



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

Appeal Number: OA/11878/2013

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 19 June 2014**

**Determination  
Promulgated  
On 26 June 2014**

**Before**

**DEPUTY UPPER TRIBUNAL JUDGE MCWILLIAM**

**Between**

**MRS AIDA BINO**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: None

For the Respondent: Ms A Holmes, Home Office Presenting Officer

**NOTICE OF WITHDRAWAL**

1. The appellant is a citizen of Albania and her date of birth is 5 July 1987. She applied for entry clearance as a partner to join her spouse in the UK under Appendix FM. The application was refused by the Entry Clearance Officer as the appellant could not satisfy the maintenance requirements of the Rules and had failed to provide certain evidence as required.

2. The appellant appealed against the decision of the Entry Clearance Officer and her appeal was dismissed by Judge of the First-tier Tribunal Kimnell in a decision that was promulgated on 17 March 2014 following a hearing on 2 March 2014. Permission to appeal was granted by Judge of the First-tier Tribunal Simpson on 28 April 2014. Thus the matter came before me.
3. At the hearing before me the appellant did not attend. There was a letter from Malik & Malik Solicitors representing the appellant which was faxed to the Upper Tribunal on 17 June 2014 indicating that their client wishes to withdraw her appeal in order to submit a new application for entry clearance. There was no objection to the matter being withdrawn by the Presenting Officer, Ms A Holmes.
4. I was satisfied that the appellant had given notice of withdrawal in accordance with Rule 17(1)(a) and I consented to the withdrawal of the appellant's case pursuant to Rule 17 of the 2008 Procedure Rules.

Signed            Joanna McWilliam

Date 25 June 2014

Deputy Upper Tribunal Judge McWilliam