



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

FIRST SECTION

DECISION

Application no. 10426/07
Sergey Alekseyevich TSVETOV
against Russia

The European Court of Human Rights (First Section), sitting on 18 November 2014 as a Committee composed of:

Khanlar Hajiyeu, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and Søren Prebensen, *Acting Deputy Section Registrar*,

Having regard to the above application lodged on 7 February 2007,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Sergey Alekseyevich Tsvetov, is a Russian national, who was born in 1961. He is currently serving a sentence of imprisonment in penitentiary establishment IK-15 located in the village of Potanino in the Chelyabinsk Region.

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

Since 11 May 2004 the applicant has been serving a sentence of imprisonment of six years of imprisonment for murder.

According to the applicant, the lack of proper medical assistance in penitentiary establishment LPU-3 lead to the amputation of his left leg at the hip level. The applicant considered that the correct diagnosis and treatment could have either averted the amputation altogether or at least limited the amputation to one of his toes or the left foot.

By a decision of 6 March 2013, the Court decided to give notice to the Government of the applicant’s complaints about various aspects of the applicant’s detention on remand.

On 5 July 2013 the applicant was invited to submit his observations by 6 September 2013. The Court did not receive the observations.

By a letter dated 18 December 2013, sent by registered post, the applicant was notified that the period allowed for submission of his observations had expired 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. No response followed. The letter of 18 December 2013 was received by the applicant on 16 January 2014.

THE LAW

In the light of the applicant's failure to react to the Court's letters dated 5 July and 18 December 2013, and in the absence of any special circumstances regarding respect for the rights guaranteed by the Convention or its Protocols, the Court, in accordance with Article 37 § 1 (c) of the Convention, considers that it is no longer justified to continue the examination of the application.

Accordingly, the case should be struck out of the list.

For these reasons, the Court, unanimously,

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

Søren Prebensen
Acting Deputy Registrar

Khanlar Hajiyev
President