



**Upper Tribunal
(Immigration and Asylum Chamber)
DA/01937/2013**

Appeal Number:

THE IMMIGRATION ACTS

**Determined at Field House
On: 12 February 2015**

**Notice sent
On: 12 February 2015**

Before

UPPER TRIBUNAL JUDGE RINTOUL

Between

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

**WG
(ANONYMITY ORDER MADE)**

Respondent

NOTICE OF ABANDONMENT UNDER RULE 17A

1. The respondent, who was the appellant before the First-tier Tribunal, brought an appeal under section 82 (1) of the Nationality, Immigration and Asylum Act 2002 (“the 2002 Act”), which was successful. The Secretary of State appealed against that decision by the First-tier Tribunal and in a decision issued on 9 September 2014, Upper Tribunal Judge Kopieczek, set aside the decision of the First-tier Tribunal on the basis that it involved the making of an error of law.
2. From information supplied by the Secretary of State, it appears that the respondent agreed voluntarily to return to Jamaica, and was deported there on 23 November 2014.
3. Although section 104 of the 2002 Act has been amended by the Immigration Act 2014 with effect from 20 October 2014 by operation of

The Immigration Act (Commencement No. 3, Transitional and Saving Provisions) Order 2014 ("the Order"), section 104 of the 2002 Act is one of the "saved provisions" as defined in article 1 (e) of that order and so by operation of article 9 of the Order, continues to have effect as the respondent is not a person who falls within either article 10 or 11 of the Order.

4. I am therefore satisfied that as the respondent has left the United Kingdom, the appeal is to be treated as abandoned pursuant to section 104 (4) of the 2002 Act and that the Upper Tribunal must therefore issue a notice pursuant to rule 17 A (2) informing the parties that the appeal is being treated as abandoned. This is a Notice pursuant to rule 17A (2) to inform the parties that the respondent's case is deemed abandoned.
5. The effect of the respondent's case being deemed abandoned is that the proceedings before the Upper Tribunal are at an end.

Signed

Date: 12 February 2015

A handwritten signature in black ink, appearing to read 'Jeremy Rintoul', written in a cursive style.

Upper Tribunal Judge Rintoul