

**JUAN B. CASTILLO, PROVINCIAL FISCAL OF BATANES,
COMPLAINANT, VS. TEOFILO A. BARSANA, MUNICIPAL JUDGE OF
MAHATAO, BATANES, RESPONDENT.**

A.M. No. 77-MJ. May 16, 1975

Ponente: ANTONIO, J.

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ANTONIO, J.:

Considering that the resignation of respondent Teofilo A. Barsana, Municipal Judge of Mahatao, Batanes, was accepted on June 5, 1973 by the President of the Philippines, under Letter of Instruction No. 11, and, as a consequence, this case had already become moot and academic,[1] the dispositive portion of the Resolution of this Court on April 18, 1975 should, therefore, be, as it is hereby, amended to read as follows:

"Wherefore, this case, having become moot and academic, is hereby dismissed."

Fernando, Chairman, Barredo, Aquino and Concepcion, Jr., JJ., concur.

[1] See Memorandum of the President to the Secretary of Justice dated Dec. 14, 1972, stating among others, that administrative cases pending against officials whose resignations are accepted under Letter of Instruction No. 11 should be deemed moot and academic; Adm. Matter No. 351 MJ, Anastasio Bangate vs. Municipal Judge Ludollo Muñoz, July 11, 1972, en banc; Adm. Matter No. 168 M.J. Esteban, et al. vs. Santiago Andres, Dec. 5, 1973, en banc; Adm. Matter No. 529-MJ, R Tan vs. Celestino Tomenes Dec. 19, 1973, en banc. Adm. Matter No. 265-C.J. F. dela Victoria vs. Vicente Felarca, Jan. 9, 1974, en banc. Adm. Matters Nos. 397, 398, 399, 400, A. Dizon, C. Tan vs. Porras, et al., J. Arro & See Bun King vs. CFI Judge Alfredo Gonzales, Feb. 6, 1974, en banc, all of which held that the acceptance of respondents' resignations render their respective cases moot and academic.

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