

Federal Court



Cour fédérale

Date: 20120502

Docket: IMM-4068-12

Citation: 2012 FC 509

[UNREVISED ENGLISH CERTIFIED TRANSLATION]

Ottawa, Ontario, May 2, 2012

PRESENT: The Honourable Mr. Justice Shore

BETWEEN:

JOSE EMMANUEL REGALADO REGALADO,

Applicant

and

**THE MINISTER OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS**

Respondent

REASONS FOR ORDER AND ORDER

[1] The applicant failed to appear for removal.

[2] His failure to appear is sufficient in itself to dismiss this motion for a stay.

[3] The Court is using its discretion to refuse to hear this motion for a stay. The applicant has had several opportunities to assert his rights.

[4] Therefore, the applicant does not have clean hands. This Court does not exercise equitable jurisdiction toward the applicant and, thus, his motion for a stay of removal is dismissed (*Mohar v Canada (Minister of Citizenship and Immigration)*, 2005 FC 952).

ORDER

THE COURT ORDERS that the application for a stay of the removal order against the applicant be dismissed.

"Michel M.J. Shore"

Judge

Certified true translation

Catherine Jones, Translator

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: IMM-4068-12

STYLE OF CAUSE: JOSE EMMANUEL REGALADO REGALADO
v THE MINISTER OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS

**MOTION IN WRITING CONSIDERED AT OTTAWA, ONTARIO PURSUANT TO
RULE 369**

**REASONS FOR ORDER
AND ORDER:** MR. JUSTICE SHORE

DATED: May 2, 2012

WRITTEN REPRESENTATIONS BY:

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