

Date: 20080213

Docket: IMM-385-07

Citation: 2008 FC 179

Ottawa, Ontario, February 13, 2008

PRESENT: The Honourable Mr. Justice Phelan

BETWEEN:

EDGAR GEOVANY ANGEL RAMOS

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

REASONS FOR JUDGMENT AND JUDGMENT

[1] The Applicant, a 22-year old citizen of El Salvador, challenges a decision of the Refugee Protection Division (RPD) which denied his claim on the grounds that state protection was available to him.

[2] The Applicant claimed that he feared a certain gang but despite the urgings of his mother to contact the police, he refused to do so. On the advice of his priest he fled first to the United States and then to Canada.

[3] There is no reason to suggest that the RPD ignored evidence of events subsequent to the Applicant's departure on which he relied to support his fears. In effect the Applicant asks that this Court re-weigh that evidence – something it will not do.

[4] Against the standard of review of reasonableness (see *Chaves v. Canada (Minister of Citizenship and Immigration)*, 2005 FC 193), the RPD's decision stands up to a somewhat probing examination. While acknowledging that state protection was not perfect, the RPD found that it was sufficient.

[5] The Applicant undermined his case by failing to approach the authorities, even once, and by failing to show that there was no internal flight alternative.

[6] Therefore, this judicial review is denied. There is no question for certification.

JUDGMENT

THIS COURT ORDERS AND ADJUDGES that this application for judicial review is denied.

“Michael L. Phelan”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-385-07

STYLE OF CAUSE: EDGAR GEOVANY ANGEL RAMOS

and

THE MINISTER OF CITIZENSHIP AND
IMMIGRATION

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: December 5, 2007

**REASONS FOR JUDGMENT
AND JUDGMENT:** Phelan J.

DATED: February 13, 2008

APPEARANCES:

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Mr. David Joseph	FOR THE RESPONDENT

SOLICITORS OF RECORD:

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