

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

FIRST SECTION

DECISION

Application no. 50863/06
Dmitriy Alekseyevich ROGAL
against Russia

The European Court of Human Rights (First Section), sitting on 18 June 2013 as a Committee composed of:

Khanlar Hajiyev, *President,*
Julia Laffranque,
Erik Møse, *judges,*

and André Wampach, *Deputy Section Registrar,*

Having regard to the above application lodged on 31 October 2006,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Dmitriy Alekseyevich Rogal, is a Russian national, who was born in 1982 and lives in the town of Pavlovskiy Posad, Moscow Region.

The Russian Government ("the Government") were represented by Mr G. Matyushkin, Representative of the Russian Federation at the European Court of Human Rights.

The applicant complained, in particular, under Articles 3 and 13 of the Convention about the ill-treatment by warders in a correctional colony, the conditions of his detention in a punishment ward and lack of effective investigation into his ill-treatment complaints.

The applicant's complaints 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. No reply was received to the Registry's letter.

By letter dated 11 February 2013, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 9 January 2013 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. 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.

André Wampach
Deputy Registrar

Khanlar Hajiyev
President