

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
ROLANDO OPULENCIA @ “LANDO,” RICARDO
OPULENCIA @ “RICKY,” JIMMY MADALI Y WATIWAT,
ALEJANDRO MADALI Y WATIWAT @ “DAYO” AND ...**

Ponente: BARZA, J.

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BARZA, J.:

Record shows that this Court issued a Minute Resolution granting accused-appellants an additional extension of thirty (30) days from March 5, 2014 or until April 4, 2014, within which to file the required brief.

On April 8, 2014, Major Romeo U. Delmo, Acting Provincial Warden of Oriental Mindoro, Calapan City, filed a Manifestation[1], manifesting therein that Ronaldo (sic) and Ricardo Opulencia, Jimmy Madali y Watiwat and Nelson Arcilla y Amaro ceased to be in the custody of the Oriental Mindoro Provincial Jail, Calapan City; that, per records of the said Office, all of the accused-appellants were forwarded/committed to the National Bureau of Prisons, Bureau of Corrections, Muntinlupa City, which the Court NOTED in its Minute Resolution[2] dated May 2, 2014.

On April 7, 2014, accused-appellants' counsel filed a Motion For Last Extension[3], praying that he be given a last extension of ten (10) days from April 4, 2014 or until April 14, 2014, within which to file the Appellants' Brief, which this Court GRANTED in its Minute Resolution[4] dated May 12, 2014.

On July 10, 2014, this Court issued a Minute Resolution[5], requiring accused-appellants to show cause why the instant petition should not be dismissed for failure to file Brief within the reglementary period, and the same was received by accused-appellants' counsel, Attys. Rafael Infantado and Teresita Infantado-Gines on July 31, 2014.

As per Report[6] of the Judicial Record Division (JRD) dated October 1, 2014, no Compliance with the July 10, 2014 Resolution has been filed by accused-appellants, and the same is NOTED by this Court.

Considering the accused-appellants' failure to file the required Brief within the period prayed for, despite notice, We consider them to have abandoned the filing thereof.

WHEREFORE, in view of Section 1 (e), Rule 50 of the Rules of Court, the instant appeal is hereby DISMISSED for failure of the accused-appellants to file the required brief within the time provided by the Rules.

SO ORDERED.

Abdulwahid, (Chairperson), and Cruz, JJ., concur.

[1] Rollo, p. 37

[2] Rollo, p. 43.

[3] Rollo, p. 44

[4] Ibid., p. 47.

[5] Ibid., p. 48.

[6] Ibid., p. 48 (Dorsal Portion).

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