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

FOURTH SECTION

DECISION

Application no. 48239/15
Nicolae MIHAI
against Romania

The European Court of Human Rights (Fourth Section), sitting on 5 September 2017 as a Committee composed of:

Paulo Pinto de Albuquerque, *President,*
Egidijus Kūris,
Iulia Motoc, *judges,*

and Andrea Tamietti, *Deputy Section Registrar,*

Having regard to the above application lodged on 21 October 2015,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Nicolae Mihai, is a Romanian national, who was born in 1979 and lives in Drăgăşani. He was represented before the Court by Mr S.I. Tănăsescu, a lawyer practising in Slatina.

2. The applicant's complaints concerning the lack of adequate medical care, in particular the lack of special facilities adapted for people with disabilities, in prison were communicated to the Romanian Government ("the Government"), who were represented by their Agent, Ms C. Brumar, from the Ministry of Foreign Affairs.

3. The applicant failed to respond to the last Registry's letter of 6 December 2016 (received by his representative on 13 January 2017; the letter was also sent at the applicant's address as indicated in the application form, as well as at his last known place of detention, its receipt being confirmed on 9 January 2017), reminding him that the period allowed for submission of his observations in reply had expired on 21 November 2016 and that no extension of time had been requested. His attention was drawn to Article 37 § 1 (a) of the Convention.

THE LAW

4. 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 28 September 2017.

Andrea Tamietti
Deputy Registrar

Paulo Pinto de Albuquerque
President