



**The Upper Tribunal  
(Immigration and Asylum Chamber)  
IA/13897/2014**

**Appeal number:**

**THE IMMIGRATION ACTS**

**Decision & Reasons Promulgated  
On 13 January 2014**

**Before**

**UPPER TRIBUNAL JUDGE KOPIECZEK**

**Between**

**ERIK ROBERT MILLER**

**Appellant**

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

**Respondent**

**DECISION**

1. The appellant has an appeal outstanding before the Upper Tribunal. By letter dated 12 January 2015 the appellant states that he wishes to withdraw the appeal.
2. Rule 17 of the Tribunal Procedure (Upper Tribunal) Rules 2008 provides that a party may give notice of the withdrawal of its case or any part of it, subject to the consent of the Upper Tribunal. There is no provision for a party to withdraw the appeal before the Upper Tribunal. Therefore, the letter from the appellant can serve only as a notice of withdrawal of his case before the Upper Tribunal, to which the Upper Tribunal now consents.
3. Accordingly, the appellant's appeal to the Upper Tribunal is dismissed.

4. The applicant also requests that his documents be returned as soon as possible, but he does not identify those documents or suggest that it is the Upper Tribunal that is in possession of them.

**Upper Tribunal Judge Kopieczek**

**13/01/15**