



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

FIFTH SECTION

DECISION

Application no. 51709/07
by Mile POPOVSKI
against the former Yugoslav Republic of Macedonia

The European Court of Human Rights (Fifth Section), sitting on 23 February 2010 as a Chamber composed of:

Peer Lorenzen, *President*,
Renate Jaeger,
Karel Jungwiert,
Mark Villiger,
Isabelle Berro-Lefèvre,
Mirjana Lazarova Trajkovska,
Zdravka Kalaydjieva, *judges*,

and Claudia Westerdiek, *Section Registrar*,

Having regard to the above application lodged on 21 November 2007,
Having deliberated, decides as follows:

PROCEDURE

The application was lodged by Mr Mile Popovski, a Macedonian national who was born in 1972 and lives in Kumanovo. He is represented before the Court by Mr J. Naumov, a lawyer practising in Skopje. The Macedonian Government (“the Government”) were represented by their Agent, Mrs R. Lazareska Gerovska.

The case concerned review proceedings in respect of the applicant's pre-trial detention. The last decision in this respect, rendered by the Skopje Court of Appeal on 17 May 2007, was served on the applicant on 29 May 2007.

On 1 April 2009 the Court decided to communicate the applicant's complaint about the compatibility of his continued detention with Article 5 § 3 of the Convention, in particular about the grounds of detention given by the domestic courts.

On 3 August 2009 the Government submitted their observations on the admissibility and merits of the applicant's complaint. On 14 August 2009 the applicant was invited to submit his observations in reply before 25 September 2009. However, the Court notes that the applicant has failed to do so. Moreover, he failed to respond to a registered letter dated 3 November 2009, warning the applicant of the possibility that his case might be struck out of the Court's list.

THE LAW

Having regard to Article 37 § 1 (a) of the Convention, the Court concludes that the applicant do not intend to pursue the application (see *Limkoski and others v. the former Yugoslav Republic of Macedonia* (dec.), no. 27870/02, 2 February 2006). 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 examination of this application to be continued. Accordingly, it should be struck out of the list.

For these reasons, the Court unanimously

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

Claudia Westerdiek
Registrar

Peer Lorenzen
President