



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

## FOURTH SECTION

### DECISION

Application no. 41360/04  
Maria Eugenia PARMICIANO  
against Italy

The European Court of Human Rights (Fourth Section), sitting on 27 January 2015 as a Committee composed of:

Ledi Bianku, *President*,

Paul Mahoney,

Krzysztof Wojtyczek, *judges*,

and Fatoş Aracı, *Deputy Section Registrar*,

Having regard to the above application lodged on 17 November 2004,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

The applicant, Ms Maria Eugenia Parmiciano, is an Italian national who was born in 1949 and lives in Napoli. She was represented before the Court by Mr S. Ferrara, a lawyer practising in Benevento.

The Italian Government (“the Government”) were represented by their Agent, Ms E. Spatafora, and their co-Agent, Ms P. Accardo.

On 19 June 2006 the applicant’s complaint under Article 1 of Protocol No. 1 was communicated to the Government.

By a letter dated 6 May 2014 the Section Registrar requested the parties to provide an update on the status of the domestic proceedings.

On 23 May 2014 the applicant’s lawyer informed the Court that he was unable to comply with the request as had lost all contact with his client. He explained that communications had been interrupted abruptly by the applicant, who had stopped acknowledging his letters. For this reason, he had ceased to represent the applicant in the domestic proceedings. The representative nonetheless urged the Court to proceed with the examination of the case.

It may be inferred that the last contact between the applicant and her representative dates back to 2006.

By a letter dated 5 July 2014 the Government argued that the information provided by the applicant's representative as regards his contacts with the applicant can only lead to the conclusion that the application must be struck out of the Court's docket.

By letter dated 17 October 2014, sent by recorded delivery, the Court wrote to the applicant at the address on file and required her to confirm by 10 November 2014 whether she wished to pursue her application. She was warned that failure to reply might lead the Court to strike the application out of its list of cases. The letter was delivered on 29 October 2014. No reply has been received.

## THE LAW

The Court considers that, in these circumstances, the applicant may be regarded as no longer wishing to pursue her 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.

Done in English and notified in writing on 19 February 2015.

Fatoş Aracı  
Deputy Registrar

Ledi Bianku  
President