

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

THIRD SECTION

DECISION

Application no. 16677/06
by Ludrick Guvet MATINGOU LOUBELO
against the Netherlands

The European Court of Human Rights (Third Section), sitting on 11 October 2011 as a Committee composed of:

Luis López Guerra, *President,*
Egbert Myjer,
Mihai Poalelungi, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 1 May 2006,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Ludrick Guvet Matingou Loubelo, is a Congolese national who was born in 1984 and was living in Hengelo, the Netherlands, at the time the present application was introduced with the Court. He was represented before the Court by Ms M. Hofstede, a lawyer practising in Almelo. The Dutch Government ("the Government") were represented by their Deputy Agent, Ms L. Egmond, of the Ministry of Foreign Affairs.

The applicant complained under Article 8 of the Convention that the obligation for him to return to his country of origin in order to apply for a provisional residence visa (*machtiging tot voorlopig verblijf*) as a prerequisite to applying successfully for a residence permit in the Netherlands for the purpose of residing there with his family amounted to a violation of his right to respect for his family life.

On 4 December 2009 the Court decided to give notice to the Government of the applicant's complaint detailed above.

On 19 October 2010 the Government informed the Court that by decision of 13 October 2010 the applicant had been granted a residence permit. Hereupon the applicant was requested whether he wished to maintain his application. On 28 October 2010 the applicant's representative replied that he had lost contact with his client and that he would no longer represent the applicant in the present proceedings. No further information has been received from the applicant himself.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention or its Protocols, the Court considers that it is no longer justified to continue the examination of the application within the meaning of Article 37 § 1 (a) of the Convention.

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.

Marialena Tsirli
Deputy Registrar

Luis López Guerra
President