

OPINION

by **Assoc. Prof. Dr. Daniela Sevdalinova Doncheva** – Faculty of Law, *Plovdiv University "Paisii Hilendarski"*

on the dissertation submitted for the award of the educational and scientific degree
"Doctor"

of Field of higher education: 3. Social, Economic and Legal Sciences, **professional field:** 3.6. Law, Doctoral program: *Criminal Procedure*

Author: **Gabriel Rosenov Rusev**

Title: **The Preliminary Hearing under the Criminal Procedure Code**

Scientific supervisor: **Assoc. Prof. Dr. Ekaterina Salkova Getova**

By Order No. RD-22-1655/15.07.2025 of the Rector of the Plovdiv University "Paisii Hilendarski", I was appointed as a member of the scientific jury in the procedure for the defense of the dissertation titled "The Preliminary Hearing under the Criminal Procedure Code", submitted for the award of the educational and scientific degree "Doctor" in the field of higher education 3. Social, Economic and Legal Sciences, professional field 3.6. Law, doctoral program Criminal Procedure.

The author of the dissertation is Gabriel Rosenov Rusev, a part-time doctoral student in the Department of Criminal Law Sciences at the Faculty of Law of the Plovdiv University "Paisii Hilendarski". The scientific supervisor of the doctoral student is Assoc. Prof. Dr. Ekaterina Salkova Getova.

The set of documents submitted by the doctoral student complies with the requirements of the Law on the Development of the Academic Staff in the Republic of Bulgaria, its Implementing Regulations, and the Regulations for the Development of the Academic Staff of the Plovdiv University "Paisii Hilendarski".

Gabriel Rusev currently serves as a judge at the Plovdiv District Court. He graduated in Law from the Faculty of Law of the Plovdiv University "Paisii Hilendarski" in 2011.

The doctoral candidate meets the minimum national requirements, has submitted a dissertation, and has four publications related to the dissertation topic.

The dissertation, titled "The Preliminary Hearing under the Criminal Procedure Code", comprises 173 pages, including 161 pages of main text, 191 footnotes, and a bibliography of 127 sources. The content is structured into an introduction, four chapters, and a conclusion.

The topic of the dissertation is timely and relevant, given the amendments to the Criminal Procedure Code (CPC) introduced in 2017. Although the topic has been examined by various authors since then, it continues to pose challenges, and its study from different

perspectives contributes to clarifying existing problems and identifying possible solutions, including potential legislative amendments to address deficiencies in the current regulation.

The author has worked carefully and has conducted a comprehensive analysis of the legal framework governing the preliminary hearing and the relevant judicial practice. He presents various scholarly positions on disputed issues and expresses his own reasoned opinions.

The Introduction outlines the subject of the study and briefly presents its structure and content.

Chapter One is devoted to the historical overview of the preliminary hearing and its legal nature. This analysis is not presented in isolation but rather as an integral part of the overall study of the preliminary hearing, aiming to clarify its role in overcoming delays in criminal proceedings.

Chapter Two focuses on the issues discussed during the open preliminary hearing. The practical analysis of the problems arising in the course of discussing these issues, along with the proposed solutions, is of significant importance and constitutes a substantial contribution of the dissertation.

Chapter Three examines the procedure for conducting the preliminary hearing and the judicial control exercised over it. I believe that it would be beneficial for the author to have devoted more in-depth attention to the appellate review of the court's ruling.

Chapter Four deals with the problems related to the application of differentiated procedures following the preliminary hearing.

The Conclusion systematically summarizes the findings and includes well-structured *de lege ferenda* proposals.

I evaluate the dissertation positively, as it provides a comprehensive analysis of the topic, identifying both theoretical and practical problems and outlining possible solutions for overcoming them. I believe that the terminological precision could be further refined and that greater attention should be devoted to certain issues on which the doctoral candidate has expressed opinions that I find correct but insufficiently substantiated.

The abstract meets the formal requirements and accurately reflects the content of the dissertation.

In view of the above, I consider it advisable and recommend that the author publish the dissertation.

CONCLUSION:

The dissertation contains scientific, scientific-applied, and practical results that represent an original contribution to legal science and fully comply with the requirements of the Law on the Development of the Academic Staff in the Republic of Bulgaria, the Regulations for its Implementation, and the relevant Regulations of the Plovdiv University "Paisii Hilendarski". The materials and dissertation results presented fully correspond to the specific requirements of the Faculty of Law, adopted in connection with the University's Regulations for the application of the Law on the Development of the Academic Staff in the Republic of Bulgaria.

The dissertation demonstrates that the doctoral candidate Gabriel Rosenov Rusev possesses in-depth theoretical knowledge and professional competence, as well as the qualities and skills necessary for conducting independent scientific research.

For the reasons stated above, I confidently give my positive assessment of the reviewed dissertation, its results, and contributions, and I propose that the esteemed academic jury confer the educational and scientific degree "Doctor" upon Gabriel Rosenov Rusev, in the field of higher education 3. Social, Economic, and Legal Sciences, professional field 3.6. Law, doctoral program "Criminal Procedure".

10.10.2025

Opinion by:

(Assoc. Prof. Dr. Daniela Doncheva)