

IN THE MATTER OF THE PETITION OF CHOA PECK ALIAS AMADO CHOA TO BE ADMITTED A CITIZEN OF THE PHILIPPINES, CHOA PECK ALIAS AMADO CHOA, PETITIONER-APPELLEE, VS. REPUBLIC OF THE PHI...

G.R. No. L-34629. January 18, 1982

Ponente: FERNANDO, C.J.

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FERNANDO, C.J.:

There is a pending appeal in this case by the Republic of the Philippines to reverse a lower court decision granting the application for citizenship of petitioner Choa Peck alias Amado Choa. On January 8, 1982, a motion was filed by appellant Republic of the Philippines with the following allegations: "1. The Republic of the Philippines has appealed to the Honorable Court the decision of the Court of First Instance of Quezon dated November 19, 1966 granting Philippine citizenship to Choa Peck; 2. During the pendency of the appeal, said Choa Peck filed an application for naturalization under Letter of Instructions No. 270, and upon recommendation of the Special Committee on Naturalization, he was granted Philippine citizenship on November 26, 1976 pursuant to Presidential Decree No. 1055. * * *." [1] The prayer is for its dismissal for having been moot and academic. Whatever infirmity there might have been that would vitiate the grant of his application by the lower court has been cured by the grant to him of Philippine citizenship in accordance with Presidential Decree No. 1055, an application to that effect having been filed under Letter of Instructions No. 270. WHEREFORE, the case is dismissed for being moot and academic. No costs.

Aquino, Abad Santos, De Castro, Ericta, and Escolin, JJ., concur. Barredo, J., no part. Concepcion, Jr., J., on leave.

[1] Manifestation and Motion, 1.

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