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

THIRD SECTION

DECISION

Application no. 4664/10
Sergey Ivanovich KUCHMARA
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 11 November 2008,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergey Ivanovich Kuchmara, is a Russian national, who was born in 1972 and was detained in the Kurgan Region. He was represented before the Court by Mr D.N. Babayan, a lawyer practising in Stavropol Region.

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

The applicant complained that he was deprived of a right to vote and discriminated against as a convicted prisoner.

The applicant's complaints under Article 14 of the Convention, Article 3 of Protocol No. 1 and Article 1 of Protocol No. 12 to 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 a letter dated 25 September 2012, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 27 June 2012 and that no extension of time had been requested. The applicant's representative'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.

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

Fatoş Aracı
Deputy Registrar

Helen Keller
President