



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: DA/00017/2013

THE IMMIGRATION ACTS

Field House
On 15 July 2016

Notice & Reasons Promulgated
On 18 July 2016

Before

UPPER TRIBUNAL JUDGE RINTOUL

Between

ALIEU JOE JALLOW (1)
(ANONYMITY ORDER NOT MADE)

Appellants

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

NOTICE OF VACATION OF HEARING AND REASONS

1. The hearing on 19 July 2016 is vacated as there is no appeal pending before the Upper Tribunal. The matter was listed in error.
2. This case was initially allowed by Lord Bannatyne and UTJ Kopieczek on 26 September 2013. The respondent sought leave to appeal to the Court of Appeal which was granted. The respondent's appeal was allowed after a full hearing, reported as [2014] EWCA Civ 1636. The order of the Court of Appeal sealed on 17/12/2014 allowed the respondent's appeal and remitted the case to the Upper Tribunal. It then came before Knowles J and UTJ Smith on 23 July 2015. They

dismissed the appellant's appeal, and on 21 October 2015, UTJ Smith refused permission to appeal to the CoA. According to the appellant's solicitors, that application was not renewed to the Court of Appeal so there is no appeal pending before either the Upper Tribunal or the Court of Appeal.

3. While the Court of Appeal issued an order sealed on 13 January 2016, this states that it "has been amended pursuant to the slip rule, and supersedes the order sent to the parties on 17/12/2014". The purpose of this was solely to correct an error in the earlier order which recorded wrongly that the appellant was legally aided. It did not have the effect of remitting any appeal to the Upper Tribunal as there was as at 13 January 2016 no appeal in this matter pending before either the Upper Tribunal or the Court of Appeal.

Signed

Date: 15 July 2016

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

Upper Tribunal Judge Rintoul