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

FIRST SECTION

DECISION

Application no. 40393/06
Sergey Vladimirovich KLEPALOV
against Russia

The European Court of Human Rights (First Section), sitting on 1 July 2014 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Dmitry Dedov, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 21 September 2006,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergey Vladimirovich Klepalov, is a Russian national, who was born in 1969 and lives in Yekaterinburg.

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

The applicant complained under Article 3 of the Convention about the alleged ill-treatment in police custody.

The applicant's complaints under Article 3 of the Convention 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 29 November 2013, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 9 September 2013 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 applicant received this letter on 19 December 2013. 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.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President