

Date: 20080815

Docket: A-369-08

Citation: 2008 FCA 245

Present: NADON J.A.

BETWEEN:

VENEISHA YOLANDA LEWIS

Appellant

and

THE MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Respondent

Heard at Ottawa, Ontario (by teleconference) on August 15, 2008.

Order delivered at Ottawa, Ontario, on August 15, 2008.

REASONS FOR ORDER BY:

NADON J.A.

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REASONS FOR ORDER

NADON J.A.

[1] This is a motion by the appellant for a stay of removal to Grenada, pending the determination of her appeal to this Court.

[2] After hearing the parties' oral submissions earlier today and after consideration of their written arguments, I conclude that the motion must be denied.

[3] I have not been persuaded that the appellant's removal to Grenada will cause irreparable harm to either her daughter or to herself. What the evidence before me shows is that the appellant's

removal will likely cause them hardship, but, in the circumstances, hardship does not amount to irreparable harm.

[4] I am also of the view, for reasons similar to those expressed by Evans J.A. in *Palka v. Canada*, 2008 FCA 165, at paragraph 22, that the balance of convenience favours the Minister.

[5] Because of my conclusions on irreparable harm and the balance of convenience, I need not express my view with respect to the existence of a serious issue.

[6] For these reasons, the appellant's motion for a stay of her removal to Grenada on August 17, 2008, will be denied.

“M. Nadon”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-369-08

STYLE OF CAUSE: VENEISHA YOLANDA LEWIS
v. MINISTER OF PUBLIC
SAFETY AND EMERGENCY
PREPAREDNESS

PLACE OF HEARING: Ottawa, Ontario (by
teleconference)

DATE OF HEARING: August 15, 2008

REASONS FOR ORDER BY: NADON J.A.

DATED: August 15, 2008

APPEARANCES:

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FOR THE APPELLANT

Mr. Bradley Gotkin
Mr. David Cranton

FOR THE RESPONDENT

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FOR THE RESPONDENT