

EDUARDO LÓPEZ BETANCOURT

TEORÍA DEL DELITO



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Teoria Del Delito Eduardo Lopez Betancourt

Dr. Raúl Bedolla Rocío



Teoría Del Delito Eduardo Lopez Betancourt:

Constitución política del Estado Libre y Soberano de Nayarit Nayarit (Mexico), José Miguel Madero Estrada, 2002

Proceso penal acusatorio y teoría del delito Enrique Díaz Aranda, 2008 **Defraudación fiscal** Ambrosio Michel

Higuera, 2008 **La aplicación de la Teoría del Caso y la Teoría del Delito en el Proceso Penal Acusatorio**

Benavente Chorres, 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 como una respuesta del órgano jurisdiccional legítima y propicio 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 presentar 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 búsqueda 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 *Tratado de Derecho Penal. El DICCIONARIO* Rubén Quintino Zepeda,2021 Se trata de un Diccionario donde reun tema por tema las principales voces del Derecho Penal moderno En este Diccionario tem tico cada t rmino se problematiza hasta verificar conforme a casos su capacidad de rendimiento sin menos cabo de se alar cu l es el estado que guarda la discusi n de los conceptos y las definiciones doctrinales m s representativas

Derecho penitenciario y de ejecuci3n penal Daniel Montero Zendejas,2020-01-01 Ante las diversas teor as doctrinas publicaciones de colegas y estudiosos de este tema las interrogantes que se fueron presentando para iniciar este libro fueron innumerables pues como hablar de prisiones correccionales centros de reinserci n social o de resocializaci n o readaptaci n sin olvidar todo lo que se deriva de esta connotaci n por ello quisimos abordarlo desde las diversas aristas de la Ciencia Penal o sea desde la teor a punitiva que va desde el delito la pena hasta las tendencias criminol gicas del positivismo penal de inicios del siglo XX y su proyecci n en este despertar de milenio con la llamada cuarta revoluci n industrial que nos es otra que la era cibern tica El presente estudio se basa en la evoluci n de la teor a de la pena y los efectos sociales que se desarrollan frente a la imposici n de una sanci n privativa de la libertad Aspectos todos ellos que hermanan hip tesis teor as y dem s elementos propositivos que asimilan desde el origen del hombre hasta nuestros d as aspectos que devienen de un comportamiento para algunos criminal para otros productos del medio donde se desenvuelven o sea crecen y mueren frente a una realidad an mica cuyos efectos desde Garofalo han sido producto de la ciencia criminal donde los genes de nuestra historia dan como resultado la teor a de la violencia y de la propia fuerza como ejes motores del origen del Estado *LEY ANTILAVADO Y SU VINCULACI3N CON LA DEFRAUDACI3N FISCAL* Dr. Raúl Bedolla Rocío, Esta obra tiene como principal objetivo proteger al sistema financiero y a la econom a nacional creando para ello medidas y procedimientos que son establecidas para prevenir y detectar actos u operaciones que involucren el uso de recursos de procedencia il cita a trav s de una coordinaci n interinstitucional que tenga como finalidad recabar elementos tiles para investigar y perseguir los delitos de lavado de dinero los relacionados con estos ltimos las estructuras financieras de las organizaciones delictivas y evitar el uso de los recursos para su financiamiento as como tambi n prevenir y detectar actos u operaciones que pudieran favorecer la comisi n de los delitos de terrorismo y su financiamiento INTRODUCCION CAPITULO I DERECHO PENAL FISCAL I 1 Clasificaci n del derecho p blico I 2 Derecho financiero I 3 Derecho fiscal I 4 Derecho penal tributario I 5 El dolo I 6 Teor a del delito I 7 El delito y su aspecto jur dico CAPITULO II LFPIORPI ANALISIS GENERAL DE OBLIGACIONES II 1 Normatividad actual II 2 Objeto de la LFPIORPI II 3 Obligaciones de los sujetos II 4 Presentaci n de avisos II 5 Restricciones de efectivo II 6 Visitas de verificaci n por parte de la SHCP II 7 Sanciones administrativas y los delitos II 8 Programa de auto regularizaci n reglas para su cumplimiento CAPITULO III ACTIVIDADES VULNERABLES III 1 Juegos con apuesta concursos o sorteos III 2 Emisi n o comercializaci n habitual o profesional de tarjetas de servicios de cr dito prepagadas y de todas aquellas que constituyan instrumentos de almacenamiento de valor monetario III 3 Cheques de viajero III 4 Operaciones de

mutuo o de garantía o de otorgamiento de préstamos o créditos con o sin garantía por parte de sujetos distintos a las entidades financieras III 5 Servicios de construcción o desarrollo de bienes inmuebles o de intermediación en la transmisión de la propiedad o constitución de derechos sobre dichos bienes en los que se involucren operaciones de compra o venta de los propios bienes por cuenta o a favor de clientes de quienes prestan dichos servicios III 6 La comercialización o intermediación habitual o profesional de metales preciosos piedras preciosas joyas o relojes III 7 La subasta o comercialización habitual o profesional de obras de arte III 8 La comercialización o distribución habitual o profesional de vehículos nuevos o usados ya sean aéreos marítimos o terrestres III 9 La prestación habitual o profesional de servicios de blindaje de vehículos terrestres nuevos o usados así como de bienes inmuebles III 10 La prestación habitual o profesional de servicios de traslado o custodia de dinero o valores con excepción de aquellos en los que intervenga el Banco de México y las instituciones dedicadas al depósito de valores III 11 La prestación de servicios profesionales de manera independiente sin que medie relación laboral con el cliente respectivo en aquellos casos en los que se prepare para un cliente o se lleven a cabo en nombre y representación del cliente cualquiera de las siguientes operaciones III 12 La prestación de servicios de fe pública en los términos siguientes III 13 La recepción de donativos por parte de las asociaciones y sociedades sin fines de lucro III 14 La prestación de servicios de comercio exterior como agente o apoderado aduanal mediante la autorización otorgada por la SHCP para promover por cuenta ajena el despacho de mercancías en los diferentes regímenes aduaneros previstos en la Ley Aduanera de las siguientes mercancías III 15 La constitución de derechos personales de uso o goce de bienes inmuebles III 16 El ofrecimiento habitual y profesional de intercambio de activos virtuales por parte de sujetos distintos a las entidades financieras que se lleven a cabo a través de las plataformas electrónicas digitales o similares que administren u operen facilitando o realizando operaciones de compra o venta de dichos activos propiedad de sus clientes o bien provean medios para custodiar almacenar o transferir activos virtuales distintos a los reconocidos por el Banco de México en términos de la ley para regular las instituciones de tecnología financiera

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CONCLUSION

BIBLIOGRAFIA **Boletín bibliográfico mexicano** ,2007-05 **La reparación del daño al ofendido o víctima del delito** Jorge Malváez Contreras,2008 *La responsabilidad por el daño ambiental en México* José Juan González Márquez,2002 **Ley general del equilibrio ecológico y la protección al ambiente** Mexico,1995 **Derecho Penal**

Enrique Díaz Aranda,2003 Nueva ley federal del derecho de autor Fernando Serrano Migallón,1998 **El estudio de caso en las relaciones jurídicas internacionales** Juan Carlos Velázquez Elizarrarás,2007 **Teoría en torno al error de tipo y el acto** José Cornejo Aguiar,José Sebastián Cornejo Aguiar,José Wilmer Maza Gonza,2023-12-01 La obra Teor as en torno al error de tipo y el acto cuenta con cuatro cap tulos muy bien estructurados en los cuales se analizan aspectos como El Derecho Penal y su importancia Error de tipo El acto y Tipicidad Cap tulos que como veremos son desarrollados de una manera secuencial y l gica a tal punto que en el primero referente al Derecho Penal y su importancia se aborda lo relativo al poder con una l gica bien marcada en sus antecedentes definiendo que es poder punitivo que es Derecho Penal y cu l es la finalidad del derecho penal dentro de la regulaci n normativa Por otra parte en el segundo cap tulo denominado Error de tipo se explica los antecedentes hist ricos del error de hecho al error de tipo se establece el concepto de error de tipo en sus modalidades vencible e invencible y se comenta los efectos del error de tipo tanto sobre el curso causal error in objeto error in persona aberratio ictus dolus generalis hasta sobre los presupuestos de las cusas de justificaci n a trav s de una gama de ejemplos de error de tipo vencible En el cap tulo tercero respecto al acto se realiza un an lisis desde sus antecedentes concepto y elementos donde destaca lo relativo a la omisi n omisi n propia omisi n impropia y su regulaci n normativa Mientras que en el cuarto cap tulo denominado Tipicidad se estudia los antecedentes el concepto los elementos objetivo y subjetivo as como la regulaci n normativa en casos concretos Cabe destacar que esta obra es un estudio sobre el error de tipo desde una perspectiva de algunas legislaciones latinoamericanas y de Europa continental como son M xico Argentina Chile Per Colombia Espa a y Alemania Quito Ecuador abril de 2023 Jos Sebasti n Cornejo Aguiar **Diccionario legislativo** José Miguel Madero Estrada,2000 Código civil para el Estado de Tamaulipas Tamaulipas,1995 **Gaceta UNAM** ,1994

¿Más guerra contra el crimen? Martha Berenice Vázquez González,2021-09-15 Por qu fallan las estrategias de seguridad Puede M xico evitar la militarizaci n Qu alternativas hay para las v ctimas Muchos conflictos son oportunidades de aprendizaje crecimiento y construcci n de herramientas que ayudan a la soluci n positiva de los problemas Los mecanismos deber an ser m s satisfactorios y sostenibles a largo plazo para transformar la realidad adem s de respetar los principios m b sicos de justicia Ley de aguas nacionales y su reglamento Mexico,2000

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