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

SECOND SECTION

DECISION

Application no. 35139/06
Mehmet Veysi ÖZEL
against Turkey

The European Court of Human Rights (Second Section), sitting on 1 July 2014 as a Committee composed of:

Nebojša Vučinić, *President,*
Paul Lemmens,
Egidijus Kūris, *judges,*

and Abel Campos, *Deputy Section Registrar,*

Having regard to the above application lodged on 14 July 2006,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

1. The applicant, Mr Mehmet Veysi Özel, is a Turkish national, who was born in 1971 and is currently serving a prison sentence in İzmir. He was represented before the Court by Ms B Mersinli, a lawyer practising in İzmir. The Turkish Government ("the Government") were represented by their Agent.

2. The applicant complained under Articles 3 and 5 of the Convention. Under Article 3 of the Convention, he alleged that he was subjected to ill-treatment while he was in police custody. He further argued that the investigation into his allegations of ill-treatment had not been effective. Relying on Article 5 of the Convention, the applicant further complained about the excessive length of his police custody.

3. By a letter dated 11 March 2014, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 6 January 2014 and that no extension of time had been requested. The applicant's representative's 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. When the registered post arrived at her address on 20 March 2014, the applicant's representative was not present. Notification was given that she should collect the registered post from the post office. No response has been received to date.

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.

Abel Campos
Deputy Registrar

Nebojša Vučinić
President