

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

THIRD SECTION

DECISION

Application no. 22254/08
by Andrei DIMITROV
against Moldova

The European Court of Human Rights (Third Section), sitting on 23 August 2011 as a Chamber composed of:

Josep Casadevall, *President,*
Corneliu Bîrsan,
Alvina Gyulumyan,
Ineta Ziemele,
Luis López Guerra,
Mihai Poalelungi,
Kristina Pardalos, *judges,*

and Santiago Quesada, *Section Registrar,*

Having regard to the above application lodged on 30 April 2008,

Having deliberated, decides as follows:

PROCEDURE

The application was lodged by Mr Andrei Dimitrov, a Moldovan national who was born in 1968 and lives in Chişinău. He was represented before the Court by Mr V. Jereghi and Ms N. Bayram, lawyers practising in Chişinău and members of the Institute for Human Rights Organisation. The Moldovan Government ("the Government") were represented by their Agent, Mr V. Grosu.

The applicant's complaint under Article 5 of the Convention was 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 registered letter dated 28 April 2011 the applicant's representatives were notified that the period allowed for submission of their observations had expired on 3 September 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. 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.

Santiago Quesada
Registrar

Josep Casadevall
President