



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

1959 · 50 · 2009

FIFTH SECTION

DECISION

Application no. 39030/03
by Rositsa Georgieva KASABOVA
against Bulgaria

The European Court of Human Rights (Fifth Section), sitting on 29 September 2009 as a Chamber composed of:

Peer Lorenzen, *President*,
Renate Jaeger,
Karel Jungwiert,
Rait Maruste,
Mark Villiger,
Mirjana Lazarova Trajkovska,
Zdravka Kalaydjieva, *judges*,

and Claudia Westerdiek, *Section Registrar*,

Having regard to the above application lodged on 26 November 2003,
Having regard to the correspondence with the parties,
Having deliberated, decides as follows:

PROCEDURE

The applicant, Ms Rositsa Georgieva Kasabova, is a Bulgarian national born in 1960 and living in Nova Zagora. She was represented before the Court by Ms N. Kostova, a lawyer practising in Sofia. The Bulgarian Government (“the Government”) were represented by their Agent, Ms M. Dimova, of the Ministry of Justice.

The applicant complained that she had been convicted for insulting two tax officials and that the proceedings leading up to her conviction had not been fair.

After notice of the application was given to the Government, by a letter dated 6 March 2009 their observations were sent to the applicant's legal representative, who was requested to submit, by 4 May 2009, observations in reply, together with any claims for just satisfaction. As she did not reply to this letter, by further letter, dated 25 June 2009 and sent by registered post, her attention was drawn to the fact that the time-limit for submitting observations and claims had expired, and that no extension of time had been requested. On 27 July 2009 this letter was received back at the Court with a note by the Bulgarian post office that it had not been sought by the applicant's legal representative. The applicant has to date not resumed her correspondence with the Court.

THE LAW

Under Rule 47 § 6 of the Rules of Court, applicants have a duty to keep the Court informed of any change of address. Under Rule 37 § 1 of the Rules, communications addressed to their advocates are deemed to have been addressed to them. In view of this and of the developments outlined above, the Court finds that, in the circumstances, the applicant may be regarded as no longer intending to pursue her application, within the meaning of Article 37 § 1 (a) of the Convention and Rule 44E of the Rules. As it sees no special circumstances regarding respect for human rights which require the continued examination of the case, the Court considers it appropriate to strike the application out of its list of cases.

For these reasons, the Court unanimously

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

Claudia Westerdiek
Registrar

Peer Lorenzen
President