

**IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF
THE PHILIPPINES, EUGENIO TIU, PETITIONER AND APPELLEE, VS.
REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.**

G.R. No. L-37480. December 26, 1974

Ponente: BARREDO, J.

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BARREDO, J.:

Appeal by the Republic of the Philippines from the decision dated September 30, 1972 of the Court of First Instance of Iloilo, Judge Valerio V. Rovira, presiding, which granted appellee, Eugenio Tiu's petition to be naturalized as citizen of the Philippines in its Naturalization Case No. 305.

The Solicitor General filed his brief for the appellant on June 8, 1974, copy of which was duly received by appellee on June 18, 1974. Up to this day, no brief has been filed by said appellee.

To be sure, even from a cursory reading of the brief of the Solicitor General, it is apparent that the appeal is well taken, if only because the trial court did not make any finding that the character witnesses of appellee have properly vouched for the truth of the allegations in the petition that said appellee believes in the principles underlying the Constitution of the Philippines, that he is morally irreproachable and that he has embraced Filipino customs, traditions and ideals, which are actually and obviously the most important and indispensable prerequisites for anyone who sincerely desires to acquire Filipino citizenship. Indeed, going over the record on appeal, We have noted that the verification by appellee of the petition itself is fatally defective, being made only on the basis of "knowledge, information and belief," and not exclusively on personal actual knowledge.

But the Court need not review the record at all. It is the bounden and inescapable duty of anyone applying for naturalization to carry at all times the burden of proving his right thereto, not only by complying with all the substantive and procedural requirements and submitting proof thereof at the trial but also by properly defending the lower court's decision when the same is challenged by the Republic. The Supreme Court will not take it upon itself to scan the evidence and assess the legal worth thereof without the assistance of the applicant who has not evinced enough interest in his case by failing to file his brief as appellee. Withal, such omission conclusively indicates that appellee himself is convinced that the Republic's appeal is meritorious.

WHEREFORE, the decision appealed from is reversed and appellee Eugenio Tiu's application for naturalization is hereby denied and dismissed. Costs against appellee.

Fernando, Chairman, Antonio, Fernandez, and Aquino, JJ., concur.

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