



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: IA/33851/2015

THE IMMIGRATION ACTS

Heard at Field House
On 20.08.2018

Decision and Reasons Promulgated
On 30.08.2018

Before

UPPER TRIBUNAL JUDGE GRUBB

Between

PETER OWUSU ANSAH
(anonymity direction not made)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr A Otchie instructed through direct access

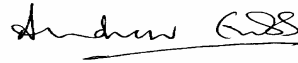
For the Respondent: Mr C Howells, Senior Home Office Presenting Officer

NOTICE OF DECISION

1. Both subparagraphs of rule 40(3) apply to this decision.
2. The decision of the First-tier Tribunal (Judge Powell) sent out on 27 September 2017 is erroneous in law. I set it aside.
3. The appeal is remitted to be determined *de novo* by the First-tier Tribunal other than Judge Powell.

4. The respondent is directed to serve upon the appellant **within 21 days** of this decision being sent (i) the respondent's bundle; and (ii) any evidence relied upon in relation to the issue of the subsistence of the appellant's marriage, including any evidence from the appellant's spouse.

Signed

A handwritten signature in black ink that reads "Andrew Grubb". The signature is written in a cursive style and is underlined.

A Grubb
Judge of the Upper Tribunal

dated 20 August 2018