



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

Appeal Number: HU/15885/2019

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 16 June 2022**

**Decision & Reasons Promulgated  
On 14 July 2022**

**Before**

**UPPER TRIBUNAL JUDGE PERKINS**

**Between**

**VICTORIA DOMINGO VALENTE**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr M Fazli, Counsel instructed by Ashfield Solicitors

For the Respondent: Ms H Gilmour, Senior Home Office Presenting Officer

**DETERMINATION AND REASONS**

1. The Court of Appeal has found that the First-tier Tribunal erred in law and remitted the appeal to the Upper Tribunal for further consideration.
2. Before me Ms Gilmour accepted that, as indicated by the Court of Appeal, the evidence showed that the appellant has completed 10 years lawful residence in the United Kingdom and that the appellant's appeal against the respondent's decision to refuse her application for leave to remain on human rights grounds should be allowed.

3. Ms Gilmour further accepted that the appellant satisfies the requirements of paragraph 276B of HC 395 and that the appellant is expected to be given indefinite leave to remain.
4. Mr Fazli, understandably, did not make any submissions.
5. It follows that I allow the appellant's appeal.

**Notice of Decision**

6. The appellant's appeal is allowed.

Jonathan Perkins

Signed  
Jonathan Perkins  
Judge of the Upper Tribunal

Dated 16 June 2022