

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

THIRD SECTION

DECISION

Application no. 31248/04
by Gabriel Ştefan Miţiţi
against Romania

The European Court of Human Rights (Third Section), sitting on 31 May 2011 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Kristina Pardalos, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 10 July 2006,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr. Gabriel Ştefan Miţiţi, is a Romanian national who was born in 1980 and lives in Arad. The Romanian Government ("the Government") were represented by their Agent, Mr Răzvan Horaţiu Radu, from the Ministry of Foreign Affairs.

The applicant's complaint under Article 6 § 1 was communicated to the Government, who submitted their observations on the admissibility and merits. The communicated complaint concerned the length of criminal proceedings with civil claims brought by the applicant against a third party for bodily injury following a car accident. The observations were forwarded to the applicant, who was invited to submit his observations in reply. The applicant did not reply to the Registry's letter.

By two letters dated 18 May 2010 and 24 February 2011, sent by registered post, the applicant was notified that the period allowed for

submission of his observations and claims for just satisfaction had expired on 4 May 2010 and that no extension of time had been requested. The applicant's attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike a case out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. The applicant did not respond to either 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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President