



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

**Appeal number:
IA/25995/2013**

THE IMMIGRATION ACTS

**Heard at Field House
On 12 August 2014**

**Sent to parties on:
On 13th Aug 2014**

Before

UPPER TRIBUNAL JUDGE GLEESON

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

OLIVIA ADDO

Respondent

NOTICE OF WITHDRAWAL

1. The Secretary of State has permission to appeal against the First-tier Tribunal determination allowing the claimant's appeal against her refusal to issue the claimant a residence card as the wife of a German national, on the basis that her husband is an EEA citizen exercising Treaty rights in the United Kingdom under the Immigration (European Economic Area) Regulations 2006 (as amended). The marriage relied upon was a customary Ghanaian marriage.

2. On 9 July 2014, Upper Tribunal Judge Craig found a material error of law in the determination of First-tier Tribunal Judge CMA Jones, on the basis that when considering the customary Ghanaian marriage relied upon, Judge Jones failed to apply the guidance given in *Kareem (proxy marriages - EU law)* [2014] UKUT 000024 (IAC). He gave directions for the remaking of the determination on a date to be fixed and specified the evidence which the claimant would be required to produce, applying *Kareem*.
3. By a letter dated 11 August 2014, the claimant's representatives stated that they were 'instructed to withdraw the above appeal on behalf of the [claimant]'. No reason was given.
4. Pursuant to paragraph 17 of The Tribunal Procedure (Upper Tribunal) Rules 2008 (as amended), the permission of the Upper Tribunal is required for such withdrawal. On behalf of the Upper Tribunal, I consent to the withdrawal both of the underlying First-tier Tribunal appeal and of the claimant's case before the Upper Tribunal.
5. The appellant's case having been withdrawn, there is no longer a valid appeal before the Upper Tribunal.



Signed
Upper Tribunal Judge Gleeson

Date: