

## PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. IRENEO JONOTA Y PATINO, ACCUSED-APPELLANT.

Ponente: LAGURA-YAP, J.

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### LAGURA-YAP, J.:

At hand is a Manifestation[1], filed by accused-appellant's counsel, which reads:

- That accused Ireneo Jonota is withdrawing his appeal addressed to the Court of Appeals;
- That the penalty of the decision of the Regional Trial Court subject of the appeal is 8 years and 21 days of prison mayor maximum as the minimum to 17 years, 4 months and 2 days of reclusion temporal maximum as the maximum;
- That accused has already served the minimum period of his imprisonment and would be applying for parole;
- That in order to avail of his right to parole, accused is withdrawing this appeal pending before this Honorable Court.

Section 3, Rule 50 of the Revised Rules of Court, is applicable in this case and provides that:

“SECTION 3. Withdrawal of appeal. – An appeal may be withdrawn as of right at any time before the filing of the appellee’s brief. Thereafter, the withdrawal may be allowed in the discretion of the court.” (Emphasis supplied)

On February 04, 2014, the Judicial Records Division (CA-JRD) made a report[2] that no opposition was filed by the Office of the Solicitor General as per Criminal docket entry.

Finding the Manifestation to be meritorious, there being no opposition thereto, We RESOLVE to GRANT the same.

WHEREFORE, pursuant to Section 3, Rule 50 of the Revised Rules of Court, the instant appeal is hereby considered WITHDRAWN.

Accordingly, let the corresponding Entry of Judgment be issued and recorded in the book of entries of judgment of this Court.

### SO ORDERED.

Ingles, (Chairperson) and [\*]Quijano-Padilla, JJ., concur.

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[\*] Acting Junior Member per Office Order No. 472-13-ABR dated December 12, 2013.

[1] Rollo, pages 143-145.

[2] Rollo, dorsal portion of page 145.

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