

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

FOURTH SECTION

DECISION

Application no. 40618/16
Mircea-Iordache MOROIAN
against Romania

The European Court of Human Rights (Fourth Section), sitting on 8 September 2022 as a Committee composed of:

Armen Harutyunyan*, President,*
Jolien Schukking*,*
Ana Maria Guerra Martins*, judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 11 August 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Mircea-Iordache Moroian, was born in 1970.

The applicant's complaints under Article 3 of the Convention concerning the inadequate conditions of detention were communicated to the Romanian Government ("the Government").

The communication letter was sent to the applicant for information to the prison address indicated for correspondence. On 26 April 2022 the prison authorities informed the Registry that the applicant had died on 26 January 2022.

On 4 May 2022 the Registry sent a letter to the applicant's home address, by registered post, asking whether there was any potential heir wishing to pursue the proceedings before the Court. On 23 May 2022 the letter returned to the Court as "unclaimed".

On 21 July 2022 the Government submitted observations, reiterating that the applicant had died on 26 January 2022 and requesting for the case to be struck out of the list.

THE LAW

In the light of the foregoing, the Court concludes that he applicant's potential heirs do not wish to pursue the application within the meaning of Article 37 § 1 (a) of the Convention.

Accordingly, the case should be struck 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 29 September 2022.

Viktoriya Maradudina Acting Deputy Registrar	Armen Harutyunyan President