

Federal Court
of Appeal



Cour d'appel
fédérale

Date: 20101104

Docket: A-102-10

Citation: 2010 FCA 296

**CORAM: NOËL J.A.
PELLETIER J.A.
MAINVILLE J.A.**

BETWEEN:

MAXIMIN SEGASAYO

Appellant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

Hearing held at Montréal, Quebec, on November 4, 2010.

Judgment delivered from the bench at Montréal, Quebec, on November 4, 2010.

REASONS FOR JUDGMENT OF THE COURT BY:

NOËL J.A.

Federal Court
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REASONS FOR JUDGMENT OF THE COURT

(Delivered from the bench at Montréal, Quebec, on November 4, 2010.)

NOËL J.A.

[1] The Federal Court Judge, on the basis of his own reasoning, was not required to determine the question that he certified in order to dispose of the application for judicial review, which explains why he made no determination. It follows that this question does not give rise to a right of appeal (see *Varela v. Canada (Minister of Citizenship and Immigration)*, [2009] F.C.J. No. 549).

[2] Accordingly, the appeal will be dismissed.

“Marc Noël”

J.A.

Certified true translation
Francie Gow, BCL, LLB

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-102-10

**(APPEAL FROM A DECISION OF THE FEDERAL COURT, DATED
FEBRUARY 18, 2010, IN DOCKET IMM-3367-09)**

STYLE OF CAUSE: MAXIMIN SEGASAYO v.
M.C.I.

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: November 4, 2010

REASONS FOR JUDGMENT OF THE COURT BY: NOËL J.A.
PELLETIER J.A.
MAINVILLE J.A.

DELIVERED FROM THE BENCH: November 4, 2010

APPEARANCES:

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