

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. GILBERT DELFIN Y AMOROSO, ACCUSED-APPELLANT.

Ponente: CORALES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/bc988a14eca4/>

CORALES, J.:

On April 16, 2014, the Public Attorney's Office, as counsel for accused-appellant, filed a Motion to Withdraw Appeal[1] alleging that the latter had freely and voluntarily requested for the withdrawal of the present appeal. Attached to the motion is the letter[2] of accused- appellant dated April 15, 2014, to wit:

Ako po si Gilbert A. Delfin, N214 P_0356 na convict ng frostrated murder ng R.T.C. Nais ko pong iurong ang aking apela sa court of appeal's. Tanggap ko na po ang aking sentensiya at bubunoin ko na lang ito sa loob ng kulungan. Naintindihan ko ang paliwanag niya Atty Joy Rivera na magiging penal ang disisyon ng R.T.C. sa gagawin kong pag urong ng apela, sa kabila nito iuurong ko parin ang apela. Bukal sa loob ko ang disisyon kong ito. Ang aasahan ko po na maisusumite sa Court of Appeal's sa lalong madaling panahon ang motion to withdraw appeal's.

(sgd)

Gilbert A. Delfin

Under Rule 50, Section 3 of the 1997 Rules of Civil Procedure, the withdrawal of an appeal is a matter of right before the filing of the appellee's brief. After that, withdrawal may be allowed in the discretion of the court. Said Rule is applicable to this case pursuant to Rule 124, Section 183 of the 2000 Rules of Criminal Procedure.⁴ Finding the Motion to Withdraw Appeal to be well-taken, the same is hereby GRANTED.

WHEREFORE, the instant appeal is WITHDRAWN and the case is deemed CLOSED and TERMINATED. Let entry of judgment be issued.

SO ORDERED.

Villon, J., Chairperson and Macalino, JJ., concur.

[1] Rollo, pages 14-16.

[2] Ibid., page 18.

[3] Section 18. Application of certain rules in civil procedure to criminal cases. - The provisions of Rules 42, 44 to 46 and 48 to 56 relating to procedure in the Court of Appeals and in the Supreme Court in original and

appealed civil cases shall be applied to criminal cases insofar as they are applicable and not inconsistent with the provisions of this Rule.

[4] People v. Paradeza, G.R. No. 144590. February 7, 2003.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.