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

THIRD SECTION

DECISION

Application no. 25131/11
Sergey Yakovlevich DMITRICHENKO
against Russia

The European Court of Human Rights (Third Section), sitting on 8 November 2016 as a Committee composed of:
Helen Keller, *President,*
Pere Pastor Vilanova,
Alena Poláčková, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*
Having regard to the above application lodged on 9 March 2011,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Sergey Yakovlevich Dmitrichenko, is a Russian national, who was born in 1958 and lived in Nizhniy Tagil, Sverdlovsk region.

2. The Russian Government ("the Government") were represented by Mr G. Matyuskin, Representative of the Russian Federation to the European Court of Human Rights.

3. The applicant complained under Articles 3 and 13 of the Convention that he had been subjected to ill-treatment by the police and that no effective investigation had been carried out into the incident. He also complained under Article 5 § 1 (c) of the Convention that he had been unlawfully detained on 12 August 2009.

4. Those complaints were communicated to the Government, who submitted their observations on the admissibility and merits of the case. The observations were forwarded to the applicant, who was invited to submit his own observations. No reply was received to the Registry's letter.

5. By letter dated 4 June 2015, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 28 April 2015 and that no extension of time had been requested. The applicant'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. This letter was received by the applicant's detention facility on 1 July 2015. No response was received. On 29 February 2016 the letter of 4 June 2015 was forwarded by registered post to the applicant's home address. It was returned to the Court as unclaimed. No new address was provided.

THE LAW

6. 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.

Done in English and notified in writing on 1 December 2016.

Fatoş Aracı
Deputy Registrar

Helen Keller
President