



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

Appeal Number: EA/00220/2018

THE IMMIGRATION ACTS

**Heard at Bradford
On 22 November 2018**

**Decision & Reasons Promulgated
On 7 December 2018**

Before

Upper Tribunal Judge Lane

Between

EMMANUEL ELUMA OSAZUWA

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DETERMINATION AND REASONS

1. The appellant is a citizen of Nigeria. He appealed against a decision of the First-tier Tribunal promulgated on 23 February 2018 dismissing his appeal against a decision of the Secretary of State dated 4 December 2017 refusing the appellant a permanent residence card as a former family member of an EEA 2016 national.
2. At the hearing on 22 November 2018, Mrs Pettersen, who appeared for the Secretary of State, told me that the respondent did not oppose the setting aside of the First-tier Tribunal decision. Subsequently, she wrote to me on 3 December 2018 to state that the appeal should be remade allowing the appeal as the Secretary of State is satisfied that the appellant has now provided satisfactory evidence of his former wife's identity.

Notice of Decision

The decision of the First-tier Tribunal is set aside. I have remade the decision. The appeal against the Secretary of State's decision dated 4 December 2017 is allowed.

Signed

Upper Tribunal Judge Lane
3 December 2018