



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

Appeal Number: IA/17497/2014

THE IMMIGRATION ACTS

**Done at Field House
On 22 October 2015**

**Decision Served
On 23 October 2015**

Before

UPPER TRIBUNAL JUDGE PERKINS

Between

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

GEORGE KWAKU ANYOMI

Respondent

DECISION AND REASONS

- 1) The First-tier Tribunal allowed the appeal of the Respondent (hereinafter “the claimant”) against a decision of the present Appellant (hereinafter “the Secretary of State”) to refuse him leave to remain in the United Kingdom.
- 2) By a “Decision and Directions” following a hearing on 4 September 2015 the Upper Tribunal set aside the decision of the First-tier Tribunal and directed that the appeal be decided again in the Upper Tribunal.
- 3) I am informed by e-mail dated 22 October 2015 that the Secretary of State has withdrawn the decision that was the subject of the appeal. She is entitled to do that but that decision does not, of itself, dispose of the appeal before the Upper Tribunal.

4) By the same e-mail the Secretary of State asked for permission pursuant to rule 17(2) of the Tribunal Procedure (Upper Tribunal) Rules 2008 to withdraw her case and I give permission as requested.

5) As the Secretary of State no longer has an appeal before the Upper Tribunal I dismiss the Secretary of State's appeal before the Upper Tribunal.

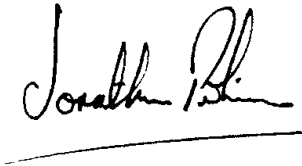
6) As the First-tier Tribunal's decision has been set aside I substitute a decision allowing the claimant's appeal. However, as the decision that was the subject of the appeal has been withdrawn that decision to allow the appeal will not, of itself, lead to the claimant gaining any right to remain in the United Kingdom. The Secretary of State must now decide the outstanding application.

Decision

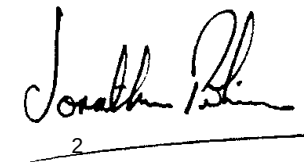
The Secretary of State's case is withdrawn at her request.

The claimant's appeal against the withdrawn decision is allowed but allowing the appeal does not entitle the claimant to remain in the United Kingdom.

Signed
Jonathan Perkins
Judge of the Upper Tribunal

A handwritten signature in black ink, appearing to read 'Jonathan Perkins', written over a horizontal line.

Dated 22 October 2015

A handwritten signature in black ink, appearing to read 'Jonathan Perkins', written over a horizontal line.