



THE INADMISSIBILITY OF THE APPEAL DUE TO AN INCORRECT CERTIFIED EMAIL (PEC) ADDRESS. NOTE TO CONSTITUTIONAL COURT JUDGMENT No. 77/2026

Nothing can justify or validate a “sub-principle of superfluity or the relegation of the merits” – a notion sidelined, much like a mere claim, by a ruling declaring the appeal inadmissible. Yet, this is the stance taken by the Constitutional Court in 2026 regarding a procedural failure – an oversight triggered or facilitated by the near-identical names of two bodies within the same Supervisory Judiciary (leading to confusion over the correct certified email address). Such a ruling results in criminal proceedings where the defense is denied its natural *ius ad loquendum* (right to be heard), which is essential for the judicial review of the case. The Court prioritizes digital continuity and the reasonable duration of proceedings, albeit to the detriment of the appellant’s rights and arguments, rendering them unenforceable and ineffective. The issue at stake is the inequity of this approach – a denial of justice – where the legal process becomes a “mute” arena for the loss of rights.