

Date: 20070912

Docket: IMM-4543-06

Citation: 2007 FC 903

Toronto, Ontario, September 12, 2007

PRESENT: The Honourable Mr. Justice Hughes

BETWEEN:

DUDU BOE MORRIS

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

REASONS FOR JUDGMENT AND JUDGMENT

[1] The Applicant is an adult male person claiming to be a citizen of Liberia. He arrived in Canada via Nigeria and upon arrival, claimed refugee status on the basis that he feared persecution if he were to return to Liberia. The basis of that fear was alleged to be that the Applicant was forced to perform homosexual favours for a General of a rebel Liberian group which group was subsequently incorporated into the Liberian army.

[2] A hearing was conducted by a Member of the Immigration and Refugee Board (Refugee Protection Division). On 25 July 2006, the Member issued a written decision denying the

Applicant's claim for refugee protection. The claim was denied on two bases, one of identity and the other of credibility. The Applicant has been given leave to seek judicial review of that decision.

[3] The decision of the Board Member is based squarely on the issues of identity and credibility. No issue of law arises. Therefore the decision of the member must be reviewed on the basis as to whether or not it was patently unreasonable (*Aguebor v. Canada (MCI)*, (1993) 160 N.R. 315 (FCA)).

[4] The Board Member's decision is clearly based on credibility of the Applicant both as to identity and credibility respecting his story and basis of alleged fear of return. I find no patently unreasonable findings in that decision based on the evidence before the Member.

[5] The application therefore is dismissed. There is no question for certification. There is no order to costs.

JUDGMENT

FOR THE REASONS GIVEN:

THIS COURT ORDERS AND ADJUDGES that:

1. The Application is dismissed;
2. There is no question for certification;
3. There is no Order as to cost.

“Roger T. Hughes”

Judge

FEDERAL COURT

NAME OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: IMM-4543-06

STYLE OF CAUSE: DUDU BOE MORRIS v.
THE MINISTER OF CITIZENSHIP
AND IMMIGRATION

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: September 12, 2007

REASONS FOR : Hughes J.

DATED: September 12, 2007

APPEARANCES:

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