



**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: IA/46116/2014**

THE IMMIGRATION ACTS

**Determined at Field House
On: 26 October 2015**

**Notice sent
On: 28 October 2015**

Before

UPPER TRIBUNAL JUDGE O'CONNOR

Between

Secretary of State for the Home Department

Appellant

and

Robert Onwazubudike Isichei

Respondent

**NOTICE OF WITHDRAWAL AND
REASONS FOR THE TRIBUNAL GIVING CONSENT**

1. The Secretary of State is the appellant before the Upper Tribunal. She obtained permission to appeal to the Upper Tribunal against a decision of the First-tier Tribunal promulgated on 9 June 2015 allowing Mr Isichei's appeal against a decision refusing to vary his leave.
2. By way of a letter dated 26 October 2015 the Respondent seeks to withdraw her case before the Upper Tribunal. Mr Isechei has expressed no objection to such a course being taken.
3. Consent of the Upper Tribunal is required for a party to withdraw its case. Having carefully considered the facts of this appeal as a whole, and observing the terms of the First-tier Tribunal's decision and the agreement between the parties as to the appropriate course, I give such consent to the Secretary of State to withdraw.

4. Accordingly with my consent, and pursuant to rule 17(5) of the Tribunal Procedure (Upper Tribunal) Rules 2008, this appeal is recorded as "Withdrawn with the consent of the Upper Tribunal". This is a Notice pursuant to rule 17(5) to inform the parties that the Secretary of State's case is withdrawn.
5. The effect of this is that the proceedings before the Upper Tribunal are at an end. There is no appeal before the Upper Tribunal and the First-tier Tribunal's decision shall stand.

Signed:

A handwritten signature in black ink, appearing to read 'M. O'Connor', written over a faint, illegible stamp or background.

Upper Tribunal Judge O'Connor
Date: 26 October 2015