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

FOURTH SECTION

DECISION

Application no. 62427/13
Zbigniew SZCZEPURA
against Poland

The European Court of Human Rights (Fourth Section), sitting on 17 May 2016 as a Committee composed of:

Nona Tsotsoria, *President,*
Krzysztof Wojtyczek,
Gabriele Kucsko-Stadlmayer, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 11 September 2013,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Zbigniew Szczepura, is a Polish national, who was born in 1968 and lives in Cibórz.

The Polish Government ("the Government") were represented by their Agent, Mrs J. Chrzanowska, of the Ministry of Foreign Affairs.

The applicant complained under Article 6 § 3 (d) of the Convention, that his trial was unfair because he had no opportunity to examine a witness whose evidence was decisive for his conviction. He also alleged that the trial court did not make all reasonable efforts to secure the attendance of this witness.

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 letters dated 9 November 2015 and 18 February 2016, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 7 August 2015 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 the first letter on 18 November 2015 and the second letter was returned by the post. 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 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 9 June 2016.

Fatoş Aracı
Deputy Registrar

Nona Tsotsoria
President