



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

FIRST SECTION

DECISION

Application no. 9445/06
Yevgeniy Ruslanovich SHESTAKOV
against Russia

The European Court of Human Rights (First Section), sitting on 18 February 2014 as a Committee composed of:

Khanlar Hajiyeu, *President*,

Erik Møse,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 11 November 2005,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Yevgeniy Ruslanovich Shestakov, is a Russian national, who was born in 1983 and lived in Mtsensk. He was represented before the Court by Ms L.I. Kulpina, a lawyer practising in Mtsensk.

The Russian Government (“the Government”) were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained under Article 6 of the Convention about inability to examine witnesses testifying against him during his criminal trial.

The applicant’s complaints under Article 6 were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry’s letter.

By letter dated 26 February 2013, sent by registered post, the applicant’s representative was notified that the period allowed for submission of his observations had expired on 18 December 2012 and that no extension of

time had been requested. The attention of the applicant's representative 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's representative received this letter on 4 April 2013. 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.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President