



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

Appeal Number: IA/27208/2013

THE IMMIGRATION ACTS

Heard at Field House

On 7 July 2014

Determination

Promulgated

On 22 October 2014

Before

UPPER TRIBUNAL JUDGE PERKINS

Between

ADEEB YOUNAS

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

Respondent

Representation:

For the Appellant: No Appearance

For the Respondent: Mr N Bramble, Senior Home Office Presenting Officer

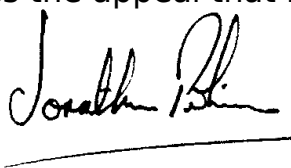
DETERMINATION AND REASONS

1. The appellant did not attend before me. He did not attend before the First-tier Tribunal. The papers show that notice of hearing was sent to him at his address for service and to his legal representatives. My clerk checked outside the hearing room when it was convenient to do a call on the case at a little after 3 o'clock in the afternoon and there was no sign of the appellant then. The case had been listed for a 2 o'clock hearing. I am satisfied that proper notice has been given in accordance with the Rules and that the appellant has decided not to attend. In the circumstances I continued with the hearing in his absence.
2. The appellant is a citizen of Pakistan who is almost 34 years old. He appeals a decision of the respondent of 19 June 2013 to remove him from the United Kingdom as an illegal entrant. He had previously made a claim for asylum which he withdrew in March of 2012.
3. The appellant applied to remain on the basis of his long residence in the United Kingdom but even if he were telling the truth when he said that his

residence began in March 1996 he was not able to do was show the *continuous* period of fourteen years' residence that would have been appropriate under the Rules because there was no reliable evidence to substantiate his claim.

4. Certain documents were looked at by the First-tier Tribunal but they were regarded as unreliable or unimpressive, particularly because alleged wage slips did not show national insurance contributions even though supporting or allegedly supporting documents suggested they should have done because national insurance was being paid.
5. The First-tier Tribunal Judge clearly read the evidence carefully and found nothing to justify the claim of long residence in the United Kingdom, nothing that would have led to the claim being allowed on Article 8 grounds in accordance with the Rules and nothing that would have made it appropriate to allow the appeal exceptionally on jurisprudential reasons rather than with regard to the Rules. For example, this is not a case where the appellant is alleged to have a wife, still less a wife that could not go to Pakistan or minor children who would benefit from a close relationship with him.
6. The grounds of appeal to the Upper Tribunal really do not identify any properly arguable error of law. They complain about weight and emphasis but are not impressive.
7. Permission to appeal was refused by the First-tier Tribunal. It was granted by an Upper Tribunal Judge but it is quite clear that the Upper Tribunal Judge did not intend to give permission because he said "the proposed grounds carry no realistic prospect of success and do not qualify for debate." Somehow permission was given. I can only assume that was a simple slip of the pen which should really have been corrected under the slip rule.
8. With the help of Mr Bramble I have gone through the papers and I find nothing that suggests any material error on the part of the First-tier Tribunal Judge and I dismiss the appeal that is before me.

Signed
Jonathan Perkins
Judge of the Upper Tribunal



Dated 21 October 2014