



**Upper Tribunal
(Immigration and Asylum Chamber)**

Appeal Number: IA/20134/2013

THE IMMIGRATION ACTS

**Field House
18 September 2014**

**Notice sent to Parties on
9 October 2014**

Before

DEPUTY UPPER TRIBUNAL JUDGE FROM

Between

**LATEEF ADEBISI TERIBA
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

NOTICE OF WITHDRAWAL

RULES 17(5), THE TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008

1. Mr Walker, Senior Home Office Presenting Officer, representing the Respondent, indicated at the beginning of the hearing that the Respondent wished to withdraw the decision to remove the Appellant, which is the decision under appeal. This was notice given under Rule 17(1)(b) that the Respondent was withdrawing her case. He indicated that the Respondent wished to make a fresh decision which would encompass consideration of the deportation order signed in respect of Mrs Teriba and the fact the couple's daughter has now resided in the UK in excess of 7 years. Mr Davison, Counsel for the Appellant, having taken instructions from the Appellant, indicated that the Appellant did not oppose such a course being taken.
2. In the circumstances that both parties are content I have decided that this is not a case in which, notwithstanding the respondent withdrawing her case, it is appropriate to proceed to determine the appeal and re-make the First-tier Tribunal's decision. The appeal is therefore at an end.

Signed

Date 18 September 2014

**Neil Froom, sitting as a Deputy Judge of the
Upper Tribunal**