



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

Appeal Number: IA/18640/2012

THE IMMIGRATION ACTS

**No hearing
On 1 June 2017**

**Notice of Decision Promulgated
On 7 June 2017**

Before

MR C M G OCKELTON, VICE PRESIDENT

Between

CHRISTOPHER GREEN

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

NOTICE AND DECISION

1. The appellant's appeal against a deportation decision of 18 August 2012 is before the Upper Tribunal following remittal by the Court of Appeal. The Upper Tribunal has already found that the decision of the First-tier Tribunal involved the making of an error of law.
2. Pursuant to a direction of Collins J sitting as a Judge of this Tribunal, the Secretary of State has made a new deportation decision against the appellant. The appellant has appealed against that decision. The appeal is to be heard by the First-tier Tribunal under case number HU/06228/2017.

3. The Secretary of State indicates a wish to withdraw her case before the Upper Tribunal in the present appeal, thus allowing this appeal to be disposed of without further consideration of the merits, and the other appeal to be determined upon a full consideration of all relevant issues.
4. That course of action appears to me expedient. I **accept** the Secretary of State's withdrawal of her case before the Upper Tribunal. I **allow** the appeal to the Upper Tribunal.
5. The appellant is nevertheless subject to the recent deportation decision, his appeal against which awaits determination.

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 1 June 2017