

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

FOURTH SECTION

DECISION

Application no. 20142/08
Michał GÓRZYŃSKI
against Poland

The European Court of Human Rights (Fourth Section), sitting on 15 January 2013 as a Committee composed of:

David Thór Björgvinsson, *President,*
Vincent A. De Gaetano,
Krzysztof Wojtyczek, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 April 2008,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Michał Górzyński, is a Polish national, who was born in 1982 and lives in Koło.

The Polish Government ("the Government") were represented by their Agent, Mr J. Wołąsiewicz, succeeded by Ms J. Chrzanowska, of the Ministry of Foreign Affairs.

On 11 January 2012 the President of the Fourth Section decided to communicate the applicant's complaints under Article 5 § 1 and 5 § 5 of the Convention about the delay from releasing him from pre-trial detention and the fact that he was not granted any compensation for his unlawful detention.

The Government failed to submit their observations on the admissibility and merits of the application. The applicant was nevertheless invited to submit his own observations by 16 July 2012. However, he failed to respond to this letter.

By letter dated 4 October 2012, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 16 July 2012 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. The acknowledgement of receipt (signed by the applicant's mother) was returned to the Court indicating that the letter was delivered on 8 October 2012. The applicant has not to date resumed correspondence with the Court in the instant case.

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.

Fatoş Aracı
Deputy Registrar

David Thór Björgvinsson
President