

Title: ****Piccio v. House of Representatives Electoral Tribunal and Vergara: A Case of Citizenship Re-Acquisition Under R.A. 9225****

Facts:

Philip Hernandez Piccio filed a petition against the House of Representatives Electoral Tribunal (HRET) and Congressman Rosanna Vergara, claiming Vergara was ineligible to serve as a Member of the House for the Third District of Nueva Ecija due to failure to re-acquire Filipino citizenship under Republic Act (R.A.) No. 9225, also known as the Citizenship Retention and Re-Acquisition Act of 2003. The case scrutinized Vergara's citizenship status, stemming from her naturalization as an American citizen in 1998 and subsequent actions purportedly to re-acquire Filipino citizenship in 2006, including her execution of an Oath of Allegiance to the Philippines.

The procedural journey began with Piccio filing a petition to deny due course and/or cancel Vergara's Certificate of Candidacy (CoC) under Section 78 of the Omnibus Election Code, followed by a quo warranto petition with the HRET citing Vergara's alleged ineligibility due to her American citizenship. The COMELEC dismissed Piccio's challenge, affirming Vergara's eligibility. Piccio then moved his battle to the HRET, which eventually dismissed his petition for lack of merit and reaffirmed Vergara's election. Piccio subsequently elevated the matter to the Supreme Court through a Petition for Certiorari under Rule 65 of the Rules of Court, alleging grave abuse of discretion on the part of the HRET.

Issues:

1. Whether the Petition for Certiorari was moot due to Vergara's completion of her term.
2. Whether procedural lapses in Piccio's petition warranted its dismissal.
3. Whether the HRET gravely abused its discretion in dismissing the quo warranto petitions.
4. Alleged plagiarism by the HRET in its decision.

Court's Decision:

The Supreme Court dismissed Piccio's petition for lack of merit. The Court ruled that the case was not moot despite Vergara's term completion, recognizing the continuing requirement of Philippine citizenship for elective officials. The Court found no procedural lapses significant enough to warrant dismissal and determined that the HRET did not commit grave abuse of discretion.

Doctrine:

- The eligibility of an individual to hold elected office based on citizenship is a continuing

requirement.

- The HRET, as a constitutional body, has sole jurisdiction over election contests relating to the qualifications of Members of the House of Representatives, and its decisions are generally accorded finality, barring instances of grave abuse of discretion.

Class Notes:

- The principle of mootness does not apply to cases that involve issues capable of repetition yet evading review.

- The verification of compliance with citizenship re-acquisition laws (R.A. 9225) is a factual determination within the competence of the HRET.

- Evidence challenging a public official's citizenship or other qualifications must meet a substantial threshold; bare allegations are insufficient.

- Decisions of constitutional bodies like the HRET are accorded respect and finality, and are rarely disturbed by the Supreme Court absent clear proof of grave abuse of discretion.

Historical Background:

The principles concerning citizenship, eligibility for public office, and the finality of the HRET's decisions relate to broader constitutional mandates designed to ensure that officials representing the Philippine electorate possess enduring allegiance to the Republic, thereby safeguarding sovereign interests and maintaining the integrity of official functions. This case exemplifies the application of such mandates to controversies surrounding the qualifications of elected officials.