

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

FIRST SECTION

DECISION

Application no. 9938/05
Renad Khadzhimuradovich MURADOV
against Russia

The European Court of Human Rights (First Section), sitting on 26 August 2014 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Dmitry Dedov, *judges,*

and Søren Prebensen, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 14 February 2005,

Having regard to the comments submitted by the Russian Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Renad Khadzhimuradovich Muradov, is a Russian national, who was born in 7 October 1979 and lives in Minusinsk.

The Russian Government ("the Government") were represented by Mr. G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complains under Article 5 that he was unlawfully deprived of his liberty between 28 October 2003 and 15 April 2004.

The applicant further alleges that he was denied the right to trial within a reasonable time or to release pending trial, in breach of Article 5 § 3 of the Convention. In particular, he complains that the decisions to extend his detention were not based on sufficient reasons.

The applicant further complains under Article 6 §§ 1, 3 (a), (c) and (d) of the Convention that in the course of the criminal proceedings against him he did not receive a fair trial and the court erroneously assessed evidence.

Lastly, he complains under Article 13 that his cassation appeal against the judgment of 15 October 2004 remained to no avail.

The applicant's complains under Article 5 §§ 1 and 3 were communicated to the Government, who submitted their observations on the admissibility and merits.

By letter dated 24 June 2009 the observations were forwarded to the applicant, who was invited to submit his observations in response, together with any claims for just satisfaction. However, no reply was received from the applicant.

The Registry attempted to contact the applicant, and his 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.

By letter dated 16 February 2010, sent by registered post, the applicant was notified that the period allowed for submission of his observations has expired on 7 October 2009 and that no extension of time has been requested.

The letter was delivered to the applicant on 19 March 2010. No response was received from the applicant, and no correspondence has been received from him thereafter.

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.

Søren Prebensen
Acting Deputy Registrar

Khanlar Hajiyev
President