

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. ERWIN B. AGARAP, ACCUSED-APPELLANT.

Ponente: REYES, JR., J.C., J.

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REYES, JR., J.C., J.:

On January 6, 2014, this Court issued a Resolution (Rollo, p. 22) granting accused-appellant's Urgent Motion for an Extension of Time to File Appeal Brief (Rollo, pp. 12-14), giving him until January 23, 2014, to file his Brief. However, despite receipt thereof, no Appellant's Brief has been filed as per CMIS Verification Report dated March 3, 2014.

Section 8. Rule 124 of the Revised Rules of Criminal Procedure provides:

“Section 8. Dismissal of appeal for abandonment as 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.

xxx xxx xxx.”

For failure to file the Appellant's Brief within the extended period granted by this Court, the instant appeal is now DEEMED ABANDONED and ORDERED DISMISSED pursuant to Section 8, Rule 124 of the Revised Rules of Criminal Procedure.

SO ORDERED.

Lopez, M. V., and Inting, S. B., JJ., concur.

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