

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

FOURTH SECTION

DECISION

Application no. 28992/09
by Robert RYBA
against Poland

The European Court of Human Rights (Fourth Section), sitting on 6 December 2011 as a Committee composed of:
David Thór Björgvinsson, *President,*
Nebojša Vučinić,
Vincent A. De Gaetano, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*
Having regard to the above application lodged on 20 May 2009,
Having deliberated, decides as follows:

## PROCEDURE

The applicant, Mr Robert Ryba, is a Polish national who was born in 1975 and lives in Kłodzko. The Polish Government ("the Government") were represented by their Agent, Mr J. Wołąsiewicz of the Ministry of Foreign Affairs.

On 28 March 2011 the President of the Fourth Section decided to communicate the applicant's complaint under Article 3 of the Convention concerning the conditions of his detention in Kłodzko Prison.

By letters dated 6 April 2011 the Registrar requested the parties to inform him whether they wished to settle the case by means of a friendly settlement. The Government responded on 6 June 2011.

By a letter of 16 June 2011 the applicant was requested to inform the Registry of the Court, by 30 June 2011, about his position on the friendly settlement proposal. He did not respond to this letter. By another letter of 19 July 2011, sent by registered post, the applicant was again requested to provide the relevant information by 9 August 2011. The letter was delivered on 25 July 2011 and collected by the applicant's sister. To date, the applicant has not replied to this letter, nor has he otherwise resumed contact with the Court.

## THE LAW

Given the above-mentioned circumstances of the case, the Court concludes that the applicant is no longer interested in pursuing his application. Furthermore, the Court finds no reasons to justify a continued examination of the application (Article 37 § 1 in fine of the Convention). In view of the above, it is appropriate to strike the application out of the Court's list of cases, pursuant to Article 37 § 1 (a) of the Convention.

For these reasons, the Court unanimously

*Decides* to strike the application out of its list of cases.

Fatoş Aracı
Deputy Registrar

David Thór Björgvinsson
President