

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

FOURTH SECTION

DECISION

Application no. 11574/10
by Damian PAWLIK
against Poland

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

George Nicolaou, *President,*
Lech Garlicki,
Vincent A. De Gaetano, *judges,*

and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 11 February 2010,

Having deliberated, decides as follows:

PROCEDURE

The applicant, Mr Damian Pawlik, is a Polish national who was born in 1982 and lives in Masłowice. The Polish Government ("the Government") are represented by their Agent, Mr J. Wołąsiewicz of the Ministry of Foreign Affairs.

On 28 March 2011 the President of the Fourth Section of the Court decided to communicate the applicant's complaint concerning the conditions of his detention.

On 7 June 2011 the Government informed the Court that they accepted the friendly-settlement proposal.

On 16 June 2011 the applicant was requested to inform the Court by 30 June 2011 whether he accepted the settlement in question. The applicant failed to respond.

By letter dated 19 July 2011, sent to the applicant's home address, he was again requested to submit the relevant information. The applicant was also warned that in case he failed to respond, the Court could decide that he was no longer interested in pursuing his application. The letter, sent by registered mail with an acknowledgment of receipt, was returned to the Registry with a note that the applicant had moved out without giving a forwarding address.

The applicant has not to date resumed correspondence with the Court in the instant case.

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.

Fatoş Aracı
Deputy Registrar

George Nicolaou
President