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

# FOURTH SECTION

# DECISION

Application no. 42233/11
Bronislavas SEMĖNAS
against Lithuania

The European Court of Human Rights (Fourth Section), sitting on 13 September 2016 as a Committee composed of:

Vincent A. De Gaetano, *President,*
Egidijus Kūris,
Gabriele Kucsko-Stadlmayer, *judges,*
and Andrea Tamietti, *Deputy Section Registrar,*

Having regard to the above application lodged on 7 June 2011,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

1. The applicant, Mr Bronislavas Semėnas, is a Lithuanian national who was born in 1975 and was detained in Alytus.

2. The Lithuanian Government ("the Government") were represented by their Agent, Ms E. Baltutytė.

3. The applicant complained under Article 3 of the Convention about his conditions of detention in Lukiškės Remand Prison and Vilnius County Police Headquarters from September 2009 until January 2010. For 76 days of the unsatisfactory conditions in Lukiškės Remand Prison, the applicant was awarded 2,000 Lithuanian litai (LTL, approximately 580 euros (EUR)) in compensation by the domestic courts.

4. The application was communicated to the Government, who submitted their observations on the admissibility and merits of the application. These observations were sent to the applicant on 4 June 2013. The applicant was invited to submit his observations in reply, together with his claims for just satisfaction by 16 July 2013. However, the applicant did not respond. On 6 August 2013 the applicant was sent a letter by registered

post informing him that the time-limit to submit his comments had already expired and that no extension had been required. 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. However, no response has been received.

## THE LAW

5. 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.

Done in English and notified in writing on 6 October 2016.

Andrea Tamietti
Deputy Registrar

Vincent A. De Gaetano
President