



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

FIRST SECTION

DECISION

Application no. 52817/07
Sergey Borisovich SHISHOV
against Russia

The European Court of Human Rights (First Section), sitting on 12 November 2013 as a Committee composed of:

Elisabeth Steiner, *President*,

Mirjana Lazarova Trajkovska,

Linos-Alexandre Sicilianos, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above application lodged on 26 October 2007,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergey Borisovich Shishov, is a Russian national, who was born in 1951 and lives in Shakhty, the Rostov Region.

The Russian Government (“the Government”) were represented by Mr G. Matuyshkin, the Representative of the Russian Federation at the European Court of Human Rights.

The applicant’s complaints under Articles 6 and 13 of the Convention and Article 1 of Protocol No. 1 about non-enforcement of the judgment of 4 December 2006 in his favour were communicated to the Government. In accordance with the pilot judgment *Burdov v. Russia (no. 2)* (no. 33509/04, ECHR 2009), the application was adjourned pending its resolution at the domestic level. On 27 August 2010 the Government informed the Court that the impugned judgment had been enforced within less than one year and requested to resume the proceedings and reject the application as inadmissible. Their submissions 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 31 May 2013, sent by registered post to the applicant's known address, the applicant was notified that the period allowed for submission of his observations had expired on 12 October 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. On 20 August 2013 the letter returned to the Court unclaimed. The applicant did not inform about a change of his home address and did not indicate any other address where correspondence could have been sent.

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.

André Wampach
Deputy Registrar

Elisabeth Steiner
President