



PODER JUDICIAL DE LA FEDERACIÓN
SUPREMA CORTE DE JUSTICIA DE LA NACIÓN

D.A. 74/2019

[...]

II. INADMISSIBILITY OF THE APPEAL. In this case, the plaintiff mentioned in the caption, through its legal representative, in due time and legal form, filed an appeal for review against the judgment of January thirty, two thousand twenty, issued by the Fourteenth Collegiate Court in Administrative Matters of the First Circuit, in the proceedings of amparo suit 74/2019, in which it transcribes the part of the challenged judgment that in its opinion contains the problem of constitutionality, in terms of Article 88 of the Amparo Law. Now, from the analysis of the evidence in the record, it is evident that from the amparo lawsuit, the complaining party mentioned above, requested the Court of Appeals to interpret Articles 1101, 1104 and 1105 of the North American Free Trade Agreement, under the subject: "North American Free Trade Agreement. Analysis on whether articles 1101, 1104 and 1105 of the same, can be conceived as human rights, in order to be able to apply them in light of the pro homine principle"; in the judgment the collegiate body declared the respective concepts of violation inoperative, and in the complaints that are the subject matter of this instance the claimant complains of such determination, therefore, a properly constitutional issue arises; however, it is considered that in view of the purposes of the reform made to section IX of article 107 of the Political Constitution of the United Mexican States, published in the Official Gazette of the Federation on June eleventh, nineteen hundred and ninety-nine, which adds the proceeding of this appeal to the fact that its resolution entails the establishment of a criterion of importance and transcendence, as well as the constitutional imperative that requires this High Court to devote its efforts to the prompt resolution of the matters that meet the requirements, in the opinion of this Court the case does not have the character of importance and transcendence, therefore, this appeal must be dismissed.



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Consequently, taking into consideration that the appeal for review in question is within the jurisdiction of this Supreme Court of Justice of the Nation, in terms of section IX of Article 107 of the Constitution; based on Articles 10, section XII, and 14, section II, first paragraph of the Organic Law of the Judiciary of the Federation and 91 of the Amparo Law; as well as points First, subsection b), Second, Third, section III, to the contrary, and Fourth, first paragraph of the aforementioned Plenary General Agreement 9/2015, it is hereby agreed:

- I. The appeal for review filed by the claimant mentioned above is dismissed as out of order, since the case does not have the character of importance and transcendence in terms of Section IX, Article 107 of the Political Constitution of the United Mexican States.
- II. The parties to the lawsuit, by themselves or through their representative, may request authorization to access the electronic file, for themselves or for a third party, providing the CURP of both, provided that they have an electronic signature (FIREL) in terms of the applicable regulations.
- III. Likewise, the persons who have been recognized as parties to the amparo proceeding from which this matter derives -not their authorized parties- by themselves or through their legal representatives with powers to do so, may expressly request by printed or electronic means the authorization to receive electronic notifications by providing the CURP corresponding to their current FIREL and it will be effective only in this case, not with respect to the appeals or incidents deriving therefrom, in which case it must be requested in each one of them.

[...]