



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: AA/06547/2013

THE IMMIGRATION ACTS

Heard at Field House
On 7 January 2014

Determination Sent
On 19 February 2014

Before

UPPER TRIBUNAL JUDGE GLEESON

Between

MR EVGENY MISHUROV
(NO ANONYMITY ORDER MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms V Easty instructed by Duncan Lewis & Co Solicitors (Harrow Office)
For the Respondent: Mr I Jarvis, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellant is a national of Russia, born on 9 November 1991. In a determination promulgated on 10 September 2013 Upper Tribunal Judge King TD found an error of law and set aside the First-tier Tribunal determination for re-making in due course in

the Upper Tribunal. Further background evidence was to be obtained and is still pending in the form of a country report from Professor Robert Chenciner which is expected on 7 February 2014.

2. In light of the concerns about the findings of fact in the First-tier Tribunal I do not consider that this is a case which needs to be retained in the Upper Tribunal and it is more appropriate that findings of fact be made afresh in the First-tier Tribunal. The appeal will therefore be heard on the first open day after 1 March 2014 in the First-tier Tribunal (Hatton Cross).
3. The credibility findings are to be preserved also the finding that the claimant is a Jehovah's Witness and an interpreter in the Russian language.
4. Save for subparagraph 4 of the directions given by Upper Tribunal Judge King on 10 September 2013, those directions are maintained and no further directions will be made by the Upper Tribunal.

Signed

Date

Upper Tribunal Judge Gleeson