



IAC-AH-SC-V1

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

Appeal Number: IA/14326/2013

**THE IMMIGRATION ACTS**

<b>Heard at Birmingham On 12<sup>th</sup> April 2016</b>	<b>Centre City Tower,</b>	<b>Decision Promulgated On 20<sup>th</sup> April 2016</b>	<b>&amp; Reasons</b>
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**Before**

**DEPUTY UPPER TRIBUNAL JUDGE M A HALL**

**Between**

**LUMTURIJE BERCAJ  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: No representation

For the Respondent: Mr D Mills, Senior Home Office Presenting Officer

**Notice of Abandonment**

1. The Appellant is a female Albanian citizen born 23<sup>rd</sup> July 1983.
2. By way of a decision promulgated on 16<sup>th</sup> March 2015 the First-tier Tribunal dismissed the Appellant's appeal against the Respondent's

decision to refuse her leave to remain in the United Kingdom. The Appellant's application had been based upon her private life.

3. The Appellant was granted permission to appeal to the Upper Tribunal on 14<sup>th</sup> July 2015.
4. The Appellant did not attend the hearing before the Upper Tribunal. Mr Mills advised that the Appellant had voluntarily left the United Kingdom on 21<sup>st</sup> July 2015, and produced extracts from Home Office records confirming this. Mr Mills submitted that the appeal had been abandoned.
5. I am satisfied that the Appellant voluntarily left the United Kingdom on 21<sup>st</sup> July 2015. I set out below section 92(8) of the Nationality, Immigration and Asylum Act 2002;

"Where an Appellant brings an appeal from within the United Kingdom but leaves the United Kingdom before the appeal is finally determined, the appeal is to be treated as abandoned unless the claim to which the appeal relates has been certified under section 94(1) or (7) or section 94B."

6. The Appellant's claim had not been certified and therefore the appeal must be treated as abandoned, as the Appellant voluntarily left the United Kingdom after bringing her appeal.
7. A notice is to be sent to the parties pursuant to rule 17A of The Tribunal Procedure (Upper Tribunal) Rules 2008 confirming that the appeal is being treated as abandoned.

### **Notice of Decision**

The appeal is abandoned.

No anonymity direction is made.

Signed

Date

Deputy Upper Tribunal Judge M A Hall

12<sup>th</sup> April 2016