

MARIA TERESA CAYABYAB, PLAINTIFF-APPELLEE, VS. FEDERICO CLAR, DEFENDANT-APPELLANT.

Ponente: BARZA, R. F., J.

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BARZA, R. F., J.:

Record shows that a Notice to File Appellant's Brief[1] was sent via registered mail to defendant-appellant, Federico Clar, on September 22, 2014, and the same was received by his counsel on October 9, 2014.[2].

On November 14, 2014, defendant-appellant, through counsel, filed a Motion To Withdraw Appeal[3], manifesting therein that he is no longer interested in pursuing his appeal before this Court, praying that the instant appeal be considered withdrawn and/or dismissed. Enclosed therewith is a copy of the defendant-appellant's letter[4] addressed to his counsel, informing the latter that he no longer wants to pursue his appeal of the Regional Trial Court's Decision dated February 27, 2014, to the Court of Appeals.

Finding the instant motion to be impressed with merit, the same is hereby GRANTED pursuant to Section 3, Rule 50 of the 1997 Rules of Civil Procedure, which allows the appeal to be withdrawn at anytime before the filing of the appellant's brief.

Accordingly, the instant appeal is considered WITHDRAWN and consequently, the case is declared CLOSED and TERMINATED.

SO ORDERED.

Carandang, R. D., Chairperson, and Reyes-Carpio, A., JJ., concur.

[1] Rollo p. 13.

[2] Ibid., p. 13 (dorsal portion).

[3] Ibid., pp. 14-15

[4] Ibid., p. 16 (Annex "A").

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