

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

THIRD SECTION

DECISION

Application no. 55859/08
Batyrgaley Buryangaleyevich KULCHAROV
against Russia

The European Court of Human Rights (Third Section), sitting on 13 June 2017 as a Committee composed of:
Branko Lubarda, *President,*
Pere Pastor Vilanova,
Georgios A. Serghides, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*
Having regard to the above application lodged on 22 September 2008,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Batyrgaley Buryangaleyevich Kulcharov, is a Russian national, who was born in 1963 and is detained in Kopeysk.

The applicant's complaints under Articles 5 § 3, 6 §§ 1 and 3 (c) and (d) of the Convention were communicated to the Russian Government ("the Government"), who were represented initially by Mr G. Matyushkin, the Representative of the Russian Federation to the European Court of Human Rights, and then by his successor in that office, Mr M. Galperin.

The applicant failed to respond to the last Registry's letter of 20 January 2017 sent by registered post (received on 3 February 2017), reminding him that the period allowed for submission of his observations in reply had expired on 6 October 2016 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention.

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 6 July 2017.

Fatoş Aracı
Deputy Registrar

Branko Lubarda
President