

UNIVERSIDAD ANDINA DEL CUSCO
FACULTAD DE DERECHO Y CIENCIA POLÍTICA
ESCUELA PROFESIONAL DE DERECHO



TRABAJO ACADÉMICO

PARA OPTAR EL TÍTULO PROFESIONAL DE ABOGADO

EXPEDIENTE CIVIL

MATERIA : División y partición de bienes
PRESENTADO POR : Carlos Eduardo Cruz Somocurcio
FECHA DE EXAMEN : 23 de septiembre del 2019

CUSCO – PERÚ

2019

ABSTRACT

The division and division of assets is considered as that claim by which the co-ownership, community applied to the right of ownership is extinguished, in order to assign exclusive property rights, over that part of the property that corresponds according to its percentages or aliquots, to those who were previously co-owners.

Said claim is stipulated in the first subsection of article 992 of the Civil Code, and its general purpose is to divide the property and assign each co-owner its respective share or aliquot.

It is worth mentioning that in this case, the subject of analysis has as a procedural way the Abbreviated one, this being an intermediate procedural way between the knowledge process and the summary so that it is subject to deadlines and a series of characteristics of this type of claims .

KEYWORDS: Intestate succession, Property, Co-ownership, Possession, Partition, Usufruct, Fruit, Use and room.

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ESTUDIO DE CASO PARA OPTAR EL TÍTULO PROFESIONAL DE ABOGADO

CASO PENAL

MATERIA : Apropiación Ilícita

PRESENTADO POR : Carlos Eduardo Cruz Somocurcio

FECHA DE EXAMEN : 23 de Septiembre del año 2019

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Abstract

Unlawful appropriation is a very particular crime, given that it arises from the initial legitimacy of a legal relationship between the criminal agent and the offender, in which the latter entrusts the movable asset to the agent, awaiting the return of the same or the generation of any previously agreed assignment or objective, and that however is frustrated by the unilateral decision of the criminal agent, who will either remain illegitimately with the good or will arrange it to obtain some kind of benefit.

At present, Peru, according to the latest statistics collected by the national information and statistical agencies, unfortunately has a progressive increase in the criminal rate in most criminal types, to this reality is no stranger the crime of illegal appropriation, since It can be seen from the official database that in the last two years - with 8,585 complaints at the end of 2017 and 9,006 at the end of the year 2018 - the problem is not constant but it is increasing.

Against this problem, the Peruvian State has among its policies, Strategic axis 2 of the Bicentennial Plan: Peru made 2021, prays among its statements, that in order to face the perpetual dilemma of property crimes: "... seeks the reduction of social behaviors and practices that affect the well-being of people and the promotion of a civic culture of peace, through the effective presence of the State that involves the Institutions that make up the Citizen Security System... ”

KEYWORDS: Criminal law, Crime, illegal appropriation, property, penalty.