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

THIRD SECTION

DECISION

Application no. 44577/10
Yevgeniy Olegovich NAGAYKA
against Russia

The European Court of Human Rights (Third Section), sitting on 28 June 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 21 July 2010,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Yevgeniy Olegovich Nagayka, is a Russian national, who was born in 1970 and lives in Novosibirsk.

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

The applicant complained about his allegedly unlawful detention.

This complaint was communicated to the Government.

By letters dated 30 March and 28 April 2015 the Government informed the Court that they proposed to make a declaration with a view to resolving the issues raised by the application. They acknowledged a violation of the applicant's rights guaranteed by Article 5 of the Convention and undertook to pay the applicant a sum of money.

By letter dated 9 October 2015, sent by registered post, the applicant was notified that the period allowed for reacting to the Government's proposal had expired on 18 August 2015 and that no extension of time had been requested. No response to this letter has been received.

THE LAW

The Court observes that the postal address which the applicant gave in his application form appears to be incomplete. The letters sent to that address were returned as undelivered. The applicant did not provide any other address for correspondence or further contact details, such as a phone number or an e-mail address. He does not have a representative before the Court.

The Court has therefore exhausted the means of contracting the applicant but the attempts to reach him have proven to be unsuccessful. It 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 21 July 2016.

Fatoş Aracı
Deputy Registrar

Helena Jäderblom
President