

IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. 47 OF 2020

IN THE MATTER OF THE IMMIGRATION TRANSITION 2018 LAW
(2012 REVISION)

AND

IN THE MATTER OF AN APPEAL PERSUANT TO ORDER 55 OF THE
GRAND COURT RULES (1995 REVISION)

AND

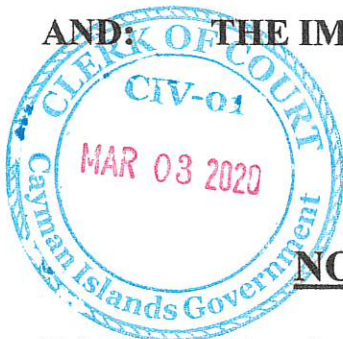
IN THE MATTER OF A DECISION OF THE IMMIGRATION APPEALS
TRIBUNAL DATED 23 DECEMBER 2019 AND RECEIVED 19
FEBRUARY 2020

BETWEEN: EMILY LAXAMANA REYES

Appellant

AND: THE IMMIGRATION APPEALS TRIBUNAL

Respondent



NOTICE OF ORIGINATING MOTION

Take Notice that the Court will be moved on the _____ day of _____ 2020 at _____ a.m. /p.m., or soon thereafter as Counsel can be heard on behalf of the above Appellant, Emily Laxamana Reyes on Appeal from a decision of the Respondent, the Immigration Appeal Tribunal dated the 23 December 2019 and received on 19 February 2020.

GROUNDS OF APPEAL

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

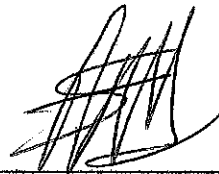
1. The Immigration Appeals Tribunal did err in law as it failed to treat the Applicant's Appeal as a rehearing of the Applicant's application.
2. In hearing the Applicant's Application the Immigration Appeals Tribunal did not properly exercised its discretion reasonably to direct itself that the Appellant did not have sufficient reasonable time to refresh her studies for the history test between the time she was notified to take the test and the time that the test was actually taken.
3. The Appellant's explanation in regards to the short notice of the actual date to take the history test was a reasonable explanation that a reasonable tribunal ought to have taken into account and the Immigration Appeals Tribunal in rejecting that explanation did not reasonably exercise its discretion and therefore erred in law.
4. The Immigration Appeals Tribunal in coming to its decision not to grant the Appellant additional point and to not allow the Appellant's appeal acted contrary to the established principles of the rules 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 23 day of December 2019 be set aside; and or, be sent down to the Immigration Appeal Tribunals for a re-hearing.
2. The immigration Appeals Tribunal be ordered to re-review the Appellant's Appeal with the view to giving the Applicant time to prepare adequate fresh appeal grounds.

Dated this 24th day of February 2020.



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.