

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

FIRST SECTION

DECISION

Application no. 4795/06
Gennadiy Sergeyevich ALEKSENKO
against Russia

The European Court of Human Rights (First Section), sitting on 29 January 2013 as a Committee composed of:
Elisabeth Steiner, *President,*
Mirjana Lazarova Trajkovska,
Ksenija Turković, *judges,*
and André Wampach, *Deputy Section Registrar,*
Having regard to the above application lodged on 19 December 2005,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Gennadiy Sergeyevich Aleksenko, is a Russian national, who was born in 1961 and lives in Usinsk.

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

The applicant complained, in particular, under Article 1 of Protocol No. 1 about a judicial decision preventing him from evicting his former spouse and her child from his flat.

The applicant's complaints 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 17 October 2012, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 27 September 2012 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. No response has been received to date.

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

Elisabeth Steiner
President