

**IN THE GRAND COURT OF THE CAYMAN ISLANDS**

**CAUSE NO. 169 OF 2021**

**IN THE MATTER OF THE IMMIGRATION TRANSITION 2018  
LAW (2015 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 19 JULY 2021.**

**BETWEEN:        LEECARL LIWANAG                                APPELLANT**  
**AND: THE IMMIGRATION APPEALS TRIBUNAL                RESPONDENT**

**NOTICE OF ORIGINATING MOTION**

Take Notice that the Court will be moved on the        day of        2021  
at        a.m./p.m., or soon thereafter as Counsel can be heard on behalf of  
the above Appellant, Leecarl Liwanag on Appeal from a decision of the  
Respondent, the Immigration Appeal Tribunal dated the        2021.

## GROUNDS 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 additional Points to receive Permanent Residence and Employment Rights failed to take relevant considerations into account.
2. The Immigration Appeals Tribunal in reviewing the Applicant's Appeal Statement dated 30 May 2019 which outlined the reasoning behind the decision to refuse the grant of Permanent Residence to the Applicant, 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 direct that Adequate Grounds of Appeal and submissions ought to have been filed before hearing the matter.
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 questionable Permanent Residence and Employment Rights, and remit the Appeal process to the Appellant for completion.
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 and ten (110) 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 19 day of July 2021 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 9<sup>th</sup> day of August 2021

  
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**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 Elizabethan Square, George Town, Grand Cayman, Cayman Islands, Attorney-at-Law for the Appellant whose address for service is that of her said Attorneys-at-Law.