

Federal Court



Cour fédérale

**Date: 20260521**

**Docket: IMM-28046-25**

**Citation: 2026 FC 650**

**Montréal, Quebec, May 21, 2026**

**PRESENT: The Honourable Madam Justice Tsimberis**

**BETWEEN:**

**MARYIA SINKOVA**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND IMMIGRATION**

**Respondent**

**ORDER**

**UPON INFORMAL REQUEST** by the Respondent, the Minister of Citizenship and Immigration [Minister], that the Reply Memorandum [Reply] of the Applicant, Ms. Maryia Sinkova, be removed from the Court file pursuant to Rule 74(1)(b) and (c) of the *Federal Courts Rules*, SOR/98-106 [*FC Rules*] because the Reply is scandalous, frivolous, vexatious, or otherwise an abuse of process of the Court given that it contains numerous errors or omissions in citations that present as “AI hallucinations” due to the possible use of generative AI;

**UPON CONSIDERING** Ms. Sinkova’s responsive letter dated April 15, 2026 where she respectfully requests that the Court disregard any impugned authorities and assess the

submissions based on the evidentiary record or, in the alternative, seeks leave to file a brief amended Reply Memorandum within five (5) days, or within such time as this Honourable Court may direct;

**UPON CONSIDERING** Ms. Sinkova’s responsive letter acknowledges that “certain authorities cited in the Reply contain citation inaccuracies” and “some citations do not accurately correspond to the authorities referenced”, indicates her sincere regret with these errors and confirms that there was no intention to mislead the Court. Ms. Sinkova indicates being self-represented, that her spouse and sponsor, Mr. Romero, has assisted in the preparation of the materials and that she made all efforts to comply with the Court’s procedural requirements in good faith. In these circumstances, Ms. Sinkova submits that the presence of citation inaccuracies does not render the Reply scandalous, frivolous, vexatious, or an abuse of process within the meaning of Rule 74, the interests of justice do not warrant striking the Reply in its entirety because the impugned issues relate to certain legal authorities and do not affect the underlying evidentiary record;

**UPON NOTING** that Ms. Sinkova does not explain anywhere in her responsive letter how these “citation inaccuracies” occurred, does not file any evidence or supporting affidavit that would explain how these “citation inaccuracies” occurred and does not indicate anywhere whether or not there was indeed use of AI in the preparation of the Reply that she filed with the Court;

**UPON BEING SATISFIED** that 6 of the 11 cases in Ms. Sinkova’s Reply are likely “AI hallucinations” because they are non-existent Federal Court decisions as illustrated in the Minister’s table reproduced below:

***Abdollahzadeh v Canada (Citizenship and Immigration), 2024 FC 1361*** at page 5, to support that, “prolonged delay in security screening has been found unreasonable where the Minister fails to provide specific evidence explaining the duration.” The neutral citation cited refers to *Edu-Adesokan v Canada (Citizenship and Immigration), 2024 FC 1361*. This case does not support, nor relate to, prolonged delay. Furthermore, searching the Applicant’s cited case by name (i.e. without using the neutral citation) also does not result in any cases that support the Applicant’s assertions or even have paragraphs as pinpointed by the Applicant.

***Torkestani v Canada (Citizenship and Immigration), 2024 FC 1673*** at pages 3-5, to support that, “passive monitoring or awaiting responses from third parties does not constitute “active processing” where no evidence of follow-up, escalation, or internal action is provided”, “the Federal Court has held that generalized assertions of ongoing processing, unsupported by evidence of meaningful activity, are insufficient to justify delay”, and “generalized assertions of ongoing processing are insufficient where the evidentiary record reveals prolonged inactivity.” The neutral citation cited refers to *Sidoli v. Canada (Attorney General), 2024 FC 1673*. This case does not support, nor relate to, ongoing processing. Further, searching the Applicant’s cited case by name also does not result in any cases that support the Applicant’s assertions or even have paragraphs as pinpointed by the Applicant.

***Yavari v Canada (Citizenship and Immigration), 2024 FC 1421*** at page 5, to support that, “the Respondent remains responsible for delays attributable to partner agencies and cannot rely on them to avoid accountability.” The neutral citation cited refers to *Singh v Canada (Citizenship and Immigration), 2024 FC 1421*. This case does not support, nor relate to, delays of partner agencies. Further, searching the Applicant’s cited case by name also does not result in any cases that support the Applicant’s assertions.

***D’Errico v Canada (Citizenship and Immigration), 2024 FC 1419*** at page 7, to support that, “in the context of spousal sponsorship, the statutory objective of family reunification must be given meaningful weight. Delays that prolong separation engage not only practical hardship but the legislative purpose set out in the Immigration and Refugee Protection Act.” The neutral citation cited refers *Singh v. Canada (Citizenship and Immigration), 2024 FC 1419*. This case does not support, nor relate to, statutory objective of family reunification. Further, searching the Applicant’s cited case by name also does not result in any cases that support the Applicant’s assertions.

***Moghadam v Canada (Citizenship and Immigration), 2024 FC 1319*** at page 3, to support that, “the Federal Court has held that the existence of procedural steps, without timely and meaningful progress, does not justify prolonged delay.” The neutral citation cited refers to *Zane v. Rohland, 2024 FC 1319*. This case does not support, nor relate to, the justification of prolonged delay. Further, searching the Applicant’s cited case by name also does not result in any cases that support the Applicant’s assertions or even have paragraphs as pinpointed by the Applicant.

***Farah v Canada (Citizenship and Immigration), 2023 FC 1385*** page 7, to support that, “the Court has recognized that personal circumstances, including health-related limitations, are relevant to the assessment of prejudice in mandamus applications.” The neutral citation cited refers to *Society of Composers, Authors and Music Publishers of Canada v. Vidéotron Ltée, 2023 FC 1385*. This case does not support, nor relate to, assessment of prejudice for mandamus. Further, searching the Applicant’s cited case by name also does not result in any cases that support the Applicant’s assertions.

**UPON DETERMINING** that Ms. Sinkova is not in compliance with the Court’s Notice to the Parties and the Profession – The Use of Artificial Intelligence in Court Proceedings, May 7, 2024 [Use of AI Notice] providing that parties must inform the Court and each other if any documents submitted for the purposes of litigation include content that was created or generated by AI because she did not inform the Minister or the Court of such use, and no AI disclaimer was included in the Reply;

**UPON DETERMINING** that Ms. Sinkova does not acknowledge anywhere in her responsive letter that there was use of AI in the preparation of the Reply that she filed, and does not make the required declaration to the Court that AI was used in preparing the Reply, even at this late stage after serving and filing her Reply and after being made aware of the Minister’s informal request putting her on official notice of the Court’s Use of AI Notice. It is clear to the Court that Ms. Sinkova’s Reply is in contravention of the Court’s Use of AI Notice. In my view, Ms. Sinkova’s letter downplays the issues with her non-compliant Reply, which is particularly concerning;

**UPON AGREEING** with the Minister that the undeclared use of AI in court documents filed with the Court, particularly when they include the citation of non-existent or “hallucinated” authorities, is not a harmless endeavor and is a serious matter;

**UPON CONSIDERING** that in the Federal Court, the removal of abusive court documents from the Court file is necessary to preserve the integrity of the Court’s process and the administration of justice. The Federal Court has previously granted an applicant’s motion to remove the respondent’s motion record after undeclared use of AI, finding the removal of the

document from the Court's file to be a "very modest sanction" and awarded \$500 in costs to the applicant: *Lloyd's Register Canada Ltd. v. Choi*, 2025 FC 1233;

**UPON CONSIDERING** that the Federal Court has recently recognized that self-represented parties carry the obligation of self-education, and they are expected (i) to review the Court's practice directions, including the Use of AI Notice, and (ii) to verify AI-generated information in court documents before they are filed, failing such that they may face sanctions for non-compliance: *Arora v Canadian National Railway*, 2026 FC 82 at para 31;

**UPON NOTING** that the Minister has not requested costs against Ms. Sinkova;

**UPON FINDING** that Ms. Sinkova's Reply is an abusive court document that warrants removal from the Court file because it is necessary to preserve the integrity of the Court's process and the administration of justice;

**UPON FINDING** that regardless of whether Ms. Sinkova used AI or not in her Reply, the fact remains that her Reply submissions contain fake or non-existent cases to an extent that determinately affects the reliability and accuracy of her submissions, which requires that the Reply be removed from the Court file;

**THIS COURT ORDERS that:**

1. The Respondent's informal request based upon Rule 74 of the *Federal Courts Rules* is granted.
2. The Applicant's Reply Memorandum, filed and served on March 26, 2026, is stricken from the Court's record.

3. The Registrar is to remit back to the Applicant and remove from the Court record any Reply Memorandum or amended Reply Memorandum filed by the Applicant after March 26, 2026.
4. Should the Applicant wish to serve and file with the Court any Reply Memorandum, the Applicant is to file a motion record seeking leave of the Court to do so within seven days of this Court's Order.

"Ekaterina Tsimberis"

---

Judge