision to make the Deportation Order.
2. The said Deportation Order does not comply with the requirements as set out in Section 60 of the Immigration Law (1997 Revision) in that:
  - (a) there appears to be no case report on the case to The Governor,
  - (b) there appeared to be no finding of fact and conclusion of Law,
  - (c) there appeared to be no recommendation contained in such report that could satisfy The Governor that the said Deportation Order could fitly be made,
3. The applicant was not notified of any Deportation proceedings for Deportation as is required by Section 60 (2) of The Immigration Law (1997 Revision) before the said Deportation Order could be made.
4. There were no proceedings held prior to the issue of the Deportation Order as is required by Section 60 (3) of The Immigration Law (1997 Revision).
5. That Section 60 (1) and (2) implies that the rules of Natural Justice applies before any Deportation Order is made .
6. That the said Deportation Order was issued in breach of the Rules of Natural Justice.
7. The Acting Governor in Council did not have power to make a Deportation Order under Section 60 (2) of The Immigration Law (1997 Revision)