

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

FIFTH SECTION

DECISION

Application no. 18308/05
Galina Yakovlevna PLOTNIKOVA
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 10 April 2012 as a Committee composed of:

Mark Villiger, *President,*
Ganna Yudkivska,
André Potocki, *judges*
and Stephen Phillips, *Deputy Section Registrar,*

Having regard to the above application lodged on 12 May 2005,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Galina Yakovlevna Plotnikova, is a Ukrainian national who was born in 1944 and lives in Simferopol. The Ukrainian Government ("the Government") were represented by their Agent, Ms V. Lutkovska, of the Ministry of Justice.

The applicant complained under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 about the length and alleged unfairness of the civil proceedings in a property dispute.

Her complaint under Article 6 § 1 of the Convention concerning the length of the proceedings was 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 her own observations. No reply was received to the Registry's letter.

By letter dated 30 May 2011, sent by registered post, the applicant was notified that the period allowed for submission of her observations had expired on 15 January 2011 and that no extension of time had been requested. The applicant'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. The letter was duly delivered on 9 June 2011. However, no response has been received.

THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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.

Stephen Phillips
Deputy Registrar

Mark Villiger
President