

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

SECOND SECTION

DECISION

Application no. 23181/07
by Yusuf BOSTANCI
against Turkey

The European Court of Human Rights (Second Section), sitting on 18 October 2011 as a Committee composed of:
David Thór Björgvinsson, *President,*
Guido Raimondi,
Helen Keller, *judges,*
and Françoise Elens-Passos, *Deputy Section Registrar,*
Having regard to the above application lodged on 28 May 2007,
Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Yusuf Bostancı, is a Turkish national who was born in 1951 and lives in Herzebrock Clarholz, Germany. He is represented before the Court by Mr F. Tavukcu, a lawyer practising in Zonguldak. The Turkish Government ("the Government") were represented by their Agent.

On 27 August 2009 the applicant's complaints under Articles 6 § 1 and 13 concerning the length of civil proceedings and the lack of effective domestic remedy in that respect, 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 3 June 2010, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 4 May 2010 and that no extension of time had

been requested. The applicant's representative'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. The applicant's representative received this letter on 11 June 2010. However, no response has been received.

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.

Françoise Elens-Passos
Deputy Registrar

David Thór Björgvinsson
President