

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

THIRD SECTION

DECISION

Application no. 41734/07
by Martin TRČO
against Slovakia

The European Court of Human Rights (Third Section), sitting on 8 November 2011 as a Chamber composed of:

Josep Casadevall, *President,*
Corneliu Bîrsan,
Alvina Gyulumyan,
Ján Šikuta,
Luis López Guerra,
Nona Tsotsoria,
Mihai Poalelungi, *judges,*

and Santiago Quesada, *Section Registrar,*

Having regard to the above application lodged on 21 July 2008,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Martin Trčo, is a Slovak national who was born in 1983. He is currently serving a prison term in the Banská Bystrica prison.

The Government of the Slovak Republic ("the Government") were represented by their Agent, Mrs M. Pirošíková.

The applicant complained under Article 5 §§ 3 and 4 of the Convention about the dismissal of his application for release and the duration of examination of that application.

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 25 August 2011, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 10 August 2011 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 2 September 2011. However, 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.

Santiago Quesada
Registrar

Josep Casadevall
President