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

FIFTH SECTION

DECISION

Application no. 40146/16
Peter LEUTGEB
against Austria

The European Court of Human Rights (Fifth Section), sitting on 21 November 2017 as a Committee composed of:

Erik Møse, *President,*
Yonko Grozev,
Gabriele Kucsko-Stadlmayer, *judges,*
and Anne-Marie Dougin, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 1 July 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Peter Leutgeb, is an Austrian national, who was born in 1968 and lives in Mitterkirchen. He was represented before the Court by Mr R. Stöglehner, a lawyer practising in Linz.

2. The applicant's complaint under Article 6 of the Convention regarding the length of criminal proceedings was communicated to the Austrian Government ("the Government"), who were represented by their Agent, Mr H. Tichy, Head of the International Law Department at the Federal Ministry for Europe, Integration and Foreign Affairs.

3. On 10 July 2017 the Government submitted their observations in which they indicated that they were prepared to reach a friendly settlement and requested the Court to submit such a proposal.

4. On 18 July 2017 this letter was sent to the applicant's counsel for information and at the same time he was invited to submit, by 20 September 2017 at the latest, any claims for just satisfaction. The period expired without any response. On 6 October 2017 the applicant's counsel was informed by a further letter of the registry by postal mail and fax

(received by him on the same day per fax) that the period allowed for submission of his observations and claims had expired on 20 September 2017 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention.

5. Neither the applicant nor his counsel have replied to this letter.

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 14 December 2017.

Anne-Marie Dougin	Erik Møse
Acting Deputy Registrar	President