

Federal Court



Cour fédérale

**Date: 20131014**

**Docket: IMM-10326-12**

**Citation: 2013 FC 1166**

**Toronto, Ontario, November 14, 2013**

**PRESENT: The Honourable Mr. Justice Zinn**

**BETWEEN:**

**ALEXANDER FRANCISCO REPREZA PACHECO  
(A.K.A. ALEXANDER FRANC REPREZA PACHECO)**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**REASONS FOR JUDGMENT AND JUDGMENT  
(Delivered from the Bench at Toronto, Ontario)**

[1] This application is dismissed. Credibility findings made by Board members are subject to the highest degree of deference by a reviewing court and should only be overturned if there is evidence that those findings were made capriciously or without regard for the evidence.

[2] Neither of those conditions applies in this case; in fact, there is ample evidence in the record to support the Member's finding that the Applicant was not credible.

[3] There were at least five instances where his evidence conflicted with previous statements that he had made and the Member's finding of credibility cannot be upset. For this reason, the application is dismissed and no question is certified.

**JUDGMENT**

**THIS COURT'S JUDGMENT is that** this application is dismissed and no question is certified.

"Russel W. Zinn"

---

Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-10326-12

**STYLE OF CAUSE:** ALEXANDER FRANCISCO REPREZA PACHECO (a.k.a. ALEXANDER FRANC REPREZA PACHECO) AND THE MINISTER OF CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** NOVEMBER 14, 2013

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

**DELIVERED FROM THE  
BENCH:** NOVEMBER 14, 2013

**APPEARANCES:**

Jeffrey L. Goldman FOR THE APPLICANT

Jeanine Plamondon FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

JEFFREY L. GOLDMAN FOR THE APPLICANT  
Barrister and Solicitor  
Toronto, Ontario

WILLIAM F. PENTNEY FOR THE RESPONDENT  
Deputy Attorney General of Canada  
Toronto, Ontario