



UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES

Case No. 2010-172

Andati-Amwayi (Appellant)

v.

Secretary-General of the United Nations (Respondent)

ORDER No. 52 (2011)

1. On 29 November 2010, David Andati-Amwayi (Andati-Amwayi) filed an appeal against Judgment No. UNDT/2010/183.
2. On 17 January 2011, the Registry of the United Nations Appeals Tribunal (Appeals Tribunal) was informed by the United Nations Office at Nairobi that Andati-Amwayi had passed away on 6 January 2011.
3. By communication dated 7 January 2011, the Office of Legal Affairs indicated that it was not opposed to a closing of the case. By email dated 9 March 2011, Ms. Annette Mwabi, the surviving spouse of Andati-Amwayi, informed the Registry of the Appeals Tribunal that she did not wish to pursue the appeal of her deceased husband.
4. A party may withdraw an appeal simply by giving notice and need not necessarily provide any further justification.¹ I see no reason to require Ms. Mwabi to pursue the appeal of her deceased husband.
5. For the foregoing reasons, there is no matter for adjudication by the Appeals Tribunal and the case is closed.

Original and Authoritative Version: English

Dated this 13th day of June 2011 in Cincinnati, United States.

(Signed)
Judge Painter, Duty Judge

Entered in the Register on this 13th day of June 2011 in New York, United States.

(Signed)
Weicheng Lin, Registrar

¹ Cf. *Fayek v. Secretary-General of the United Nations*, Order No. 34 (2011); *Teferra v. Secretary-General of the United Nations*, Order No. 16 (2010).