

**IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF
THE PHILIPPINES, DANTE YAP GO, PETITIONER-APPELLEE, VS.
REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT.**

G.R. No. L-38600. February 25, 1982

Ponente: FERNANDO, C.J.

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FERNANDO, C.J.:

In this pending appeal by the Republic of the Philippines to reverse a lower court decision granting the application for citizenship of petitioner Dante Yap Go, the grounds alleged were the failure to file a declaration of intention, incompetency of the witnesses, and the failure of petitioner, now appellee, to prove that he has all the qualifications and none of the disqualifications for citizenship. In view of the failure of applicant to file his brief, the case was thereafter deemed submitted for decision.

On January 25, 1982, a Manifestation and Motion was filed by appellant Republic of the Philippines with the following allegations: "1. It had appealed to this Court the decision of the Court of First Instance of Manila dated December 13, 1973 granting Philippine Citizenship to [Dante Yap Go]; 2. During the pendency of the said appeal, Dante Yap Go filed an application for naturalization as a Filipino citizen under Letter of Instructions No. 270, and upon recommendation of the Special Committee on Naturalization, was granted Philippine citizenship by Presidential Decree No. 836, taking his oath of allegiance on January 9, 1978. Copies of his oath of allegiance and certificate of naturalization are hereto attached as Annexes A and B, to form integral part hereof; * * *." [1] The prayer is for its dismissal for having become moot and academic. The appropriate curative measures to remove the infirmities which in the opinion of the Republic vitiated petitioner's application having been taken, the prayer in such Manifestation and Motion must be granted.

WHEREFORE, the case is dismissed for being moot and academic. No costs.

Barredo, Aquino, Concepcion, Jr., Abad Santos, De Castro, Ericta, and Escolin, JJ., concur.

[1] Manifestation and Motion, 1.

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