



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

Appeal Number: VA/03043/2014

THE IMMIGRATION ACTS

**Heard at Field House
On 8 October 2015**

**Decision and Reasons
Promulgated
On 9 October 2015**

Before

DEPUTY UPPER TRIBUNAL JUDGE GRIMES

Between

ENTRY CLEARANCE OFFICER NAIROBI

Appellant

and

NADIA MOHAMED ABDILAH

Respondent

Representation:

For the Appellant: Mrs N Willocks-Briscoe, Home Office Presenting Officer

For the Respondent: Mr I Harbi, the sponsor

NOTICE OF WITHDRAWAL

1. The respondent, a citizen of Somalia, appealed to the First-tier Tribunal against a decision of the Entry Clearance Officer (ECO) of 9 May 2014 to refuse her application for entry clearance as a family visitor to visit and support her elderly ill father. The ECO refused the application under paragraph 41 (i) and (ii) of the Immigration Rules. The appellant appealed to the First-tier Tribunal and First-tier Tribunal Judge Scott allowed the appeal under Article 8 of the European Convention on Human Rights. The ECO was granted permission to appeal to this Tribunal.

2. When the appeal came before me Mrs Willocks-Briscoe applied to withdraw the appeal on the basis that she accepted that the First-tier Tribunal Judge conducted a proper balancing exercise in considering the public interest under Article 8.
3. In the circumstances I consent to the withdrawal of the ECO's appeal.
4. I hereby record that the appeal of the ECO against the decision of the First-tier Tribunal has been withdrawn under Rule 17 of the Tribunal Procedure (Upper Tribunal) Rules 2008. There is therefore no appeal before the Upper Tribunal and the decision of the First-tier Tribunal stands.

Signed

Date: 8 October 2015

A Grimes
Deputy Judge of the Upper Tribunal