



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

Appeal no: **IA/34314/2015**

THE IMMIGRATION ACTS

At Field House

**Decision & Reasons
Promulgated
On 8 March 2018**

Before: Upper Tribunal Judge Pitt

Between:

Joaquin Valeriano Fernandes

Appellant

and

Secretary of State for the Home Department

Respondent

Decision and Reasons

1. The Tribunal issued a decision on 2 February 2018 requesting that the parties provide written reasons within 16 days as to why an error of law should not be found and the appeal remitted to the First-tier Tribunal following Khan v SSHD [2017] EWCA Civ 1755.
2. No response was received from either party within 16 days.
3. The Tribunal therefore finds an error of law, sets aside the decision dated 15 March 2017 of Designated Judge Manuell and remits the appeal to the First-tier Tribunal to be re-made *de novo*.
4. The hearing listed for 12 March 2018 is vacated.

Signed: 
Upper Tribunal Judge Pitt

Dated: 7 March 2018