

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

THIRD SECTION

DECISION

Application no. 46273/06
by Ioan SCOPEŢ
against Romania

The European Court of Human Rights (Third Section), sitting on 22 February 2011 as a Committee composed of:

Ján Šikuta, *President,*
Ineta Ziemele,
Kristina Pardalos, *judges,*

and Marialena Tsirli, *Deputy Section Registrar,*

Having regard to the above application lodged on 3 November 2006,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Ioan Scopeţ, is a Romanian national who was born in 1961 and lives in Ruşcova. The Romanian Government ("the Government") were represented by their Agent, Mr. Răzvan-Horaţiu Radu.

The applicant complained under Article 3 of the Convention about the conditions in which he was transported from Rahova Prison's hospital to Baia Mare Prison in September 2006.

THE LAW

By letter dated 13 January 2010 the Government's observations were sent to the applicant, who was requested to submit his observations in reply together with any claims for just satisfaction by 24 February 2010.

By letter dated 8 April 2010, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 24 February 2010 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 applicant received this letter on 16 April 2010. However, no response has been received.

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.

Marialena Tsirli	Ján Šikuta
Deputy Registrar	President