



**Upper Tribunal  
(Immigration and Asylum Chamber)  
HU/03958/2015**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**Heard at North Shields**

**On 11<sup>th</sup> October, 2017**

**Decision & Reasons  
Promulgated  
On 19<sup>th</sup> October, 2017**

**Before**

**UPPER TRIBUNAL JUDGE CHALKLEY**

**Between**

**MAHMOUD ALI M ALERAIG  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Mr Marfat of Newcastle Legal Centre  
For the Respondent: Mr D Mills, Home Office Presenting Officer

**DECISION AND REASONS**

1. The appellant was born on 15<sup>th</sup> August 1974 and is a Libyan citizen.
2. On 3<sup>rd</sup> July, 2015 the respondent refused to grant the appellant leave to remain in the United Kingdom and the appellant appealed to the First-tier Tribunal. His appeal was heard by First-tier Tribunal Judge Howard on 2<sup>nd</sup> September 2016. The appellant, dissatisfied with the

judge's decision to refuse to allow his appeal, sought and obtained permission to challenge it.

3. The matter was called for hearing before me today when, on behalf of the Secretary of State, Mr Mills invited me to allow the appeal outright, given the errors in the determination, which were accepted. This determination appears as a matter of record only.
4. The appellant's appeal is allowed under the immigration rules.

**Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

The First-tier Tribunal made an anonymity direction under Rule 13 of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014. **I have decided not to continue the anonymity direction, there being no basis for doing so.**

***Richard Chalkley***  
Upper Tribunal Judge Chalkley

**TO THE RESPONDENT**  
**FEE AWARD**

I have allowed the appeal and to the extent that any fee has been paid, I order that it should be repaid to the appellant.

***Richard Chalkley***  
Upper Tribunal Judge Chalkley