



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

THIRD SECTION

CASE OF TRIJONIS v. LITHUANIA

(Application no. 2333/02)

JUDGMENT

STRASBOURG

15 December 2005

FINAL

15/03/2006

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Trijonis v. Lithuania,

The European Court of Human Rights (Third Section), sitting as a Chamber composed of:

Mr B.M. ZUPANČIČ, *President*,

Mr J. HEDIGAN,

Mr C. BÎRSAN,

Mr V. ZAGREBELSKY,

Mrs A. GYULUMYAN,

Mrs R. JAEGER,

Mr E. MYJER, *judges*,

and Mr V. BERGER, *Section Registrar*,

Having deliberated in private on 17 March and 24 November 2005,

Delivers the following judgment, which was adopted on the last-mentioned date:

PROCEDURE AND FACTS

1. The case originated in an application (no. 2333/02) against the Republic of Lithuania lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a Lithuanian national, Mr Haroldas Trijonis (“the applicant”), on 19 April 2001.

2. The Lithuanian Government (“the Government”) are represented by their Agent, Ms Elvyra Baltutytė.

3. The application was allocated to the Third Section of the Court (Rule 52 § 1 of the Rules of Court). Within that Section, the Chamber that would consider the case (Article 27 § 1 of the Convention) was constituted as provided in Rule 26 § 1. Mr P. Kūris, the judge elected in respect of Lithuania, withdrew from sitting in the case (Rule 28). The Government accordingly appointed Mr J. Hedigan, the judge elected in respect of Ireland, to sit in his place (Article 27 § 2 of the Convention and Rule 29 § 1).

4. The applicant complained *inter alia* that criminal proceedings against him had been excessively long contrary to the requirements of Article 6 of the Convention, and that the remand measure of home arrest ordered in the context of those proceedings had breached Article 5 of the Convention. The applicant made his last communication to the Court by an undated letter received on 24 February 2004, stating that he had maintained his complaints under the Convention.

5. On 1 November 2004 the Court changed the composition of its Sections (Rule 25 § 1). This case was assigned to the newly composed Third Section (Rule 52 § 1).

6. By a decision of 17 March 2005, the Court declared the application partly admissible.

7. By a letter of the Registry of 31 March 2005 the applicant was informed about the decision. It was noted in the letter that the applicant had until 23 May 2005 to submit his observations on the merits, his position on the friendly settlement in the case, and his claims for just satisfaction (Rules 59, 60 and 62 of the Rules of Court). The letter was sent to his home address in Klaipeda by ordinary post.

8. The Government filed their observations on the merits on 23 May 2005.

9. By a letter of the Registry of 21 June 2005, sent to the applicant's home address by registered post, the applicant was reminded that he had not submitted a reply to the Court's letter of 31 March 2005. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention which provided that the Court could strike the case out of its list of cases where the circumstances led to the conclusion that an applicant did not intend to pursue the application.

10. On 23 September 2005 a further letter of the Registry was sent to the applicant's home address by registered post, reiterating the contents of the letters of 31 March and 21 June 2005.

11. Receipt by the applicant of the registered letters of 21 June and 23 September 2005 was confirmed by the post service. However, the applicant has not replied to any of the above-mentioned letters from the Registry of the Court.

THE LAW

12. The Court notes that despite the Registry's letters of 31 March, 21 June and 23 September 2005, the applicant has not submitted his observations on the merits, his position on the friendly settlement in the case, or his claims for just satisfaction. Nor has he made any other submissions to the Court since 24 February 2004.

13. Against this background, the Court considers that the applicant has lost interest in pursuing the application. The Court finds no reason to continue the examination of the case. By reference to Article 37 § 1 (a) of the Convention, the Court considers that the application should be struck out of its list of cases.

FOR THESE REASONS, THE COURT UNANIMOUSLY

Strikes the case out of its list of cases.

Done in English, and notified in writing on 15 December 2005, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Vincent BERGER
Registrar

Boštjan M. ZUPANČIČ
President