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

FIFTH SECTION

DECISION

Application no. 1634/12
Rita ĀPŠA
against Latvia

The European Court of Human Rights (Fifth Section), sitting on 17 May 2016 as a Committee composed of:

Erik Møse, *President,*
Yonko Grozev,
Mārtiņš Mits, *judges,*

and Milan Blaško, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 December 2011,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Ms Rita Āpša, is a Latvian national, who was born in 1968 and resides in Valka. She was represented before the Court by Ms V. Tanasi, a lawyer practising in Riga.

2. The Latvian Government ("the Government") were represented by their Agent, Ms K. Līce.

3. The applicant complained in substance under Article 8 of the Convention that she had not been granted leave from prison to attend her mother's funeral.

4. The applicant's aforementioned complaint was communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit observations on behalf of the applicant. No reply was received to the Registry's letter.

5. By letters dated 7 January and 11 February 2016, sent by registered post, the applicant's representative was notified that the period allowed for submission of the observations had expired on 9 December 2015 and that no

extension of time had been requested. Her 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 first Registry's letter was returned as "unclaimed". The second Registry's letter was delivered to the applicant's representative on 16 February 2016. However, no response has been received.

THE LAW

6. The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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.

7. 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.

Done in English and notified in writing on 9 June 2016.

Milan Blaško
Deputy Registrar

Erik Møse
President