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3. PROCEDURE ON APPEALED CASES

(Anti-Graft cases decided by the RTC involving minor officials)³⁰⁷

A. Mode of Appeal

Petition For Review (not Notice Of Appeal) pursuant to Sec. 4 (b) Pres. Decree No. 1606 and Sec. 39 Batas Blg. 129.

B. Stages in Appeals

1. Transmittal of the entire record, exhibits, stenographic notes, etc. by the court a quo to the Docket and Records Section;

2. Case shall be entered into the Sandiganbayan Docket and raffled off to the proper Division.

3. The Court after ascertaining the completeness of all the evidence, oral and documentary, attached to the record, shall require the appellant to file with the court, within forty-five (45) days from receipt of said notice seven (7) copies of his/her legibly typewritten, mimeographed or printed brief, with proof of service of two (2) copies thereof upon the appellee.³⁰⁸

4. Within forty-five (45) days from receipt of the appellant's brief, the appellee shall file with the court seven (7) copies of his/her brief with the court which shall be accompanied by proof of service of two (2) copies thereof upon the appellant.³⁰⁹

4.1 Extension of Time for filing briefs will not be allowed except for good and sufficient cause and only if the motion for extension is filed before the expiration of the time sought to be extended.³¹⁰

4.2 Within twenty (20) days from receipt of the appellee's brief, the appellant may file a reply brief answering points in the appellees brief not covered in his/her main brief.³¹¹

4.3 Possible filing of a Motion for New Trial.

5. Judgment

5.1 Possible Motion for Reconsideration

6. Appeal to the Supreme Court, through Petition for Review on certiorari under Rule 45.

³⁰⁷ Rep. Act No. 8249, Sec. 4

³⁰⁸ Rules of Court, Rule 44, Sec. 7.

309 Ibid, Sec. 8.

310 Ibid., Sec. 5.

311 Rules of Court, Rule 44, Sec. 9.

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