



NCN: [2022] UKFTT 485 (GRC)

Case Reference: EA/ 2022/0207 GDPR

**FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
INFORMATION RIGHTS**

Heard: by determination on the papers

Heard on: 23 December 2022

Decision given on: 23 December 2022

Before:
Judge Alison McKenna

ROBERT AMEGADZIE

Appellant

- and –

THE INFORMATION COMMISSIONER

Respondent

**DECISION
on Strike Out Application**

1. The Appellant's Notice of Appeal dated 27 July 2022 is struck out as having no reasonable prospect of success.

REASONS

2. On 16 September 2022, the Information Commissioner applied for a strike out under rule 8(3)(c) of the Tribunal's Rules, on the basis that this appeal has no reasonable prospect of success.
3. The Appellant's Notice of Appeal is understood to constitute an application for an Order under s. 166(2) of the Data Protection Act 2018. He had made a complaint to the Information Commissioner but had not received a response.

4. In his Response to the Appeal, the Information Commissioner apologises for the delay in responding to the Appellant's complaint and explains that he has now written to the data controller and to the Appellant. The case is now closed.
5. The Appellant was invited to withdraw his appeal, and/or to comment on the proposed strike out pursuant to rule 8 (4). The deadline for receipt of his comments was set at 30 September 2022, but he did not reply.
6. As the Tribunal's jurisdiction under s. 166 DPA 2018 is procedural, and as the relevant procedural steps appear now to have been taken, it does not seem to me that there is a live issue for the Tribunal to determine in this case. Accordingly, I am satisfied that it is not fit for a hearing, and I now strike it out under rule 8 (3)(c).

(Signed)

Dated: 23 December 2022

Judge Alison McKenna

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