



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIFTH SECTION

DECISION

Application no. 39712/06
by Sergiy HREBCHENKO
against the Czech Republic

The European Court of Human Rights (Fifth Section), sitting on 6 September 2011 as a Committee composed of:

Mark Villiger, *President*,

Karel Jungwiert,

Isabelle Berro-Lefèvre, *judges*,

and Stephen Phillips, *Deputy Section Registrar*,

Having regard to the above application lodged on 28 August 2006,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Sergiy Hrebchenko, is a Ukrainian national who was born in 1976. The Czech Government (“the Government”) were represented by their Agent, Mr Vít A. Schorm.

The applicant complained under Articles 6, 7 and 13 of the Convention about the criminal proceedings against him. The application was communicated to the Government which submitted their observations on admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations, but no reply was received to the Registry’s letter.

By a letter dated 3 December 2010 sent by registered post, the applicant was notified that the period allowed for submission of this observations had expired on 7 September 2010 and that no extension of time had been requested. The applicant’s attention was drawn to Article 37 § 1 (a) of the

Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The applicant received this letter on 11 March 2011. However, no response has been received.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue his application, within the meaning of Article 37 § 1 (a) of the Convention. Furthermore, in accordance with Article 37 § 1 *in fine*, the Court finds no special circumstances regarding respect for human rights as defined in the Convention and its Protocols which require the continued examination of the case.

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court unanimously

Decides to strike the application out of its list of cases.

Stephen Phillips
Deputy Registrar

Mark Villiger
President