



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: AA/12908/2011

THE IMMIGRATION ACTS

Heard at Columbus House, Newport
On 9 September 2013

Determination Sent

Before

UPPER TRIBUNAL JUDGE STOREY

Between

MR S S M

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: None

For the Respondent: Mr I Richards, Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellant, a national of Iraq, appealed against a determination of First-tier Tribunal Judge Whiting sent on 22 December 2011 dismissing his appeal.

2. Following a hearing in October 2012, I issued a "Decision and Directions" finding an error of law on the part of the First-tier Judge and the case was set down for hearing before me today, 9 September 2013 for the decision to be re-made.
3. At the hearing Mr Richards produced a note from UKBA's Assisted Voluntary Return (AVR) Team confirming that the appellant left the UK on 19 February 2013, having also on that date signed a form withdrawing his appeal.
4. Accordingly the appellant's appeal has fallen away. Insofar as I have before me his signed wish to withdraw his appeal, I see no reason not to accept it I treat his appeal as withdrawn.
5. In any event, by the act of leaving the UK the appellant's appeal has been statutorily abandoned: see s.104(4) of the Nationality, Immigration and Asylum Act 2002.

Signed

Date 10th September 2013

Upper Tribunal Judge Storey