

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE VS. FRANCISCO SARABILLO, DEFENDANT-APPELLANT.

Ponente: LAGURA-YAP, J.

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LAGURA-YAP, J.:

On May 23, 2014, a Notice^[1] to file Brief within thirty (30) days from receipt of notice, was sent to Atty. Orvi G. Ortega, counsel for accused-appellant.

On July 21, 2014, the Judicial Records Division (CA-JRD) made a report^[2] that no Appellant's Brief was filed as per criminal docket entry.

Considering that the period for the filing of the Appellant's Brief had lapsed without accused-appellant having filed the required pleading, We are constrained to declare the appeal in the above-entitled case ABANDONED.

Section 8, Rule 124 of the Revised Rules of Court, provides:

SEC. 8. Dismissal of appeal for abandonment or failure to prosecute. – The Court of Appeals may, upon motion of the appellee or motu proprio and with notice to the appellant in either case, dismiss the appeal if the appellant fails to file his brief within the time prescribed by this Rule, except where the appellant is represented by a counsel de oficio.

WHEREFORE, the appeal is DISMISSED pursuant to Section 8, Rule 124 of the Rules of Criminal Procedure.

SO ORDERED.

Delos Santos, and Lopez, JJ., concur.

[1] Rollo, page 16.

[2] See Verification report, rollo, dorsal portion of page 16.

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