

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

THIRD SECTION

DECISION

Application no. 9361/04
by Adolf Alexandru NECSEFOR
against Romania

The European Court of Human Rights (Third Section), sitting on 18 October 2011 as a Committee composed of:

Alvina Gyulumyan, *President,*
Luis López Guerra,
Nona Tsotsoria, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 25 February 2004,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Adolf Alexandru Necsefor, is a Romanian national who was born in 1954. His last known address was in Galaţi. The Romanian Government ("the Government") were represented by their Agent, Mr Răzvan Horaţiu Radu, from the Ministry of Foreign Affairs.

The applicant mainly raised complaints under Article 5 and 6 of the Convention about the lawfulness of his detention and the fairness of the criminal proceedings initiated against him.

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The applicant's complaints concerning his alleged unlawful detention were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant, who was invited to submit his own observations. The envelope containing the Government's observations was sent back with the mention that the applicant had changed his address. Another letter sent to the applicant on 29 September 2010 remained without any reply.

The applicant sent his last letter to the Court on 13 September 2005. Although he was informed that he had the obligation to inform the Court of any change in his address, he did not provide the Court with his new address.

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
Deputy Registrar

Alvina Gyulumyan
President