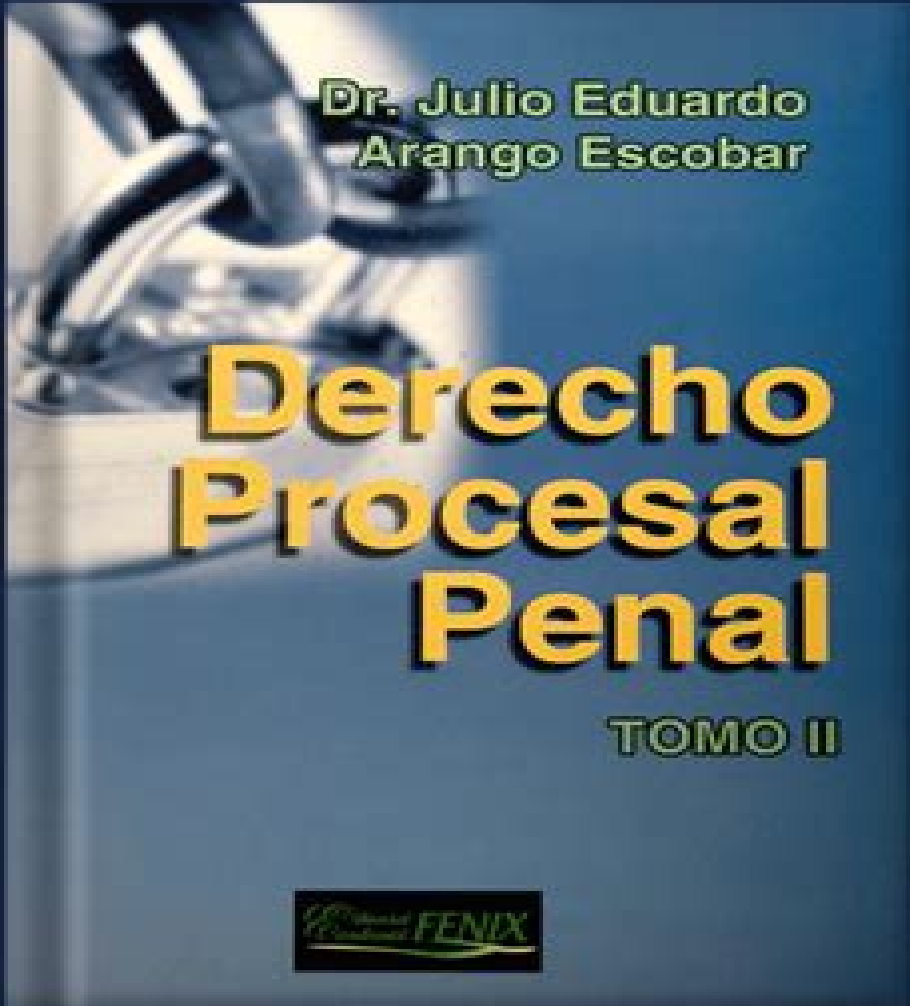
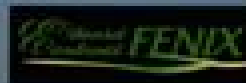


A close-up, slightly blurred image of a microscope's objective lens and eyepiece, set against a blue gradient background.

Dr. Julio Eduardo
Arango Escobar

Derecho Procesal Penal

TOMO II



Derecho Procesal Penal Tomo Ii

Eugenio Gaete González

A red circular graphic element, resembling a stylized arrow or a partial circle, is positioned to the right of the author's name.

Derecho Procesal Penal Tomo II:

Tratado de Derecho procesal penal Jacobo López Barja de Quiroga, 2012 **Instituciones procesales penales consensuales** Carlos Arturo Gómez Pavajeau, Carlos Andrés Guzmán Díaz, 2022-11-22 En esta oportunidad los profesores Carlos Arturo Gómez Pavajeau y Carlos Andrés Guzmán Díaz se ocupan de las estipulaciones probatorias en el proceso penal es decir de los acuerdos que hacen las partes para dar por probados o aceptados ciertos enunciados fácticos durante un juicio y por tanto tales hechos no son objeto de debate Para tal fin los autores deciden plantear los problemas epistemológicos que se derivan de una verdad por consenso pues como bien se explica en el libro el tema es realmente complejo por lo que esta práctica es inédita en nuestro medio Además proponen una serie de criterios que permiten identificar qué aspectos pueden ser materia de convencimiento dado que se han constatado las dificultades para establecer aquello que puede tenerse por cierto Para tal fin se acude a los avances en el razonamiento probatorio el derecho comparado y en las subreglas que en tiempos recientes ha fijado la jurisprudencia Finalmente en el texto se abordan con suficiencia algunos de los problemas prácticos derivados al punto que se proponen soluciones a ellos Es un texto recomendado para todo aquel que esté interesado en abordar temas novedosos en el proceso penal acusatorio y especialmente con interés en las pruebas y el litigio estratégico en materia de pruebas *La aplicación de la Teoría del Caso y la Teoría del Delito en el Proceso Penal Acusatorio* Benavente Chorrres, Hesbert, 2024-04-23 Si los hechos que el abogado maneja no son subsumibles dentro de un tipo penal no tiene un caso penal sino una historia pura y simple Si los hechos son subsumibles dentro del tipo penal pero no hay prueba se tiene una buena historia delictiva Si los hechos son subsumibles dentro del tipo y además se tiene una buena prueba el fiscal tiene un caso Esta expresión revela que la construcción del caso penal no se reduce a la mera presentación de los hechos ante un Tribunal o jurado por el contrario exige una metodología de trabajo en la cual se conjuguen los aspectos fácticos normativos y probatorios que permita el esclarecimiento de los hechos la coincidencia de la verdad procesal con la histórica así como una respuesta del órgano jurisdiccional legítima y propicia para los intereses de las partes Esta metodología no es otra que la denominada Teoría del caso la cual es estudiada en la presente obra no desde la perspectiva norteamericana de enseñanza del Derecho por casos o la persuasión del Jurado a través de una exposición emotiva de los hechos sino como método de trabajo para la construcción y análisis de hipótesis delictiva a través del empleo de esquemas conceptuales como la teoría del delito y la teoría de la prueba Ello revela la importancia de la Teoría del caso la cual no es privativa del trabajo del Fiscal sino también de todo interviniente en el proceso penal Juez abogado defensor acusador particular etc debido a que el profesional del Derecho quien conozca y maneje la Teoría del caso presenta una ventaja competitiva frente a sus demás colegas porque podrá emplear herramientas propias del Derecho penal y del Derecho procesal penal Para ello encontrar en el presente estudio todo el material necesario para construir estrategias procesales y salir airoso en la dinámica que impregna el proceso punitivo empleando instrumentos sustantivos y adjetivos cuya conjunción permite la Teoría del caso Finalmente el contenido

del presente estudio es examinar la teoría del caso aplicada en el proceso penal acusatorio a través de cuatro fases o pasos a constructiva la cual implica desmenuzar los hechos seleccionar la teoría del delito aplicable al caso subsumir los hechos en cada uno de los elementos de la teoría del delito seleccionada e identificar las evidencias que den sustento a cada uno de los hechos ya desmenuzados b recolectiva la misma que denota la b squeda y aseguramiento de aquellas evidencias declaraciones documentos etc tendientes a demostrar su caso o versión c depurativa esto es que formulada la acusación lo que se busca es sanear todo el material probatorio a fin que sólo lo legalmente obtenido e incorporado al proceso sea lo que se exponga como material que acredite la versión que plantea la parte y d expositiva la cual consiste en que las partes expongan sustenten y debatan cada una de las versiones esgrimidas En ese sentido estos pasos operan tanto en la investigación preliminar preparatoria intermedia y de juzgamiento respectivamente lo cual implica reconocer que la teoría del caso se construye desde el primer momento en que uno ingresa a la dinámica del proceso penal y como una brújula nos ir conduciendo en las respectivas etapas procesales

Problemas fundamentales del delito de prevaricación judicial Félix M.^a Pedreira González, 2018-09-17 El objeto del presente estudio se circunscribe a los artículos 446 y 447 del Código Penal relativos a la prevaricación judicial en sentido estricto Los límites y la responsabilidad desde la perspectiva del aplicador del Derecho Realiza un análisis teórico práctico de los aspectos más problemáticos del delito de prevaricación judicial delimitando esta figura conceptualmente Profundiza en la configuración constitucional del Poder Judicial y la función de Jueces y Magistrados teniendo como referente fundamental los principios constitucionales Trata la cuestión del bien jurídico protegido así como el estudio del sujeto activo Juez y Magistrado extendiéndolo a otros que ejercen equivalente potestad tales como Miembros del Tribunal del Jurado rbitros etc Prevaricación judicial dolosa e imprudente son analizadas de manera exhaustiva con especial incidencia en el elemento esencial del delito el carácter injusto de la resolución a través de las distintas teorías a la luz de la doctrina y la jurisprudencia para concluir con la toma de posición de su autor *Actas* Argentina. Congreso de la Nación. Cámara de Diputados de la Nación, 1965

La extradición ante la doctrina y la jurisprudencia, 1935-1965 Eugenio Gaete González, 1972

Investigación y defensa en clave tecnológica Verónica López Yagües, 2024-08-27 El sujeto encausado es protagonista involuntario de un proceso que ha de ser marco en el que ver garantizados sus derechos y es sin embargo el instrumento con mayor capacidad de erosionarlos un proceso centrado en las personas y al tiempo marcadamente tecnológico En este escenario la configuración de un estatuto jurídico irreductible a favor del encausado que garantice la efectividad de un fortalecido derecho de defensa es el primero de los propósitos a los que sirve este análisis Ser conscientes además de que el uso de la tecnología desde la más accesible y de uso frecuente por la ciudadanía hasta la más sofisticada y al alcance de menor número de personas pero no exclusivamente de los responsables de la investigación penal permite llevar esta a extremos hasta fechas recientes inimaginables hace obligado detenerse en esta otra realidad en ocasiones la obtención de la fuente de prueba entra en pugna con el respeto a los derechos fundamentales de la persona o sea

asiste a su efectiva lesión sea por los órganos policiales sea resultado de la actividad llevada a cabo por un particular La generación en esos casos de lo que se conoce como prueba il cita determina el juego de la regla que impide su entrada en el proceso y su toma en consideración por el juzgador una regla que a la luz de la última doctrina jurisprudencial viene asentada sobre postulados distintos de los que originariamente la sostuvieron Examinar con mirada crítica el fundamento y alcance de esta suerte de relativización de esta regla de exclusión procesal y sus consecuencias y ofrecer a los operadores jurídicos valiosas herramientas y fórmulas para una eficaz tutela de los derechos afectados por las no sin razón denominadas medidas de vigilancia tecnológica es el fin último al que se dirigen las consideraciones traídas a estas páginas **El procedimiento**

penal mexicano en la doctrina y en el derecho positivo Alberto González Blanco,1975 *El título ejecutivo: presupuesto de ejecución e instrumento de intimación al pago* Herrera Montañez, Diego Alejandro,2012-12-20 Este texto pretende contribuir con el propósito de construir un tipo ideal de juzgador requerido por un sistema procesal seguido por audiencias con tendencia a la oralidad teniendo en cuenta distintas fuentes del Derecho que se han pronunciado sobre el tema así como a la comunidad académica y los actores del proceso El tema a desarrollar implica la determinación y el empleo de distintas fuentes doctrinarias normativas de antecedentes legislativos de jurisprudencia y de ley no solo de nuestro país sino de experiencias en otras legislaciones por medio de la ampliación de los contenidos del marco de aplicación y de las vicisitudes que reflejan tanto el prototipo como las disquisiciones existentes sobre el proceso oral mediante audiencias y las circunstancias actuales del ejercicio frente al modelo de juez cuya construcción se pretende establecer La metodología a desarrollar corresponderá al análisis doctrinario legal y jurisprudencial sobre los componentes estructurales y sustanciales del título ejecutivo y su enfoque en la dimensión de sus problemas prácticos y perspectivas internacionales El tema a desarrollar implica la determinación y el empleo de distintas fuentes doctrinarias normativas de antecedentes legislativos de jurisprudencia y de ley no solo de nuestro país sino de experiencias en otras legislaciones por medio de la ampliación de los contenidos del marco de aplicación y de las vicisitudes que reflejan tanto el prototipo como las disquisiciones existentes sobre el proceso oral mediante audiencias y las circunstancias actuales del ejercicio frente al modelo de juez cuya construcción se pretende establecer La metodología a desarrollar corresponderá al análisis doctrinario legal y jurisprudencial sobre los componentes estructurales y sustanciales del título ejecutivo y su enfoque en la dimensión de sus problemas prácticos y perspectivas internacionales **La Ciudad de Dios** ,1900 *Las acciones civiles en el proceso penal (estudio crítico de jurisprudencia. Chile, 1940-1966)*. María Gabriela Domínguez Puig,1969 *Diccionario de legislación penal, procesal y de prisiones: letras L á Z* Fernando Cadalso,1907 **Diccionario de legislación penal, procesal y de prisiones** Fernando Cadalso,1908 La revisión del Código penal y otras leyes penales Spain,1964 Revista del foro ,1920 *Bibliografía*

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