

Criminal Reviews

Category: Justice Services

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What is a criminal review?

It is a special and exceptional procedure, the nature of which is conceived as a means of contesting final judgments and orders for dismissal issued by the popular courts of any instance and territory provided that:

- A custodial sentence has been imposed, whatever the measure.
- A fine or accessory section, particularly severe or benign, has been imposed.
- The accused has been unduly acquitted.

Who can write to request the special review procedure and before whom to promote?

Taking into account the grounds for criminal review, they may request it:

- The sanctioned one without any representation.
- The relative of the sanctioned person.
- The victim of the facts.
- Those mentioned above by means of legal representation.
- The prosecutor.
- Others who have affinity with the sanctioned or the victim.

Who promotes?

- The Minister of Justice.
- The President of the People's Supreme Court.
- The General Attorney of the Republic.

Requirements that must be contained in the written request for it to be filed

- The data identifying the cause to be reviewed, including therefore the name and surname of the applicant, name of the sanctioned, number and year of the case, crime, court sanctioned, imposed sanction, address of the sanctioned (where the sanction is being served) and specifically determined and understandable nonconformities.

- When the applicant is the person of a lawyer, the lawyer must present in his or her brief, in addition to the above, the cause that he or she considers to protect the right of his or her principal and the arguments on which the defence is based.

Other information of interest:

- The term to respond to the promoter is 90 calendar days.

Requests for review of cases that correspond to the Military Courts do not fall under the jurisdiction of the Provincial Directorates of Justice, only the request is transferred to the corresponding instance.