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**350-6259**

5th of December, 2013

Senator Mr.Gary Griffith

Minister of National Security

Ministry of National Security

Temple Court

31-33 Abercromby St.

Port-of-Spain

Dear Sir,

**Sub: appeal against the deportation order against CUIXIA MAI , FILE NO A13-0907**

The above named Chinese national had a special inquiry on 5th day of December, 2013 by the Special inquiry officer Mr. Kenneth Seenath. Officer has issued deportation under the immigration regulations 1974.

Aggrieved by the decision we made an appeal to your kind self under the immigration regulations 1974.

**History of the applicant:**

The applicant came into this country on 9th of June 2005. She came with her husband Mr.Jian Wen Mei also called Mei Jian Wen. Initially she was given a stay permit until 6th of July, 2005. Since, she is not very well versed with English language her husband was taking care of all her needs. She is under the apprehension that her husband would do everything that is necessary.

They had a baby on 11th of September, 2008. Who is a citizen of Trinidad through birth rights.

The husband deserted her in the year 2010 and his whereabouts are not known after that. Mr. Kenneth Lum her common law husband took care of her since 2010 and she has been living in a common law relationship with Mr. Kenneth Lum.

They have plans to get married as soon as the divorce is finalized. Before that could happen she was ordered deportation.

Mr.Kenneth Lum is a citizen of Trinidad and Tobago, by birth. He is born in woodbrook. He has business in Tunapuna, a variety store.

Ms. Mai and her daughter has made her life in Trinidad and do not have anybody in republic of China.

The learned Special Inquiry officer has erred

1. in not considering her common law relationship with Mr. Kenneth Lum. As per the cohabitational relationship Act, a common law wife stands in the same status as a married wife.
2. the humanitarian basis , since she acclamatised to Trinidad culture, it would cause difficulty in going back to Republic of China, which she do not have a home to return since she divorced her husband
3. the child of the applicant is a citizen of this country and hence would deny her constitutional rights of living in this country.
4. The applicant was never a charge on the state and always being provided for and her present common law husband is willing to provide for and her child.
5. The applicant was never a security risk and yet was denied voluntary departure .

Sir,

Let me direct you to the regulations

**28.** (1) Where the Minister dismisses an appeal against

a deportation order pursuant to any provision of the Act, he

shall direct that the order be executed as soon as practicable,

except that—

*(b)* in the case of any other person who was not a

resident at the time of the making of the order of

deportation, having regard to—

(i) the existence of reasonable grounds

for believing that if execution of the

order is carried out the person concerned

will be punished for activities of a

political character or will suffer unusual

hardship; or

(ii) the existence of compassionate or

humanitarian considerations that in the

opinion of the Minister warrant the

granting of special relief,

the Minister may direct that the execution of the

deportation order be stayed, or may quash the

order and direct the entry of the person against

whom the order was made.

We implore your good self to consider her situation quash the deportation order based on the above section. It would inhuman asking her to leave this county and would cause extreme hardship for her and her child who is a citizen of this country.

We appeal to your good self in making the necessary decisions.

Yours faithfully,

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Christopher Gidla

Attorney-at-Law

c.c to the Chief Immigration Officer