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

FIFTH SECTION

DECISION

Application no. 45909/06
Denis Anatolyevich BITSYURA
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 3 May 2016 as a Committee composed of:
Khanlar Hajiyev, *President,*
Faris Vehabović,
Carlo Ranzoni, *judges,*
and Milan Blaško, *Deputy Section Registrar,*
Having regard to the above application lodged on 13 October 2006,
Having deliberated, decides as follows:

THE FACTS AND COMPLAINTS

The applicant, Mr Denis Anatolyevich Bitsyura, is a Ukrainian national, who was born in 1979. In his application before the Court, the applicant raised various grievances under the Convention relating to his prosecution and detention in 2006. In the main, he complained under Article 3 of his ill-treatment by the police, under Article 5 of unlawfulness of his detention and under Article 6 of unfair trial. The applicant also stated that he had difficulties in obtaining copies of certain documents he wished to join to his application.

By letter dated 14 October 2013, the applicant was invited to inform the Court of whether he had tried to obtain the necessary copies from the domestic authorities. No reply was received from the applicant.

The applicant also did not reply to the Court's letter of 16 February 2016 warning him of the possibility that his case might be struck out of the Court's list pursuant to Article 37 § 1 (a) of the Convention. The Court's letter was sent by registered post to the applicant's permanent address, as indicated in his application form, and to the detention centre where he was

detained during the criminal proceedings against him. According to the acknowledgment of receipt returned to the Court by the Ukrainian post, the letter was delivered to both addresses on 26 February 2016.

Upon registration of his application the applicant was notified of the obligation to inform the Court of any change of his address.

THE LAW

The Court considers that, in the 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.

Done in English and notified in writing on 26 May 2016.

Milan Blaško
Deputy Registrar

Khanlar Hajiyev
President