



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

Appeal Number: IA/00911/2014
IA/00918/2014
IA/00938/2014
IA/00934/2014
IA/00930/2014
IA/00927/2014

THE IMMIGRATION ACTS

**Heard at North Shields
on 12th December 2014**

**Determination
Promulgated
On 15th December 2014**

Before

UPPER TRIBUNAL JUDGE HANSON

Between

**AMAM
HGM
MAMM
HAMM
AAMM
EM**

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: No appearance.

For the Respondent: Ms Petersen Senior Home Office Presenting Officer.

DETERMINATION AND REASONS

1. On the 14th July 2014 the determination of First-tier Tribunal Judge Duff was set aside for the reasons given in the error of law finding document of the 15th July 2014. Directions were given thereafter for the matter to be listed for a case management hearing in light of the pending country guidance case relating to Libya.
2. In the interim the first appellant made a formal claim for asylum. The interview took place on the 1st September 2014. When the matter next returned to the Upper Tribunal, on the 8th September 2014, the respondent's decision letter had not been served. The case was therefore adjourned for a further hearing.
3. At the subsequent hearing it transpired that the appellants' application had been refused, he has been relocated to Cardiff, and he has lodged an appeal against the refusal which is listed to be heard by the First-tier Tribunal sitting at Newport in early January 2015. The new solicitors in Cardiff are not on record as acting in this matter.
4. The appeal was adjourned for clarification of the appellants' position in relation to this matter. On 10th October 2014 the case was called on but with no attendance on behalf of the appellants'. Directions were given for Hallidayreeves to confirm the appellants' current address in Cardiff and for clarification to be given in relation to whether the appeal is to be withdrawn. The directions contain the following wording:

"In the absence of any response it shall be assumed the appellants' no longer wish to proceed with the Upper Tribunal cases and the matter shall be disposed of accordingly on the 12th December 2014 by Upper Tribunal Judge Hanson."

5. There was no attendance on behalf of the appellants' today. Hallidayreeves confirmed in a fax dated 21st October 2014 that they had forwarded the directions to Duncan Lewis in Cardiff. I am satisfied both representatives are aware of the hearing and directions made. In light of the specific wording of the direction, the lack of attendance, the lack of explanation for the lack of a response, and the overriding interests, the decision of this tribunal in the absence of any indication that the appellants' wish to continue with the litigation and lack of evidence to establish the claim is that the appeals are dismissed.

Decision

6. **The First-tier Tribunal Judge has been found to have materially erred in law and his decision set aside. I remake the decision as follows. This appeal is dismissed.**

Anonymity.

7. The First-tier Tribunal made an order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005. I continue that order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008.

Signed.....
Upper Tribunal Judge Hanson

Dated the 12th December 2014