



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

Appeal Number: PA/00101/2018

THE IMMIGRATION ACTS

**Heard at Manchester, Piccadilly
On 16th November 2018**

**Decision & Reasons Promulgated
On 23rd November 2018**

Before

UPPER TRIBUNAL JUDGE MARTIN

Between

**MD JETU MIAH
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Not present or represented

For the Respondent: Mr Tan (Senior Home Office Presenting Officer)

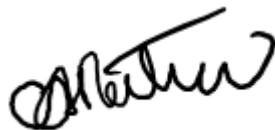
DECISION AND REASONS

1. This is an appeal to the Upper Tribunal, with permission, by the Appellant in relation to a decision of Judge P J Holmes in the First-tier Tribunal promulgated on 12th July 2018 in which he dismissed his protection appeal on all grounds.
2. Permission to appeal having been granted, my task is first to decide whether the First-tier Tribunal's Decision and Reasons contained an error of law and if so whether and to what extent the Decision and Reasons should be set aside.

3. The Appellant was represented before the First-tier Tribunal by Taj Solicitors. However they wrote to the Upper Tribunal on 15th November explaining that due to a lack of funding they would be unable to represent the Appellant before me. The Appellant did not attend in person.
4. Permission to appeal was granted on only one ground, namely that it was arguable that the Judge ought to have adjourned the hearing to enable the Appellant to adduce medical evidence regarding his mental state.
5. The Decision and Reasons is silent as to any adjournment request having been made to the Judge on the day. I have checked the Record of Proceedings and it is clear that there was no adjournment application.
6. An application was made in writing by letter dated 30th May. That was refused on 5th June 2018. No further application was made either prior to or at the hearing.
7. It is not an error of law for a Judge not to adjourn a case when he has not been asked to do so.

Notice of Decision

8. The First-tier Tribunal having made no error of law in its Decision and Reasons, the appeal to the Upper Tribunal is dismissed.
9. There having been no application for an anonymity direction and the First-tier Tribunal not having made one, I see no justification for directing anonymity and do not do so.



Signed
2018

Date 16th November

Upper Tribunal Judge Martin