

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

FIFTH SECTION

DECISION

Application no. 72204/13
Sergey Leonidovich NEUGODNIKOV
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 2 February 2023 as a Committee composed of:

Mārtiņš Mits, *President*,
Mattias Guyomar,
Mykola Gnatovskyy, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 10 November 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergey Leonidovich Neugodnikov, was born in 1966. He was represented by Ms L.O. Moroz, a lawyer practising in Romny.

The applicant's complaints under Article 3 and Article 6 §§ 1 and 3 of the Convention concerning ill-treatment by the police; use of statements allegedly obtained as a result of the ill-treatment and lack of access to a lawyer as of the first interrogation were communicated to the Ukrainian Government ("the Government"), who submitted observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit observations on behalf of the applicant. No reply was received to the Registry's letter.

By letter dated 30 November 2021, sent by registered post, the applicant's representative was notified that the period allowed for submission of the observations had expired on 17 September 2021 and that no extension of time had been requested. Her attention was drawn to Article 37 § 1 (a) of the Convention, which provides that the Court may strike an application out of its list of cases where the circumstances lead to the conclusion that the applicant does not intend to pursue the application. That letter was received by the applicant's representative, who signed the delivery slip, on 21 December 2021. However, no response has followed.

THE LAW

In the light of the foregoing, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention and the Protocols thereto, the Court, in accordance with Article 37 § 1 (a) of the Convention, considers that it is no longer justified to continue the examination of the application.

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 2 March 2023.

Viktoriya Maradudina	Mārtiņš Mits
Acting Deputy Registrar	President