

CANADA / JUDGMENT

Granados v. Canada (Citizenship and Immigration)

2026 FC 459

COURT

Federal Court

DECIDED

8 April 2026

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Granados v. Canada (Citizenship and Immigration) Court (s) Database Federal Court Decisions
Date 2026-04-08 Neutral citation 2026 FC 459 File numbers IMM-15338-23 Decision Content Date:
20260408 Docket: IMM-15338-23 Citation: 2026 FC 459 Toronto, Ontario, April 8, 2026 PRESENT:
The Honourable Justice Battista BETWEEN: OSCAR DAVID PULIDO GRANADOS Applicant and
THE MINISTER OF CITIZENSHIP AND IMMIGRATION Respondent JUDGMENT AND REASONS
(delivered orally from the bench on April 8, 2026)

- [1] The Applicant's claim for refugee protection was refused by the Refugee Protection Division (RPD), and the Refugee Appeal Division (RAD) upheld that decision. This application for judicial review challenges the RAD's decision.
- [2] The RAD found that the Applicant had an internal flight alternative (IFA) in Mérida, Mexico. The first prong of the IFA test requires no serious possibility of persecution in the location of the IFA (*Olusola v Canada (Citizenship and Immigration)*, 2020 FC 799 at para 8), and the RAD found that the Applicant's feared persecutors would not be motivated to locate and harm him in Merida.
- [3] The Applicant argues that his history of harm from his feared persecutors should establish their motivation to find him. However, this argument invites the Court to reweigh the evidence and come to its own conclusion, which is not the role of a Court on judicial review (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 125-126). The RAD found that the Applicant adduced no evidence to establish that he would be pursued and further found, based on the Applicant's testimony, that the Applicant's family in Mexico was neither approached nor contacted by the alleged persecutors. These are reasonable findings based on the record (*Torres Jimenez v Canada (Citizenship and Immigration)*, 2025 FC 7 at paras 37-38).

- [4] The RAD reasonably found the second prong of the IFA test to be satisfied after reviewing the Applicant's personal circumstances. The Applicant asserts that the RAD unreasonably required him to live in hiding in the IFA, however the RAD made no such finding. The RAD in fact found no risk at all in the proposed IFA.
- [5] The balance of the Applicant's submissions are bare assertions of unsubstantiated errors in the decision. The Applicant has not met the burden of demonstrating that the decision is unreasonable, and the application for judicial review is therefore dismissed. JUDGMENT in IMM-15338-23 THIS COURT'S JUDGMENT is that: The application for judicial review is dismissed. There is no question for certification and no order regarding costs. "Michael Battista" Judge FEDERAL COURT SOLICITORS OF RECORD DOCKET: IMM-15338-23 STYLE OF CAUSE: OSCAR DAVID PULIDO GRANADOS v THE MINISTER OF CITIZENSHIP AND IMMIGRATION PLACE OF HEARING: HELD BY WAY OF ZOOM VIDEOCONFERENCE DATE OF HEARING: APRIL 8, 2026 JUDGMENT AND REASONS: BATTISTA J. DATED: APRIL 8, 2026 APPEARANCES: Rajender Singh For The Applicant Michelle Brar For The Respondent SOLICITORS OF RECORD: RST Professional Corporation Barristers and Solicitors Mississauga, Ontario For The Applicant Attorney General of Canada Toronto, Ontario For The Respondent

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