

**IN THE MATTER OF THE CHANGE OF NAME OF LEE LIONG SIAN
ALIAS GEORGE QUE LIONG SIAN. GEORGE QUE LIONG SIAN,
PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHILIPPINES,
OPPOSITOR-APPELLANT.**

G.R. No. L-23167. August 17, 1967

Ponente: ANGELES, J.

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ANGELES, J.:

In a decision dated May 11, 1964, the Court of First Instance of Misamis Occidental granted the petition of Lee Liong Sian alias George Que Liong Sian, for change of name to George Lee Neri.

In due time, the Government perfected an appeal "on questions of law", and the record of the case was accordingly elevated to this Court.

After several motions for extension of time to file appellant's brief, the Solicitor General, on December 17, 1964, instead of filing a brief, pre-sented a motion to withdraw the appeal, on the ground "that the objections which movant intends to raise on appeal are too technical and would only entail a waste of time and effort." The Solicitor General, however, did not state the basis of the objections he was intending to raise. By resolution dated January 7, 1967, the motion was considered as appellant's brief. And the appellee having failed to file his brief, the case was considered submitted for decision.

Since this is a matter in which the State has an interest, We have looked into the record of the case to determine the propriety of petitioner's change of name. The reasons behind the petition are:

"2. That he became a Filipino citizen by naturalization on May 27, 1961.

"3. That the family name which he carries is a derivative of the Chinese name of his ancestry.

"4. That since he has become a Filipino citizen, he desires to be fully integrated into the Filipino society to which he now belongs.

"5. That his Chinese name has always been a roadblock to his ge-nuine and sincere desire to act and be treated as Filipino by his fellow citizens, giving rise to a handicap in the social and business dealings of the herein petitioner.

"6. That your petitioner in-tends to get married and, judging from his experience as a child, does not want that the children he expects to come out of such mar-riage who will all be natural-born Filipinos shall suffer the same complex of being discriminated by reason of petitioner's Chinese name.

"7. That furthermore, petitioner's name is long, hard to remember, and difficult to spell."

The only ground of opposition interposed before the lower court which was contained in the fiscal's motion to dismiss, was that "the petition mentions two alternative names, to wit, George Lee Neri and George L. Neri." But

this was answered by the lower court when it ruled that George L. Neri is merely an abbreviation of George Lee Neri, and, therefore, pro-per.

While this Court has already expressed the view that the State has an interest in the names borne by individuals and entities for purposes of identification and that a change of name is a privilege and not a matter of right (*Ong Peng Oan vs. Republic*, L-8035, November 29, 1957; *Yu Chi Han vs. Republic*, L-22040, Nov. 29, 1965), it has been held, however, that in the absence of prejudice to the State or any individual, a sincere desire to adopt a Filipino name to erase signs of a former alien nationality which unduly hamper social and business life is a proper and reasonable cause for a change of name. (*Uy @ Ricardo Uy vs. Republic*, L-22712, Nov. 29, 1965).

There being no showing that the petition for change of name is motivated by some fraudulent purpose, or that it is trivial, whimsical or capricious, We have no objection to the withdrawal of the appeal.

WHEREFORE, let the appeal be considered withdrawn and/or dismissed in accordance with Section 2 of Rule 50.

Reyes, J.B.L., Makalintal, Bengzon, Zaldivar, Sanchez, Castro, and Fernando, JJ., concur.
Concepcion, C.J., and Dizon, J., on official leave.

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