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

FIFTH SECTION

DECISION

Application no. 74297/10
Aleksey Viktorovich KOMYAGIN
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 26 August 2014 as a Committee composed of:

Ann Power-Forde, *President,*
Ganna Yudkivska,
André Potocki, *judges,*

and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 8 December 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Aleksey Viktorovich Komyagin, is a Ukrainian national, who was born in 1960 and lives in the village of Polnoye, Ukraine.

The Ukrainian Government ("the Government") were represented by their Agent, most recently, Ms Nataly Sevostianova, of the Ministry of Justice of Ukraine.

The applicant complained under Article 1 of Protocol No. 1 of the Convention about the failure to pay him an annual lump sum, due to war veterans and disabled servicemen, in the amount allegedly provided to him by law.

The application was communicated to the Government on 25 August 2011. By a letter of 21 August 2012 the applicant, following a prolonged failure to answer the Court's letters and to appoint a legal representative, asked for legal aid. By a letter of 11 September 2012 he was given a time-limit for submitting a declaration of means and, again, a duly completed power of attorney. The applicant did not react.

By letter dated 14 March 2013, sent by registered post, the applicant was notified that the period allowed for submission of the necessary documents

expired on 11 October 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. 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.

Stephen Phillips Deputy Registrar	Ann Power-Forde President