



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: IA/42699/2013  
IA/42702/2013  
IA/42704/2013

**THE IMMIGRATION ACTS**

Heard at Stoke  
On 19<sup>th</sup> September 2014  
Signed 19<sup>th</sup> September, 2014

Determination Sent  
On 22<sup>nd</sup> September 2014

Before

**UPPER TRIBUNAL JUDGE CHALKLEY**

Between

**GODWIN ARIKIBE  
CHINYERE ARIKIBE  
CHINONSO C ARIKIBE**

Appellants

and

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

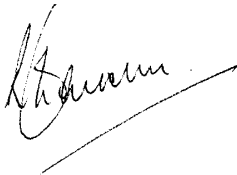
**NOTICE OF WITHDRAWAL**

(The Tribunal Procedure (Upper Tribunal) Rules 2008, rule 17, and  
The Asylum and Immigration Tribunal (Procedure) Rules 2005, rule 17)

1. The appellants are a family from Nigeria. The Second and Third named appellant's appeals are entirely dependant on the First named appellant who is

the husband of the second named appellant and father of the Third named appellant.

2. Future references to “the appellant” are to the First named appellant.
3. The appellant, made application to the respondent on 19<sup>th</sup> August 2013 for leave to remain in the United Kingdom as a Tier 2 Migrant under the points based scheme. The respondent refused that application and the appellant appealed to the First Tier Tribunal.
4. First Tier Tribunal Judge VA Osborne refused that appeal and First Tier Tribunal Judge Page granted leave to appeal to the Upper Tribunal.
5. At the hearing, I drew Mr Harrison’s attention to the fact that the refusal notice appeared to refer the wrong clarification under the Occupational Codes of Practice. He told me that it had contained a typing error and should have referred to SOC Code 3543, but at a higher level than the level at which the appellant made application.
6. He indicated that the Secretary of State would withdraw the decision and issue a further refusal letter giving a fresh right of appeal.
7. That decision operates as a withdrawal of the Secretary of State’s case before the Upper Tribunal and the First-tier Tribunal, pursuant to rules 17 of the Upper Tribunal and First-tier Tribunal Procedure Rules, respectively.
8. On behalf of the Upper Tribunal, and in my capacity as a judge of the First-tier Tribunal, I consent to those withdrawals. There is therefore no longer an outstanding appeal before either Tribunal.



**Upper Tribunal Judge Chalkley**