

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

SECOND SECTION

DECISION

Application no. 2709/10
Baki KASIRGA
against Turkey

The European Court of Human Rights (Second Section), sitting on 6 March 2012 as a Committee composed of:

Dragoljub Popović, *President,*
András Sajó,
Paulo Pinto de Albuquerque, *judges,*

and Françoise Elens-Passos, *Deputy Section Registrar,*

Having regard to the above application lodged on 15 December 2009,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Baki Kasırga, is a Turkish national who was born in 1965 and lives in Isparta. The Turkish Government ("the Government") were represented by their Agent.

The applicant complained under Article 6 § 1 of the Convention about his inability to submit his arguments before the domestic court during the proceedings where he objected to a traffic fine.

The applicant's complaint 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 a letter dated 11 August 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 18 July 2011 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. No response was received. The Registry did not receive the letter back either. As the official website of the Turkish Postal Service did not mention that the applicant had received the letter of 11 August, another letter with the same content was sent on 12 December 2011 to the applicant and his attention was drawn to Article 37 § 1 (a) of the Convention once more. The applicant received this letter on 22 December 2011. 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

Dragoljub Popović
President