

Federal Court



Cour fédérale

Date: 20120629

Docket: IMM-7048-11

Citation: 2012 FC 829

Ottawa, Ontario, June 29, 2012

PRESENT: The Honourable Mr. Justice Zinn

BETWEEN:

**JOSE FRANCISCO SALDANA FAJARDO
IVAN FRANCISCO SALDANA MARTINEZ**

Applicants

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

REASONS FOR JUDGEMENT AND JUDGMENT

[1] The applicants, Jose Saldana Fajardo (Jose) and his son Ivan, requested a deferral of their removal. It was denied. This application was heard together with their application in IMM-7049-11 which deals with a negative Pre-Removal Risk Assessment (PRRA).

[2] In their written memorandum, the applicants state that the issue in this application is “Whether the Inland Enforcement Officer erred by making an administrative decision not to

grant a deferral of removal in a procedurally unfair manner and/or not in accordance with the principles of natural justice.” My initial assessment after reading the records filed in this application was that there was no merit to the application and that it should be dismissed. That assessment was confirmed at the oral hearing of these related applications when counsel candidly and appropriately informed the Court that the issues he would speak to related solely to the negative PRRA decision.

[3] Accordingly, this application is dismissed. Neither party proposed a question for certification.

JUDGMENT

THIS COURT'S JUDGMENT is that this application for judicial review is dismissed,
and no question is certified.

"Russel W. Zinn"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-7048-11

STYLE OF CAUSE: JOSE FRANCISCO SALDANA FAJARDO ET AL v.
THE MINISTER OF CITIZENSHIP AND
IMMIGRATION

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: May 16, 2012

**REASONS FOR JUDGMENT
AND JUDGMENT:** ZINN J.

DATED: June 29, 2012

APPEARANCES:

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Samantha Reynolds FOR THE RESPONDENT

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