JUDICIAL CONTROL / INSOLVENCY / CRIMINAL EVIDENCE

When does an adverse commercial result become more than merely adverse?

A documentary pack for lawyers, journalists and independent writers. Sun Park is tested against Inparsa / Hoteles Beatriz only as a methodological comparator.

Edition 1 / Sources checked: 13 August 2026
Project Sun Rock - Legal Notebook
Estimated reading time: 18 minutes

01 / READING RULES

One case opens the question; only the other case file can answer it.

This pack does not seek endorsement. It separates outcome, source, allegation, inference, disputed point and missing evidence so a third party can confirm, refute or reframe the thesis.

INPARSA

On 13 February 2026, press reporting described provisional TSJC admission or examination. The report itself said a decision on opening an investigation was still required. No primary order or later public outcome was located.

SUN PARK

Gil Marer formally maintains that a sequence attributed to Judge Alberto López Villarrubia requires criminal investigation. No published judicial decision establishes guilt.

RELATIONSHIP

The cases involve different judges, parties and mechanisms. No common network, concerted action or institutional pattern is alleged.

DISCIPLINE / CRIME

CGPJ discipline and criminal jurisdiction have different objects and thresholds. A disciplinary outcome does not decide Penal Code articles 446-449.

COMPARATOR LIMIT

The central rule

A criminal complaint against another judge does not make one's own allegation true. Its narrower relevance is that criminal control of judicial conduct is a real legal route, requiring individualised evidence.

SUN PARK

Attributed position

Gil Marer maintains that specified acts, omissions and rulings, read as a sequence, cross the threshold requiring criminal investigation. This is his formally advanced allegation, not a conviction or judicial finding of guilt.

02 / CONTROL CHRONOLOGY

Seven nodes an investigation could confirm or disprove.

Accumulation does not prove intent. Each node requires its own evidence of knowledge, jurisdiction, available remedy, act or omission, effect and legal explanation.

Date	Node	Record and evidential limit
16 APR 2018	Order and scope	The dossier says the order concerned LPB and did not confer possession of CEXP, Matkator or third-party assets on CAM.
7 JUN 2018	Material control	Contemporary evidence records broken access, chains, locks and exclusion. Authorship and judicial knowledge require separate proof.
13 JUN 2018	ONA exit	Daniel Irigoyen's report records meetings with judge and administrator about funder, operator and payment or deposit. It is not a court minute.
2018-2019	OB REM	28 November 2018 operation; later non-validation on 24 October 2019 according to the public dossier. Restitution and accounts remain open.
2020-2021	Asset and evidence	Alleged demolition/restriction, inspection and expert requests, and the RIC narrative before formal title.
15 OCT 2021	Conflicting premise	The dossier identifies two orders: one said an auction occurred, the other that it had not. Certified text and full context are required.
26 JAN-21 FEB 2022	Adjudication	The dossier says July material was admitted but treated as irrelevant; operational copies, deed and registration to CAM followed.

INFERENCE CONTROL

Correct reading

The chronology organises evidence; duration or accumulation does not itself establish illegitimate purpose. Each transition requires the contemporary record, applicable duty and causal explanation.

03 / ACT-EVIDENCE MATRIX

What must be closed node by node.

The 'evidence to locate' column matters as much as the allegation: it identifies material capable of closing the issue either way.

Node	Knowledge / record	Remedy or question	Evidence to locate
16 Apr 2018	Order scope and LPB / third-party limits.	How did wider material control arise?	Order, instructions, execution map.
7 Jun 2018	Contemporaneously documented takeover.	Urgent protection of access, evidence and perimeter.	Notices, calendar, filings, decisions, authorship.
13 Jun 2018	Funded alternative reported by Irigoyen.	Useful protection while payment/deposit was tested.	Calendar, minute, filing, service, administrator report.
2018-2019	OB REM and alleged non-validation.	Registry, material and accounting restoration.	Cancellation, restitution, proceeds and accounts.
2020-2021	Works, access, expert evidence, RIC narrative.	Preserve asset, evidence and bidding conditions.	Certified request/objection/decision chronology.
15 Oct 2021	Two incompatible public premises.	Clarify before irreversible effects.	Complete orders and correction record.
Jan-Feb 2022	Official adjudication, deed and registry.	Reconcile debt, value, alternative and third parties.	Credit-interest-units-value-surplus account.

VERIFICATION LIST

Evidence capable of closing the debate

Complete certified court file; 13 June calendar and record; insolvency administrator instructions; filings and rulings on inspection/expert evidence; credit, interest, units, adjudication and surplus account; OB REM restoration; property-possession-use-income map.

04 / INPARSA COMPARATOR

Shared questions; facts that must not be merged.

Inparsa is useful for studying how insolvency, valuation, funded alternatives and corporate legality can determine a transfer of control. It proves nothing about Sun Park.

Dimension	Inparsa / Hoteles Beatriz	Sun Park
Mechanism	Restructuring plan, capitalisation and new financing.	Long insolvency, disputed material control and creditor adjudication.
Premise	Change-of-control maturity and insolvency disputed by Inparsa.	Credit, maximum mortgage liability, interest and surplus disputed.
Value	Enterprise, equity and asset values with competing figures.	2018 valuations, operation, physical change and later value.
Alternative	Full-payment financing alleged by Inparsa.	2018 ONA operator and two financing routes, subject to conditions and close.
Control	About 71% post-restructuring for Meru in the published judgment.	Alleged material control in 2018; formal title in 2022; later HNT/MYND.
Criminal route	Provisional examination reported; primary order and later outcome not located.	Formal allegations; no finding of guilt.

NO GUILT BY PROXIMITY

Negative control

No common judge, parties, plan or network is alleged. Cuatrecasas appearing as adviser in Inparsa, and any separately evidenced historical professional relationship with the Sun Park perimeter, would not establish a shared unlawful method. Any adviser analysis requires its own retainer, duty, knowledge, act and effect.

05 / CRIMINAL THRESHOLD

Four offences; four different evidential tests.

Even intense disagreement is insufficient where a decision remains within a legally tenable interpretation. The record should not be forced into every offence.

PC 446

Knowingly unjust judgment or decision

Requires a decision, criminal-law injustice and knowledge. Critical gap: exclude a tenable legal interpretation and prove the link between knowledge and decision.

PC 447

Gross negligence / inexcusable ignorance

Requires a manifestly unjust decision caused by that qualified degree of fault. It is not a substitute for appeal.

PC 448

Unjustified refusal to adjudicate

Requires a specific matter, a duty to decide and refusal without lawful reason. Generally inadequate protection is insufficient.

PC 449

Malicious delay

Requires delay caused to achieve an illegitimate purpose. Duration alone does not prove purpose.

LOPJ

Jurisdiction and route

LOPJ article 73.3(b) assigns certain criminal proceedings against judges and magistrates for acts in office to the TSJ Civil and Criminal Chamber, without prejudice to Supreme Court jurisdiction. Articles 405-410 address judicial criminal responsibility. Counsel must verify the exact route against the complete file.

06 / CLAIMS LEDGER

Not every statement has the same evidential status.

This classification prevents a strong narrative from erasing the difference between document, attributed position, disputed issue and material not yet located.

DOCUMENTED FACTS	ATTRIBUTED ALLEGATIONS
There is a 16 April 2018 order; a 7 June material takeover is documented; the Irigoyen 13 June report exists; 2021-2022 decisions and deed/adjudication exist; DIP 2/2026 was archived; CGPJ DI 169/2026 was closed.	Marer alleges knowledge, inadequate protection, incompatible treatment of premises, evidential omissions and a property sequence requiring criminal investigation.
DISPUTED	**NOT LOCATED**
Takeover authorship; exact judicial knowledge; ONA viability/close; OB REM effect; expert-evidence treatment; debt, value, surplus and third-party perimeter; meaning of the 2021 contradiction.	Complete certified file; 13 June minute/calendar; administrator instructions; reconciled account; primary TSJC Inparsa order; later public result; merits ruling on the Sun Park allegation.

The productive question is not 'who is right?' but: what contemporary document would exclude a tenable legal explanation or, conversely, make an investigation necessary?

NEGATIVE EVIDENCE

Falsifiability

A reasoned order defining scope; effective protective directions; a reconciled account; or a documented explanation for the 2021 contradiction could weaken the thesis. A record of knowledge, available remedy and incompatible unexplained decision could strengthen it.

07 / WRITER'S GUIDE

Five stories that do not require adopting the allegation.

The editorial aim is to reduce friction, not secure support. Every angle permits a conclusion critical of Sun Park.

01 From adverse decision to possible prevaricación What evidence must cross the threshold without criminalising an appeal.	**02** When debt becomes control Valuation, funded alternatives and supervision of Canary hotel assets.
03 Protection while the asset changes Possession, access, evidence and going-concern value during proceedings.	**04** The boundary of the insolvency estate Why one company's insolvency does not silently decide third-party title and authority.
05 Three non-equivalent routes CGPJ, prosecution service and judicial complaint: object, threshold and outcome.	

EDITORIAL LEAD

Why José Carlos González Vázquez is a natural reader

He is a CECA Magán corporate/insolvency partner, Commercial Law professor and author of three public Inparsa analyses. His method - procedural sequence, insolvency, valuation, funded alternative and corporate control - defines the questions a serious pack should answer. This does not suggest that he knows, represents, endorses or shares the Sun Park position.

08 / GLOSSARY AND QUESTIONS

Terms a writer should fix before reaching a view.

The same label can describe different things in different records. Every claim needs an operational definition.

CEXP Collective vehicle with an owner-derived provenance asserted from 2008; its perimeter, contracts and authority are not presumed from LPB's insolvency.	**CAM** Creditor and later formal adjudicatee. The dossier distinguishes the April 2018 order from formal 2022 title.
OB REM 28 November 2018 registry/property operation whose alleged later non-validation and restoration require a documentary chain.	**ONA EXIT** Operator and financing alternative reported in June 2018; viability, conditions and closing remain evidential questions.
PREVARICACIÓN Not synonymous with error or reversal. It requires the applicable offence, criminal-law injustice and corresponding mental element.	**PROVISIONAL ADMISSION** A press description of Inparsa's status; not equivalent to definitive opening, charge or conviction.

Minimum questions: what was the judicial perimeter? What did the court know and when? What specific remedy was sought? What response followed? What legal explanation is recorded? What material and property effect followed? What contemporary evidence supports an alternative explanation?

09 / SOURCES AND RIGHT OF REPLY

A minimum index for independent verification.

Links are entry points, not substitutes for the certified file. Party sources are identified as such.

01 Spanish Penal Code, arts. 446-449
BOE consolidated text; offences.

02 LOPJ, arts. 73.3(b) and 405-410
BOE; jurisdiction and judicial criminal responsibility.

03 CENDOJ negative control
Disagreement and named assertions do not replace evidence.

04 Inparsa / Hoteles Beatriz note
Public record, competing accounts and open questions.

05 La Razón, 13 February 2026
Secondary report on provisional TSJC examination.

06 Material takeover / ONA dossier
Party source with documents and evidence labels.

07 DIP 2/2026
Archive and documented appeal-status error.

08 CECA Magán profile
José Carlos González Vázquez's public professional profile.

09 González Vázquez - 2024 analysis
Initial Inparsa plan refusal.

10 González Vázquez - 2026 parts I and II
Sequence, insolvency, valuation and corporate control.

EQUAL RIGHT

Corrections and response

Every named person or entity may submit a document, context, reply or correction. Please identify the exact proposition, source, date, procedural status and scope. Email: sbu001@monterecco.com. Moderated public thread: GitHub issue 7.