

# DE LA RIVA Y PASTOR ABOGADOS OBTAINS THE REVOCATION OF THE DISMISSAL OF THE MÓSTOLES ITV CASE.

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De la Riva y Pastor Abogados has obtained the annulment of the dismissal of the case and the opening of the oral trial for the ITV case in Mostoles. The firm has worked for more than two years on the legal proceedings on behalf of Más Madrid.

The Provincial Court of Madrid has fully upheld the appeal of De la Riva y Pastor Abogados, a national legal boutique in economic criminal law, and has revoked the dismissal of the ITV case in the Madrid municipality of Móstoles. After more than two years, the trial will be held to analyse whether the cancellation of a public debt constituted a crime of embezzlement and prevarication on the part of the mayor of Móstoles, Noelia Posse, a municipal official and seven councillors from her government team.

De la Riva y Pastor Abogados represents the political party Más Madrid in this case. In addition to the firm's partners, **Ignacio Rodríguez de la Riva** and **Félix Pastor Alfonso**, associates **Clara Calvente Torres** and **Guillermo Martí Millás** have participated in the proceedings. "It has been two years of intense work, with thousands of pages and numerous investigation proceedings, interrogations, etc.", explains De la Riva, emphasising that they have worked "with absolute independence and freedom of legal criteria".

"The revocation of the dismissal means the satisfaction of the result of a job well done. Regardless of

what happens with the trial and the sentence, with full respect for the presumption of innocence of the defendants, the holding of the trial is a success of the system that will allow the prosecution of serious acts that affect public funds", continues De la Riva.

After De la Riva y Pastor Abogados' full decision, the Móstoles Court of Instruction will have to issue the order for the continuation of the abbreviated procedure. In this way, the accusations will be able to request the dismissal of the case or to present the formal accusation, which the firm has already advanced that it will do.

The Provincial Court of Madrid has ordered the prosecution of the eight members of the municipal government of Móstoles (including the mayor, Noelia Posse, and a municipal official), implicated in the cancellation of a debt accumulated by a company of Technical Inspection of Vehicles (ITV), in an estimated damage of more than 2 million euros for the public coffers.

The lawsuit against the 8 members of the Móstoles municipal government was filed for the crimes of prevarication and aggravated embezzlement. The penalties faced by the individuals are disqualification for 15 to 20 years and imprisonment for 6 to 8 years. For the defendant company, the penalty would be a fine of 2 to 5 years for an amount between 3 and 5 times the value of the embezzled funds. Furthermore, the latest reform of the crime of embezzlement does not affect these facts because there is a profit motive.