



Neutral Citation Number: [2020] EWHC 2340 (Admin)

Case No: CO/4633/2018

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**ADMINISTRATIVE COURT**

Royal Courts of Justice  
Strand, London, WC2A 2LL

Date: 25 August 2020

Before :

**MR JUSTICE FORDHAM**

Between :

**ANTON DMITRIJEV**  
**- and -**  
**LITHUANIAN JUDICIAL AUTHORITY**

**Appellant**

**Respondent**

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**David Williams** (instructed by Dalton Holmes Gray Solicitors) for the **appellant**  
The **respondent** did not appear and was not represented

Hearing date: 25 August 2020

Judgment as delivered in open court at the hearing  
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**Approved Judgment**

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

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THE HON. MR JUSTICE FORDHAM

Note: This judgment was produced for the parties, approved by the Judge, after using voice-recognition software during an ex tempore judgment in a Coronavirus remote hearing.

**MR JUSTICE FORDHAM :**

1. This is an application for permission to appeal in an extradition case. The mode of hearing was a BT conference call. The hearing and its start time – together with an email address which could be used by any person wishing to observe the hearing – were published in the cause list. The hearing was recorded. This judgment will be released into the public domain. I am satisfied that no right or interest was compromised and that, if there was any interference with or qualification of any right or interest, it was justified as necessary and proportionate.
2. The appellant is 39 and is wanted for extradition to Lithuania. Extradition was ordered by DJ Zani on 16 November 2018. The sole ground of appeal advanced in Perfected Grounds of Appeal dated 4 December 2018, and ever since, concerns article 3 of the ECHR and whether incarceration in Lithuania meant a real risk of inhuman or degrading treatment for the appellant. On 16 March 2020 Eady J refused permission to appeal on the papers, on the basis that no viable Article 3 point survived the Divisional Court’s judgment in Bartulis [2019] EWHC 3504 (Admin) handed down on 19 December 2019 and that Court’s subsequent refusal on 11 February 2020 to certify a point of law of general public importance, in each case rejecting points on which the appellant in this case also wished to rely. The application for permission to appeal in the present case was renewed to an oral hearing. On 26 June 2020 in Gerulskis [2020] EWHC 1645 (Admin) the Divisional Court rejected the claim that there remained viable article 3 points, in the light of various matters with which that judgment deals, and on which the appellant in this case also wished to rely.
3. That is the end of the road for this application. On 13 August 2020 the appellant’s solicitors properly informed the Court that “there will be no further submissions at the renewal hearing”, in light of the June judgment in Gerulskis. I am quite satisfied that there is no reasonably arguable ground of appeal and permission to appeal is therefore refused.

25 August 2020