

OCA CIRCULAR NO. 48-2013, April 01, 2013

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TO : ALL REGIONAL TRIAL COURT JUDGES

SUBJECT:

FURNISHING THE BUREAU OF IMMIGRATION WITH COPIES OF ISSUED HOLD DEPARTURE ORDERS.

Acting on the letter dated 25 February 2013 of the Hon. Ricardo A. David, Jr., Commissioner, Commission of the Bureau of Immigration, reiterating his previous recommendation that trial "courts be advised of the present limitation imposed by the Temporary Restraining Order from the Supreme Court last November 2011, preventing the Department of Justice (DOJ) from implementing DOJ Circular 41 (otherwise known as the Consolidated Rules and Regulations Governing the Issuances and Implementing of Hold Departure Orders, Watchlist Orders and Allow Departure Orders), considering that "(t)he Bureau, on its own, has no authority to detain or prevent the departure of persons leaving the country unless there exists an active Hold Departure Order issued by a competent court," all Regional Trial Court Judges are hereby DIRECTED TO DESIST from furnishing the Bureau of Immigration with copies of Warrants/Orders of Arrest, but instead should furnish the Bureau with copies of issued Hold Departure Orders, if any.

For strict compliance.

01 April 2013

(SGD.) JOSE MIDAS P. MARQUEZ
Court Administrator

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