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Extortionate Threat and Imaginary Danger Attributed to the Offender

Original Italian Title: Minaccia estorsiva con pericolo immaginario attribuito all'agente

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ABSTRACT
This paper examines Italian Court of Cassation judgment no. 39284/2026 on extortionate threats involving an imaginary danger and their boundary with aggravated fraud under Article 640(2)(2) of the Criminal Code. Dismissing as inadmissible the appeal brought by a restaurateur who demanded 200 euros per month while threatening to arrange the revocation of INPS welfare benefits, the Court reiterates that the decisive criterion does not depend on the objective reality of the threatened harm, but on whether the offender makes it appear attributable to their own will or mediation. Alongside procedural findings on appeal specificity and voice recognition, the article compares this ruling with recent 2020 and 2026 precedents, highlights an internal textual discrepancy and citation error in the opinion, and assesses constitutional safeguards concerning legal certainty and defence strategies.

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Extortionate Threat and Imaginary Danger Attributed to the Offender

The Italian Supreme Court of Cassation, Criminal Division, Judgment no. 39284 of 9 November 2026, draws the boundary between extortion and aggravated fraud in a case of feigned mediation before the INPS medical board.

CASE DOSSIER

COURT
Italian Supreme Court of Cassation

DECISION
Criminal Division, Judgment of 9 November 2026, no. 39284

KEY PROVISIONS
Article 616 of the Italian Code of Criminal Procedure • Article 629 of the Italian Criminal Code • Article 640 of the Italian Criminal Code

HOLDING
declared inadmissible (with order to pay costs and 3,000 euros to the Fines Fund)

JEL: K14 • EuroVoc: 573, 2704 • Reading 10 min

Federico Sciullo • Attorney at the Rome Bar ISSN 3103-7305

LEGAL PRINCIPLE / EDITORIAL HEADNOTE

Representing an imaginary or non-existent danger constitutes extortion rather than aggravated fraud whenever the offender, albeit through deception regarding their own role, makes the threatened harm appear achievable through their own will.

KEY TAKEAWAYS

01 Apparent attributability of the danger
Extortion is established even in the face of an objectively unachievable harm if the offender, by deceiving the victim as to their own role, presents it as dependent on their initiative.

02 Coercion versus transactional error
In aggravated fraud by imaginary danger, the risk stems from external third parties and grounds a false contractual justification of salvation, whereas in extortion the victim faces an inescapable alternative.

03 Appeal specificity and corroboration
Fragmentary excerpts of witness testimony and failure to address voice recognition lead to inadmissibility under Article 616 of the Code of Criminal Procedure with an increased financial penalty.

04 Constitutional scrutiny
The question of objective intimidating suitability remains open where the victim is aware of the offender's modest occupation relative to the public body evoked.

ABSTRACT

This paper examines Italian Supreme Court of Cassation, Criminal Division, Judgment no. 39284/2026 on **extortionate threats involving an imaginary danger** and their boundary with **aggravated fraud** under Article 640(2)(2) of the Italian Criminal Code. Declaring inadmissible the appeal brought by a restaurateur who demanded 200 euros per month while threatening to arrange the revocation of INPS welfare benefits, the Court reiterates that the decisive criterion does not lie in the objective reality of the threatened harm, but in its **apparent attributability to the offender**. After examining the procedural issues concerning appeal specificity and voice recognition evidence, the study compares this ruling with 2020 and 2026 precedents, highlights internal tensions in the reasoning, and raises critical remarks on the constitutional safeguards of a classification entrusted to the victim's subjective perception and its resulting **defence implications**.

COMPARATIVE & EUROPEAN LEGAL FRAMING

Institutional & EU Nexus: In Italy's statutory criminal law system, the Supreme Court of Cassation ensures uniform interpretation of the Criminal Code (*principio di legalità* and *tassatività*), which also underpins constitutional proportionality of penalties under Article 27(3) of the Italian Constitution and Article 49(3) of the EU Charter of Fundamental Rights. **Comparative Common Law Lens:** Unlike Anglo-American jurisdictions–where blackmail or extortion (e.g., under the UK Theft Act 1968, s. 21) focuses on an unwarranted demand with menaces and often overlaps with fraud by false representation–Italian law draws a rigid statutory divide between extortion (*estorsione*, Article 629 c.p.) and aggravated fraud by imaginary danger (*truffa vessatoria*, Article 640(2)(2) c.p.), carrying starkly different sentencing ranges and pre-trial detention limits.

01. INTRODUCTION: ITALIAN SUPREME COURT OF CASSATION, CRIMINAL DIVISION, JUDGMENT NO. 39284/2026

With **Judgment no. 39284 of 9 November 2026**, the Italian Supreme Court of Cassation, Criminal Division, returns to trace the boundary between extortion and aggravated fraud by imaginary danger[1]. The issue directly concerns the **strict statutory definition of criminal offences** and sentencing proportionality. Classifying an **extortionate threat involving an imaginary danger** under Article 629 rather than Article 640 of the Italian Criminal Code produces a drastic gap in statutory sentencing ranges. Consequently, it becomes necessary to verify with rigour the criteria that turn a deception about reality into punishable coercion.

§ 2 Both offences belong to the category of **crimes requiring the victim's cooperation**. The asset disposition always arises from a vitiated psychological impulse. In aggravated fraud by imaginary danger, however, consent is procured through an error concerning an external and uncontrollable risk. In extortion, by contrast, the victim's will is bent by a coercive alternative attributable to the offender.

§ 3 The ruling under review offers significant insights on both substantive and procedural grounds. Beyond reiterating the irrelevance of whether the threatened harm is actually achievable when the perpetrator poses as a decisive intermediary, the Court sanctions appeals lacking self-sufficiency. The analysis that follows retraces the reasoning of the judgment and compares it with the most recent precedents. The aim is to test the resilience of the applied criterion against **constitutional safeguards** and defence requirements.

02. THE FACTS, GROUNDS OF APPEAL, AND REASONING SOUNDNESS

2.1 — The Case of the Feigned Intermediary and Objections Regarding Unlawful Profit

§ 4 The procedural history stems from the appellate confirmation of a conviction for the **offence of extortion** already entered at first instance[1]. The heading cites the decision of the Milan Court of Appeal dated 27 January 2026, whereas the narrative refers to 2 February 2026. According to the trial courts, the defendant had forced the victim to pay him **200 euros per month**. The pressure relied on the victim's fear of losing **welfare benefits disbursed by INPS**.

§ 5 To make the demand credible, the man had threatened to take steps to have the benefits revoked if no agreement were reached. Decisive was the circumstance that the defendant had presented himself as an **intermediary with the medical board**. In this way, the monthly payment was imposed as the only barrier against an imminent prejudice.

§ 6 Defence counsel raised three grounds of appeal against the contested judgment. Under the first complaint, the appellant challenged the existence of an **unlawful profit** and of a threat under Article 629 of the Criminal Code. The defendant cooked meals for the victim and delivered them to the victim's home personally or through his wife and son. Therefore, the sums paid allegedly constituted lawful consideration for that **delivery service**.

§ 7 Under the first and second grounds, the defence also challenged the proof of the threatening phone call and the soundness of the **circumstantial evidence**. In the absence of wiretaps, the content of the conversation had allegedly been inferred creatively from call records on the wife's telephone line.

Invoking the **beyond a reasonable doubt** standard, the appellant argued that witness testimony regarding the meals rendered the prosecution's theory imprecise. Finally, under the third ground, counsel sought reclassification as aggravated fraud by imaginary danger and alleged a failure to state reasons on appeal, since the defendant's occupation as a restaurateur was known to the victim.

2.2 — The Principle of Appeal Self-Sufficiency, Voice Evidence, and Procedural Sanctions

§ 8 The first two grounds of appeal meet with a clear ruling of **procedural inadmissibility**. The lower courts had already verified the victim's credibility through convergent objective corroboration. Indeed, the timing of the payments coincided with **INPS documentation** and with statements made immediately to a witness. Any confusion between the price of the meals and the extorted payments was thus ruled out.

§ 9 As for the witness statements cited by the defence, the bench finds a breach of the **principle of self-sufficiency** and vagueness of the complaint. In proceedings before the Supreme Court, it is not permissible to allege defective reasoning by excerpting isolated evidentiary passages out of context. The criticism regarding the lack of telephone wiretaps also fails. Call records confirmed the historical contact, while its content emerged from confidences shared with third parties and from the **voice recognition** performed by the victim, recorded on page seven of the appellate judgment and ignored by the appeal.

§ 10 Inadmissibility triggers the ancillary order under Article 616 of the Code of Criminal Procedure. That provision mandates the “payment of the costs of the proceedings” and the “payment in favour of the Fines Fund (*Cassa delle ammende*)” of a sum calibrated “having regard to the ground of inadmissibility of the appeal”. Finding elements of **appellate fault** in the unspecific formulation of the complaints, the Court sets that sanction at **3,000 euros**. For defence counsel, the outcome reiterates the prohibition on partial appeals that fail to engage with every link in the lower court's reasoning.

03. EXTORTIONATE THREATS INVOLVING AN IMAGINARY DANGER BETWEEN COERCION AND ERROR

3.1 — Textual Exegesis of Articles 629 and 640 of the Criminal Code and Victim Cooperation

§ 11 The inquiry starts from the statutory wording, an indispensable safeguard of the **principle of legality**. Article 629 of the Criminal Code punishes anyone who, “by violence or threat, compelling someone to do or omit something, secures for themselves or others an unlawful profit to the detriment of another”. The basic penalty provides for “imprisonment from five to ten years and a fine from 1,000 to 4,000 euros”, rising up to twenty years if an aggravating circumstance under Article 628(3) applies. The core of the provision rests on the verb **compel**, which requires an actual restriction of freedom of choice.

§ 12 Different in structure is Article 640 of the Criminal Code, which punishes anyone who, “by artifices or deceptions, inducing someone into error, secures for themselves or others an unlawful profit to the detriment of another”. Ordinary imprisonment from six months to three years increases to one to five years under paragraph 2, number 2. This aggravating circumstance applies if the offence is committed “by engendering in the victim fear of an imaginary danger or the erroneous belief of having to comply with an order of the Authority”. In addition to making the offence **prosecutable *ex officio***, the provision defines **aggravated fraud by imaginary danger**, always anchored to inductive deception.

§ 13 The sentencing gap produces immediate consequences for personal liberty safeguards already during preliminary investigations. As clarified by **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 11154 of 24 March 2026**[2], the legal classification affects the maximum duration of **precautionary measures**. Under the criteria of Article 278 of the Code of Criminal Procedure, multi-aggravated extortion carries a twenty-year ceiling compared with six years for fraud under Article 640(3). Consequently, the phase custody limits under Article 303(1)(a) shift from one year to three months, thereby establishing the public prosecutor's standing to appeal.

§ 14 Both offences thus belong to the model of **victim cooperation** driven by fear of harm. The dividing line concerns the psychological dynamic inducing the disposition of property. In extortion, the victim suffers a threat placing them before an **inescapable alternative**. In aggravated fraud by imaginary danger, by contrast, the victim acts out of an error about reality that makes the payment appear useful or obligatory.

STRUCTURAL FEATURE	EXTORTION (ART. 629 C.P.)	AGGRAVATED FRAUD (ART. 640(2)(2) C.P.)
Typical conduct	Violence or threat coercing the will	Artifices or deceptions inducing error
Origin of the harm	Directly or indirectly attributable to the offender	Possible and contingent, stemming from external third parties
Nature of the danger	Real or non-existent, if made to appear dependent on the offender	Imaginary or false order not emanating from the offender
Statutory sentencing range	5–10 years imprisonment (7–20 if aggravated under para. 2)	1–5 years imprisonment (2–6 if Art. 61(5) c.p. applies)

3.2 — Apparent Attributability of the Harm and Consistent Precedents

§ 15 The core reasoning of Judgment no. 39284/2026[1] moves beyond the simple dichotomy between real harm and imaginary harm. The defence had argued that a restaurateur, known as such to the victim, could in no way cause INPS benefits to be revoked. That very **objective impossibility** should have brought the conduct within the scope of Article 640(2)(2) of the Criminal Code. The Court rejects that argument by shifting the inquiry from the material achievability of the harm to the **apparent control** exercised by the offender.

§ 16 Three convergent lines of precedent support this outcome. First, **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 24624 of 1 September 2020**[3] emphasises the apparent contractual justification typical of aggravated fraud by imaginary danger. Under that paradigm, the offender depicts an external, abstractly lawful risk and offers to avert it for a fee. In the 2020 case, however, the victim had refused a debt-collection service and suffered threats of retaliation outside their home. The physical existence of the third parties invoked did not need to be proved, since the conduct depended solely on the perpetrators' will.

§ 17 A second dogmatic juncture arises when the falsehood concerns the perpetrator's public-law status. In Judgment no. 11154/2026, fake officers of the *Guardia di Finanza* had persuaded two elderly victims to hand over cash and gold by threatening a seizure, a search, and the detention of their son. Setting aside the order of the Turin Tribunal, the Court holds that the criterion of **originating from the of-**

fender governs both limbs of Article 640(2)(2) of the Criminal Code. Both in imaginary danger and in a **false order of the Authority**, extortion prevails if the harm appears executable by the offender. This is confirmed by the classic example of the fortune-teller who threatens to cast a spell rather than predicting an external misfortune avoidable for payment.

> ***When deception concerns the offender's own control over the threatened harm, lying about the power to injure does not mitigate coercion but constitutes its very means of execution.***

§ 18 The third convergence appears in **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 35671 of 8 October 2026**[4], concerning pressure exerted within a private relationship. The defendant had obtained 169,936.00 euros by threatening to disclose an affair to the victim's wife, involve the children, and file baseless criminal complaints. The defence invoked fraud by pointing to the victim's **psychological fragility** and the late reporting of the offence. The Court rules out such reclassification, because the infliction of the harm was directly attributable to the perpetrator's initiative.

§ 19 The same decision further clarifies the relationship of concurrence with **stalking** under Article 612-bis of the Criminal Code. Between the two offences, the principle of specialty under Article 15 does not operate; rather, there is reciprocal specialty by addition grounded in the diversity of protected legal interests. Article 629 protects property and contractual freedom, whereas Article 612-bis safeguards individual psychological tranquillity. Transposed into Judgment no. 39284/2026, this reasoning explains why the declared role of intermediary with the **medical board** absorbed the falsehood into moral violence. The victim was not purchasing a favour service, but paying 200 euros per month to neutralise a revocation perceived as triggerable by the interlocutor.

3.3 — When a Non-Existent Danger Constitutes Extortion Rather Than Aggravated Fraud

§ 20 A non-existent danger constitutes **extortion** when the offender presents the occurrence of the harm as dependent on their own will, placing the victim before the alternative between suffering harm and paying. By contrast, **aggravated fraud by imaginary danger** applies when the prejudice appears contingent and outside the offender's control.

§ 21 This criterion also resolves cases marked by a complex **simulatory component**. Deception does not exclude moral violence when it serves to build the credibility of the asserted power to injure. It is therefore necessary to ascertain whether the perpetrator presented themselves merely as an interested adviser facing an **autonomous risk**. If, instead, they present themselves as the driving force capable of triggering the feared event, error gives way to coercion. In such cases, the victim does not make a choice of economic convenience, but suffers a **coercion of contractual freedom**. The survey of the four precedents examined thus reveals a consistent interpretive line across diverse factual contexts.

JUDGMENT / AUTHORITY	APPROACH	SUMMARY OF PRINCIPLE
Italian Supreme Court of Cassation, Criminal Division, no. 39284/2026	Annotated ruling	Threatening as a feigned intermediary with the medical board to have INPS benefits revoked constitutes extortion, even if the danger is non-existent.
Italian Supreme Court of Cassation, Criminal Division, no. 35671/2026	Consistent	Confirms the extortion classification for threats attributable to the offender and recognises concurrence with stalking under Article 612-bis c.p.
Italian Supreme Court of Cassation, Criminal Division, no. 11154/2026	Consistent	Quashes precautionary reclassification as fraud: a fake Guardia di Finanza officer commits extortion if seizure and retaliation appear to depend on them.
Italian Supreme Court of Cassation, Criminal Division, no. 24624/2020	Consistent	Aggravated fraud by imaginary danger requires an apparent contractual justification of protection from external risks, absent before threats of sending people to the victim's home.

04. APPELLATE REASONING BETWEEN INCORPORATION BY REFERENCE AND CITATION SLIPS

§ 22 A notable procedural issue in Judgment no. 39284/2026 concerns the complaint of **apparent reasoning** raised in the third ground of appeal[1]. The defence alleged that the Milan Court of Appeal had merely referred to the first-instance decision, which was purportedly silent on reclassification as fraud. The issue engages the constitutional guarantees of due process on appeal. Indeed, an uncritical incorporation by reference exposes a ruling to nullity whenever the appeal raises an autonomous legal question.

§ 23 This problem recalls the issues examined on *Metodo Giuridico* by Leonardo Mazza on the limits of appellate reasoning concerning fraud and unlawful intermediation[D1]. In that analysis, the validity of reasoning *per relationem* requires proof of an effective assessment of the defence complaints, anchored to the case file. In the judgment annotated here, the Court overcomes the alleged defect by highlighting the finding on page eight. The lower courts had pointed to the defendant's invocation of the **status of intermediary** with the medical board, a fact deemed sufficient to support the Article 629 classification.

§ 24 A close textual examination of paragraph 1.2 nonetheless reveals an **internal tension in formulation**. The drafter first borrows from **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 24624/2020**[3] the traditional reference to the existence of a real danger attributable to the offender. Immediately thereafter, however, the opinion reproduces the rule of **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 11154/2026**[2], under which extortion is established even in the face of a non-existent danger if made to appear dependent on the offender. The juxtaposition creates only an apparent lexical friction, as the operative reasoning applies the second formula, consistent with the restaurateur's lack of actual power.

§ 25 This discrepancy is compounded by a **citation slip** within the same reasoning. In citing the precedent on the public prosecutor's appeal in the Sorrentino proceedings, the text inaccurately states the

number 1154 and the year 2016. By contrast, the date of 13 March and the official headnote number Rv. 289658 remain unchanged. Direct verification against Judgment no. 11154 of 13 March 2026 confirms the textual identity of the principle, preventing confusion in precedent research for legal practitioners.

05. CRITICAL SCRUTINY, GREY AREAS, AND DEFENCE IMPLICATIONS

5.1 — Distinguishing Indirect Threats, Transactional Boasting, and Victim Perception

§ 26 From a constitutional-safeguards perspective, the *ratio decidendi* of Judgment no. 39284/2026 must be separated from incidental remarks[1]. The binding principle establishes that an extortionate threat involving an imaginary danger occurs when the offender presents themselves as at least an indirect cause of the feared event. Conversely, a clear **distinguishing** factor removes the conduct from Article 629 if the perpetrator portrays a welfare revocation as an external risk already under way. In that different scenario, demanding money to intercede on the victim's behalf constitutes at most **aggravated fraud by imaginary danger**.

§ 27 The soundness of this distinction rests on the communicative structure of the demand. According to **Italian Supreme Court of Cassation, Criminal Division, Judgment no. 24624/2020**[3], in aggravated fraud by imaginary danger the payment retains an apparent contractual justification of protection. By contrast, in the fake tax-police cases decided by **Judgment no. 11154/2026**[2], the order emanated from the offender themselves. Likewise, in the case examined by **Judgment no. 35671/2026**[4], the harm depended on the offender's direct initiative despite the victim's psychological fragility.

§ 28 A **grey area in application** nevertheless emerges, which the judgment does not resolve in constitutional terms. The defendant wore no public uniform and threatened no direct private violence. He was a restaurateur known as such to the victim, and therefore devoid of any administrative power at INPS. Entrusting the exclusion of error solely to the victim's subjective impression raises serious questions regarding the **precision of criminal statutes** under Article 25(2) of the Italian Constitution.

§ 29 In our view, act-based criminal law requires an additional objective filter. The leap from a five-year maximum under Article 640 to a five-year minimum under Article 629 cannot rest solely on the recipient's credulity. Even when accepting extortion in the face of a non-existent harm, courts ought to verify the **concrete intimidating suitability** of the false status in the given context. Without such scrutiny, mere lucrative boasting directed at vulnerable persons risks attracting disproportionate penalties in tension with Article 27(3) of the Constitution.

5.2 — Burden of Proof on Payment Purpose and Defence Strategies

§ 30 On procedural grounds, the ruling sets precise coordinates regarding the **burden of proof** and appellate technique. Whenever the defence relies on a **lawful performance** to justify financial flows, generic statements alone do not suffice. At trial, counsel must produce specific documentary and tax records. That is, the defence must prove the correspondence between individual meal orders, delivery dates, and monthly sums paid.

§ 31 Before the Supreme Court, the viability of an appeal depends on strict compliance with the **principle of self-sufficiency**. Excerpting isolated passages of witness testimony to allege logical flaws exposes the filing to immediate inadmissibility. Counsel must also refute every supporting link in the appellate

reasoning. Neglecting decisive passages such as the **voice recognition** of the phone call results in an order to pay costs and a financial penalty to the Fines Fund.

§ 32 To obtain **reclassification as aggravated fraud by imaginary danger**, the defence strategy must focus on the structure of the verbal representation. The objective impossibility of the harm, taken alone, no longer excludes Article 629 of the Criminal Code. Instead, counsel must show that the defendant portrayed the danger as an autonomous initiative of third-party public decision-makers. Only by proving that the victim paid to avert an external risk can **extortionate coercion** be overcome so as to fall within Article 640(2)(2) of the Criminal Code.

DEFENCE COORDINATES BETWEEN EXTORTION AND AGGRAVATED FRAUD

Challenging an extortion classification requires proving that the danger was portrayed as autonomous and external to the offender's will, while avoiding partial factual complaints that lead to inadmissibility under Article 616 of the Code of Criminal Procedure.

06. CONCLUSIONS

§ 33 Judgment no. 39284/2026 consolidates a settled line of precedent on the **legal classification** of extortionate threats involving an imaginary danger[1]. If the perpetrator presents themselves as an intermediary capable of causing welfare harm, the actual non-existence of that power does not shift the conduct into aggravated fraud. **Psychological coercion** arising from the apparent attributability of the harm to the offender always prevails.

§ 34 The analysis has nonetheless highlighted two critical issues that merit attention. First, lexical ambiguities between real danger and non-existent danger in the drafting of opinions must be overcome, avoiding material errors in precedent citations. Second, extending Article 629 of the Criminal Code to objectively impossible harms requires rigorous verification of the **intimidating suitability** of the concrete conduct. Only such scrutiny ensures compliance with the constitutional principles of harmfulness and penalty proportionality.

§ 35 On a practical level, the margins for obtaining annulment before the Supreme Court remain exceedingly narrow in light of the principle of self-sufficiency. The boundary between extortion and aggravated fraud by imaginary danger is therefore decided entirely during fact-finding at trial. Accurately reconstructing the exact words spoken by the defendant remains, for the defence, the only effective safeguard against expansive classifications of moral coercion.

AUTHORITIES & REFERENCES

Table of Authorities & References Cited

I. STATUTORY PROVISIONS

Article 616 of the Italian Code of Criminal Procedure – Litigation costs and financial penalty payable to the Fines Fund (Cassa delle ammende) upon dismissal or inadmissibility of an appeal.

Article 629 of the Italian Criminal Code – Offence of extortion, basic statutory sentencing ranges, and aggravating circumstances.

Article 640 of the Italian Criminal Code – Offence of fraud, aggravated form based on fear of an imaginary danger or false order of the Authority, and prosecution regime.

II. CASE LAW CITED

[1] **Italian Supreme Court of Cassation, Criminal Division, Judgment of 9 November 2026, no. 39284** Inadmissibility for lack of evidentiary self-sufficiency and applicability of extortion in the case of a feigned intermediary with the medical board threatening revocation of INPS welfare benefits. OUTCOME: declared inadmissible (with order to pay costs and 3,000 euros to the Fines Fund). PARA.: 1.1 and 1.2.

[2] **Italian Supreme Court of Cassation, Criminal Division, Judgment of 24 March 2026, no. 11154** Precautionary interest of the public prosecutor under Articles 278 and 303 c.p.p. and applicability of extortion for a non-existent danger or false order of the Authority made to appear emanating from the offender. OUTCOME: annulled and remanded to the Turin Tribunal under Article 309(7) c.p.p. PARA.: 1, 2.1, and 2.2.

[3] **Italian Supreme Court of Cassation, Criminal Division, Judgment of 1 September 2020, no. 24624** Apparent contractual justification in aggravated fraud by imaginary danger versus extortionate threat attributable to the offenders' will without proof of the physical existence of the third parties evoked. OUTCOME: declared inadmissible (with order to pay costs and 2,000 euros to the Fines Fund). PARA.: 2.1 and 5.

[4] **Italian Supreme Court of Cassation, Criminal Division, Judgment of 8 October 2026, no. 35671** Formal concurrence between extortion and stalking under Article 612-bis c.p. and irrelevance of the victim's psychological fragility where the harm is directly attributable to the offender. OUTCOME: declared inadmissible (with order to pay costs and 3,000 euros to the Fines Fund). PARA.: 2.1 and 2.2.

III. LEGAL SCHOLARSHIP CITED

[D1] Mazza L., Metodo Giuridico, Autoriciclaggio e truffa: i limiti della motivazione di appello [Self-Laundering and Fraud: The Limits of Appellate Reasoning] (21 August 2026). Analysis of the prerequisites for valid appellate reasoning per relationem and the boundaries between fraudulent conduct and unlawful intermediation.

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