

Federal Court



Cour fédérale

Date: 20101004

Docket: IMM-1071-10

Citation: 2010 FC 971

[UNREVISED CERTIFIED ENGLISH TRANSLATION]

Ottawa, Ontario, October 4, 2010

PRESENT: The Honourable Mr. Justice Pinard

BETWEEN:

**FERENC LAKATOS,
FERENCNE LAKATOS and
SANDOS LAKATOS**

Applicants

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

REASONS FOR JUDGMENT AND JUDGMENT

[1] This is an application for judicial review of a decision rendered on January 20, 2010, by a pre-removal risk assessment officer (PRRA officer). The application was submitted under subsection 72(1) of the *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, by Ferenc Lakatos, Ferencné Lakatos and Sandos Lakatos (the applicants). The PRRA officer found that the

applicants were not subject to a danger of torture or to a risk of cruel or unusual treatment or punishment or to a risk to their lives if they were to be removed to their country of nationality.

[2] The applicants are citizens of Hungary of Roma ethnicity.

[3] On March 9, 2010, after the decision by the PRRA officer and before their application for leave and judicial review of the decision could be considered, the applicants left Canada for Hungary. These facts were admitted by counsel for the applicants.

[4] Consequently, I am forced to agree with the respondent that this application for judicial review has become moot and must therefore be dismissed. In so doing, I rely on the decision of the Federal Court of Appeal in *Perez v. The Minister of Citizenship and Immigration*, 2009 FCA 171, which affirmed the decision of Justice Luc Martineau (2008 FC 663), who, being satisfied that the applicant had left Canada before the application for judicial review of the PRRA decision could be heard by the Court, dismissed the application on the ground that it was moot.

[5] In *Villalobo v. The Minister of Citizenship and Immigration*, 2009 FC 773, Justice Michael Kelen, relying on *Perez*, above, made the same finding (see also the decision of my colleague, James Russell, in *Rana v. The Minister of Citizenship and Immigration*, 2010 FC 36).

[6] Accordingly, the application for judicial review is dismissed.

JUDGMENT

The application for judicial review of the decision rendered on January 20, 2010, by a PRRA officer is dismissed.

“Yvon Pinard”

Judge

Certified true translation
Catherine Jones, Translator

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: IMM-1071-10

STYLE OF CAUSE: FERENC LAKATOS, FERENCNE LAKATOS and SANDOS LAKATOS v. THE MINISTER OF CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: September 15, 2010

REASONS FOR JUDGMENT AND JUDGMENT: Pinard J.

DATED: October 4, 2010

APPEARANCES:

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