PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. VERGILIO N. MORALES, SR., ALIAS BORO, ACCUSED-APPELLANT.

Ponente: QUIJANO-PADILLA, J.

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QUIJANO-PADILLA, J.:

On November 7, 2014, appellant, through his counsel, the Public Attorney's Office (PAO), filed a Motion to Withdraw Appeal.[1] Attached to the motion was the letter[2] and affidavit[3] of appellant intimating his desire to withdraw his appeal and his willingness to serve the sentence imposed on him. Appellant further stated in his affidavit that he voluntarily decided to withdraw his appeal and he fully understood the consequences of his act.

The Court hereby GRANTS appellant's Motion to Withdraw Appeal in accordance with Section 3,[4] Rule 50, in relation with Section 18,[5] Rule 124 of the Rules of Court which allows the withdrawal of an appeal as a matter of right at anytime before the filing of the appellee's brief.

ACCORDINGLY, the appeal is considered WITHDRAWN and this case is hereby DISMISSED.

SO ORDERED.

Hernando, Chairperson and Azcarraga-Jacob, JJ., concur.

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[1] Rollo, pp. 47-49.

[2] Rollo, p. 70.

[3] Rollo, p. 71.

[4] 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 — An appeal may be withdrawn as of right at any time before the filing of the appellee's brief.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.

[5] Sec. 18. Application of certain rules in civil procedure to criminal cases. – The provisions of Rules 42, 44 to 46 and 48 to 56 relating to procedure in the Court of Appeals and in the Supreme Court in original and appealed civil cases shall be applied to criminal cases insofar as they are applicable and not inconsistent with the provision of this Rule.

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