



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

FIRST SECTION

DECISION

Application no. 33372/07
Nikolay Vladimirovich TUTUBALIN against Russia
and 3 other applications
(see list appended)

The European Court of Human Rights (First Section), sitting on 28 January 2014 as a Committee composed of:

Elisabeth Steiner, *President*,
Mirjana Lazarova Trajkovska,
Linos-Alexandre Sicilianos, *judges*,
and André Wampach, *Deputy Section Registrar*,
Having deliberated, decides as follows:

FACTS AND PROCEDURE

A. Joinder of the applications

First, the Court decides to join the applications and consider them in a single decision.

B. Application no. 33372/07 (lodged on 4 July 2007)

The applicant, Mr Nikolay Vladimirovich Tutubalin, is a Russian national, who was born in 1977. He lives in Saratov.

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

The applicant's complaints under Article 5 of the Convention 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.

Also, by letters of 9 January and 12 April 2012 the applicant was invited to submit documentary proof of the professional status and competencies in respect of Mr Mashukov, who had been designated by the applicant as his representative before the Court. No reply has been received.

By letter dated 2 July 2012, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 15 May 2012 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 21 July 2012. However, no response has been received.

A letter in similar terms was also sent on 2 July 2012, by registered post, to another contact address indicated by the applicant (that of Mr Mashukov). This letter was received on 28 July 2012. However, no response has been received.

C. Application no. 8119/08 (lodged on 17 December 2007)

The applicant, Mr Georgiy Viktorovich Prytkov, is a Russian national, who was born in 1983. As of 2009, he was serving a prison term in Krasnoyarsk.

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

The applicant's complaints under Article 5 of the Convention 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 2 July and 9 November 2012, sent by registered post to the detention facility and the applicant's permanent address respectively, the applicant was notified that the period allowed for submission of his observations had expired on 17 May 2012 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 has not informed the Court of any change in his correspondence address. The letter of 9 November 2012 was received on 12 December 2012. However, no response has been received.

D. Application no. 10615/08 (lodged on 15 February 2008)

The applicant, Mr Pavel Aleksandrovich Petrov, is a Russian national, who was born in 1993 and lives in Cheboksary. He was represented before the Court by Mr O. Shamitov, a lawyer practising in Cheboksary.

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

The applicant's complaints under Articles 5 and 6 of the Convention, as well as Article 2 of Protocol No. 4, were communicated to the Government, who submitted their observations on the admissibility and merits. The observations were forwarded to the applicant's representative, who was invited to submit his own observations. No reply was received to the Registry's letter.

By letter dated 15 April 2013, sent by registered post, the applicant's representative was notified that the period allowed for submission of his observations had expired on 22 March 2013 and that no extension of time had been requested. The applicant's representative'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's representative received this letter on 25 May 2013. However, no response has been received.

E. Application no. 16849/11 (lodged on 26 January 2011)

The applicant, Mr Anatoliy Mikhaylovich Gorin, is a Russian national, who was born in 1958 and lives in Zavyalovo, Altay region.

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

The applicant's complaints under Article 6 of the Convention 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 15 April 2013, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired on 22 March 2013 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 28 May 2013. However, no response has been received.

THE LAW

The Court considers that, in these circumstances, the applicants in the above cases may be regarded as no longer wishing to pursue their applications, 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 above cases.

In view of the above, it is appropriate to strike the cases out of the list.

For these reasons, the Court unanimously

Decides to join the applications; and

Decides to strike the applications out of its list of cases.

André Wampach
Deputy Registrar

Elisabeth Steiner
President

APPENDIX

	File No	Case Name	Date of lodging
1.	33372/07	TUTUBALIN v. Russia	04/07/2007
2.	8119/08	PRYTKOV v. Russia	17/12/2007
3.	10615/08	PETROV v. Russia	15/02/2008
4.	16849/11	GORIN v. Russia	26/01/2011