

**JUAN SIMON (ALSO KNOWN AS JUANITO CHUA),
PETITIONER-APPELLANT, VS. REPUBLIC OF THE PHILIPPINES,
OPPOSITOR-APPELLEE.**

G.R. No. L-31892. March 24, 1981

Ponente: FERNANDO, C.J.

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FERNANDO, C.J.:

This appeal had to be interposed by petitioner due to the fact that after a decision was rendered in his favor admitting him to Philippine citizenship, he was prevented from taking his oath as such because, as pointed out in the appealed order: "Although the decision here was rendered on April 20, 1967, it is well settled that the same has not become final and executory. Time and again, it has been held that the applicant's qualifications, as well as his disqualifications for naturalization may still be inquired into even at this stage of the case, because a decision in a naturalization case does not become final until the applicant was issued a Certificate of Naturalization after he had shown that he had already complied with the conditions under Section 1 of Republic Act No. 530 and had taken oath of allegiance to the Republic (*Ong Chin Guan v. Republic*, L-15681, March 27, 1961; *Ong So v. Republic*, L-20145, June 30, 1965; *Lin Chao Cun v. Republic*, L-21952, May 19, 1966)."[1] The basis for such a reversal was the fact that his character witnesses did not know him "well enough" during the entire period of his residence in this country and that in his student days he had been using an alias without proper court authority.[2] After the briefs were filed, the case was deemed submitted for decision.

Subsequently, on March 9, 1981, a Manifestation and Motion was filed by the Solicitor General stating "that during the pendency of the appeal of the above captioned case, petitioner-appellant Juan Simon alias Juanito Chua, filed an application for naturalization under Letter of Instruction No. 270 and, upon recommendation of the Special Committee on Naturalization, was granted Philippine Citizenship on April 20, 1976, pursuant to Presidential Decree No. 923. Copies of his Oath of Allegiance and Certificate of Naturalization are hereto attached as Annex '1' and '2', respectively." [3] The prayer was for the dismissal of the case for being moot and academic.

WHEREFORE, the case is dismissed for being moot and academic.

Aquino, Concepcion, Jr., Guerrero, and De Castro, JJ., concur.

Barredo, J., no part.

Abad Santos, J., on official leave.

[1] Record on Appeal, 26-27.

[2] *Ibid*, 25.

[3] Manifestation and Motion dated March 9, 1981.

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