



IN THE GRAND COURT OF THE CAYMAN ISLANDS

CAUSE NO. OF 2021

IN THE MATTER OF SECTION 23 (2) OF THE IMMIGRATION (TRANSITION) ACT,
2018

AND IN THE MATTER OF A DECISION BY THE IMMIGRATION APPEALS TRIBUNAL
DATED 21 DECEMBER 2020 DISMISSING AN APPEAL FOR THE GRANT OF
PERMANENT RESIDENCY TO LARRY SHEFFIELD MAXWELL

BETWEEN: LARRY SHEFFIELD MAXWELL APPLICANT

AND: THE CHAIRMAN OF THE IMMIGRATION
APPEALS TRIBUNAL RESPONDENT

NOTICE OF ORIGINATING MOTION

TAKE NOTICE that the Court at the Law Courts, George Town, Grand Cayman will be moved on the day of 2021 at am/pm or as soon thereafter as counsel can be heard on behalf of **Larry Sheffield Maxwell** (“the Appellant”) for an order that:

1. The decision of the Immigration Appeals Tribunal dated 21 December 2020 to refuse a grant of Permanent Residence/Residency and Employment Rights Certificate to Larry Sheffield Maxwell is wrong in law.
2. An order remitting the appeal to the Immigration Appeals Tribunal for rehearing and determination by it on the basis that its decision was wrong in law.
3. An order directing the Department of Immigration to allow the Appellant to remain and work in the Cayman Islands until the determination of this appeal.
4. And order prohibiting the Department of Immigration from taking any further action(s) against the Appellant until the determination of this appeal.
5. Such further, consequential, or other relief this Honourable Court deems just.

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

6. The Tribunal erred in Law in that it failed to take into account and/or take proper account of matters which it ought to have taken into account pursuant to the Law. Pursuant to the law on assessing an applicant’s local investment under category 3 (i) property or local licensed company 3 (ii) points are to be awarded based on the applicant’s monetary investment with a required minimum sum of \$50,000. The Appellant is Co-owner/shareholder of LM Fabrics and Things Ltd. (“LM”) a resident Cayman Islands company engaged in the Tailoring and Fashion design business since 2017.

7. The Tribunal erred in law and/or inappropriately exercised its discretion by reducing the points awarded by the CS/PR Board to the Appellant under category 5 community involvement. The CS/PR Board awarded the Appellant three (3) points for his community service. On 21 December 2020, the Tribunal wrote to the Appellant stating that that the CS/PR Board failed to take into account all the community service letters. The preceding raised a reasonable expectation in the Appellant that the Tribunal would increase the award of points under this category. The Tribunal however took away points from the Appellant reducing his original award by the CR/PR Board by one point five (1.5) points.

DATED: 8 day of January 2021

MSR

MSR Attorney-At-Law
Attorneys for the Appellant

TO: The Clerk of the Court

AND TO: The Immigration Appeals Tribunal
The Attorney General's Chambers
The Chief Immigration Officer