

[Seal of the Constitutional Court]

CONSTITUTIONAL COURT
Second Chamber
Fourth Section

Distinguished Members:
[REDACTED]

Appeal No.: 1575-2021 E

SUBJECT: Appeal for constitutional protection (*recurso de amparo*) brought by Mr./Ms. Asociación Verdegaia.

REGARDING: Order by the Second Section of the Provincial Court of Coruña in Appeal procedura 72/21 against the order by the No. 2 Court of Instruction of Noia in summary (criminal) proceedings 370/19.

This Section has examined the appeal brought to this Court and has decided to dismiss the application:

1. Regarding the violation of the right to a reasoned decision, in accordance with the provisions of Article 50.1.a) Constitutional Court Act, in relation to Article 44.1.a), given that the appellant has not duly exhausted the means of challenge within the judicial process (failure to file the motion for nullity of proceedings provided for in Article 241.1 of the Organic Law of the Judiciary).
2. In relation to the rest of the alleged breaches, in accordance with the provisions of Article 50.1.a) Constitutional Court Act, given the applicant has incurred in the irremediable defect of not having duly satisfied the burden of justifying the special constitutional significance of the appeal (Article 49.1 Constitutional Court Act), which, in accordance with reiterated constitutional case law, requires specific and sufficient argumentation (Sentence of the Constitutional Court 69/2011, of 16 May, legal basis 2 and 3, and constitutional case law cited therein).

Make this decision known indicating that if the Public Prosecutor's Office has not filed an appeal for reconsideration within the legal time limit of three days, the current proceedings will be stayed without further ado (Article 50.3 Constitutional Court Act).

This is hereby notified to you.

THE SECRETARY OF JUSTICE

[Signed and sealed]

ATTORNEY MS. [REDACTED]

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