

[Seals of the Justice Administrations]

NO. 2 COURT OF FIRST INSTANCE AND INSTRUCTION OF NOIA

PLAZA DE LA CONSTITUCION, S/N, 15200, NOIA (A CORUÑA) TFNO 881997512/13 (PENAL)
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PRELIMINARY INVESTIGATION IN SUMMARY (CRIMINAL) PROCEEDINGS NO. 0000370/2019

N.I.G: 15057 41 2 2019 0000766

Offence/Minor Offence: FALSEHOOD IN PUBLIC DOCUMENTS

Complainant/Complainant: VERDEGAIA

Attorney: [REDACTED]

Lawyer: [REDACTED]

Against: [REDACTED], LAWYER OF THE [AUTONOMOUS] COMMUNITY [OF GALICIA]

Attorney:

ORDER

Given in NOIA, on the tenth day of July in the year two thousand and twenty.

BACKGROUND

SINGLE.- In the processing of the present proceedings, an appeal for reform has been lodged by the representation of the VERDEGAIA ASSOCIATION, supplemented by a writ dated 4 February 2020, against the order dated 27 January 2020 by which it was agreed to restrict the object of the present proceedings to a possible crime of falsehood in public documents and a series of proceedings were agreed; this appeal has been transferred to the Public Prosecutor's Office, which has opposed it, reiterating what it stated in its written statement dated 21 January 2020, and the other parties, who have also objected in their respective pleadings.

LAW

SINGLE.- The appellant's arguments do not undermine the legality of the contested decision, which must be upheld and the appeal dismissed.

The measure of inquiry agreed in the appealed resolution are aimed at clarifying the facts that are being investigated in the present preliminary proceedings for an alleged offence of false documentation and in relation to this type of criminal offence the actions ordered in the order of 27 January 2020 are framed within the initial phase of investigation at which we find ourselves, without prejudice to what may be agreed following the outcome of the same; and given that the alleged environmental prevarication arising from the approval of mining projects in the absence of an environmental impact assessment had already been investigated in DPA No. 223/2017 processed before this same Court and subsequently stayed, the appellant's claim cannot be upheld as there is no new information in the present case, different from that taken into consideration in those proceedings, in view of the documents provided by the appellant, and in the light of the documents submitted to the Court, the appellant's claim cannot be

accepted. proceedings, having regard to the documents produced and annexed to the present proceedings, all of which means that the contested decision must be upheld with dismissal of the appeal for reconsideration.

OPERATIVE PART

I DISMISS THE APPEAL FOR REFORM brought by the representation of the VERDEGAIA ASSOCIATION, as supplemented by a writ dated 4 February 2020, against the order of 27 January 2020 issued by this Court.

Notify this resolution to the Public Prosecutor's Office and the other parties parties, warning that an **APPEAL** may be lodged against it within **FIVE DAYS** of its notification.

So orders and signs [REDACTED], JUDGE of the No. 2 Court of First Instance and Instruction of Noia. I BEAR WITNESS.

The dissemination of the text of this decision to parties not interested in the proceedings in which it has been issued may only be carried out after dissociation of the personal data contained therein and with full respect for the right to privacy, the rights of persons requiring a special duty of protection or the guarantee of anonymity of the victims or injured parties, where appropriate.

The personal data included in this resolution may not be transferred or communicated for purposes contrary to the law.