

# Nanny won't follow order to leave

## Woman hopes speedy judicial review will allow her to stay in Canada

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An Edmonton nanny will not honor a request to leave the country voluntarily by today and could face deportation.

But the federal Immigration Department said Tuesday it will wait several days before deciding whether to trigger the process that will lead to a formal deportation order.

In the meantime, Celia Felipe, 44, is hoping a speedy judicial review of her case will allow her to stay in Canada.

Felipe came from the Philippines three years ago to work as a live-in nanny for a Wetaskiwin nurse. Four months later she was diagnosed as having breast cancer, for which she received chemotherapy and radiation treatments at the Cross Cancer Clinic.

There was no sign of the breast cancer when she was examined six months ago and a week ago, but doctors working for the federal Public Security Department said the cancer could recur and therefore she is "medically inadmissible" to Canada.

She was told to leave the country voluntarily by today.

Last week, however, Felipe's lawyer, Shirish Chotalia, filed an application in the Federal Court of Canada for a judicial review.

She has 30 days from the Sept. 17 filing of the review request to file Felipe's affidavit, the arguments, and decisions to be reviewed. Once that is done, she is hoping for an expedited hearing.

Chotalia wanted the Immigration Department to extend Felipe's permit to stay until the case is heard but the department refused. She's confident, though, the case will be heard before a deportation order is issued.

Karen Granoski, manager of Edmonton's Canada Immigration Centre, said the department only has the authority to direct the case to an adjudicator.

The adjudicator then decides whether the person is in violation of an immigration order and what should be done.

"I am aware that she has appealed to the Federal Court and we can either proceed now to inquiry or we can hold off pending the Federal Court decision, and I guess we'll know in a few days what action we will take," said Granoski.