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Demanda N° 4933/18
Gago Rodriguez v. Spain

Una formación de juez único del Tribunal Europeo de Derechos Humanos ha decidido inadmitir la demanda de referencia.

Adjunto le remito la decisión adoptada por el Tribunal.

Esta decisión es definitiva y no puede ser objeto de recurso alguno ante un Comité, una Sala ni ante la Gran Sala de este Tribunal. Asimismo, usted no recibirá ninguna otra comunicación del Tribunal referente a su expediente, el cual, de acuerdo con las directivas del Tribunal en materia de archivo, no se conservará más allá del plazo de un año desde la fecha de la decisión.

Esta decisión se ha dictado en uno de los dos idiomas oficiales del Tribunal (francés o inglés) y no se le podrá proporcionar ninguna traducción en otro idioma.

Secretaría del Tribunal Europeo de Derechos Humanos



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

DECISION

CASE OF GAGO RODRIGUEZ v. SPAIN

(Application no. 4933/18)
introduced on 17 January 2018

The European Court of Human Rights, sitting on 19 April 2018 in a single-judge formation pursuant to Articles 24 § 2 and 27 of the Convention, has examined the application as submitted.

The application refers to Article 6 § 1 of the Convention, Article 6 § 2 of the Convention and Article 7 § 1 of the Convention.

As concerns the complaints raised under Article 6 § 2 of the Convention and Article 7 § 1 of the Convention, the Court finds that, insofar as the applicant complains of the domestic courts' assessment of the evidence and interpretation of the law and challenges the outcome of the proceedings, the application is of a "fourth-instance" nature. The applicant was able to make submissions before the courts which answered those submissions in decisions that do not appear arbitrary or manifestly unreasonable, and there is nothing to suggest that the proceedings were otherwise unfair. Accordingly, these complaints are manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention.

As concerns the complaints raised under Article 6 § 1 of the Convention, the Court finds in the light of all the material in its possession and in so far as the matters complained of are within its competence, that they do not disclose any appearance of a violation of the rights and freedoms set out in the Convention or the Protocols thereto and that the admissibility criteria set out in Articles 34 and 35 of the Convention have not been met.

The Court *declares* the application inadmissible.

Pere Pastor Vilanova
Judge