

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

FIFTH SECTION

DECISION

Application no. 24117/06
by Marc Paul BLISAK
against the Czech Republic

The European Court of Human Rights (Fifth Section), sitting on 11 January 2011 as a Committee composed of:

Mark Villiger, *President,*
Karel Jungwiert,
Isabelle Berro-Lefèvre, *judges,*
and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 13 June 2006,

Having deliberated, decides as follows:

THE FACTS

The application was lodged by Mr Marc Paul Blisak, an American national who was born in 1963 and lives in Lanaken. He is represented before the Court by Ms L. Vlčáková, a lawyer practising in Ostrava. The Czech Government ("the Government") were represented by their Agent, Mr V.A. Schorm, from the Ministry of Justice.

The applicant mainly complained under Article 5 §§ 1 and 4 of the Convention about the reasons for his continuing pre-trial detention and of procedural shortcomings in the review of his pre-trial detention by the High Court and the Supreme Court.

The applicant's complaints under these provisions 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 a letter dated 4 August 2010, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 6 July 2010 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 applicant's representative not having collected this letter by 26 August 2010, it was sent back to the Registry which received it on 2 September 2010.

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.

Stephen Phillips
Deputy Registrar

Mark Villiger
President