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

FOURTH SECTION

DECISION

Application no. 21461/12
Waldemar KUDEŃ
against Poland

The European Court of Human Rights (Fourth Section), sitting on 7 March 2017 as a Committee composed of:

Nona Tsotsoria, *President,*
Krzysztof Wojtyczek,
Marko Bošnjak, *judges,*

and Andrea Tamietti, *Deputy Section Registrar,*

Having regard to the above application lodged on 9 February 2012,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Waldemar Kudeń, a Polish national, was born in 1977 and lived in Warsaw.

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

3. The applicant complained under Article 6 § 1 of the Convention about the excessive length of criminal proceedings against him.

4. The applicant's complaints were communicated to the Government on 7 July 2015.

5. On 10 January 2017 the Registry was informed by the Government that the applicant had died on 2 February 2016. They submitted a copy of the applicant's death certificate.

6. The Court notes that no request has been submitted by the applicant's heirs to pursue the examination of the case.

THE LAW

7. In the light of the foregoing, the Court considers that it is no longer justified to continue the examination of the application within the meaning of Article 37 § 1 (c) 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 examination of the application to be continued.

8. 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 30 March 2017.

Andrea Tamietti
Deputy Registrar

Nona Tsotsoria
President