

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

Third Division

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CTA CRIM. CASE NO. O-518

For: Violation of Section 3601 in
relation to Section 3602 of the TCCP,
as amended; and in further relation to
Section 6 of R.A. 7183

-versus-

Members:

BAUTISTA, Chairperson
FABON-VICTORINO, *and*
RINGPIS-LIBAN, *JJ.*

WILFREDO ONG LAPUZ,
Room 232, Champ Building, Anda Circle,
Brgy. 650, Zone 068, Port Area, Manila
Accused.

Promulgated:

JAN 07 2016
CAE 2:38 p.m.

X-----X

RESOLUTION

On August 18, 2015, this Court issued a Resolution ordering the prosecution to amend the information and make the necessary corrections, to submit the original or certified true copy of the resolution of the prosecutor, recommendation for criminal prosecution of the accused, and the Complaint-Affidavit, and to present additional evidence, if any, within five (5) days from notice.

Records show that the prosecution received the Resolution through the Docket Section on August 25, 2015, hence, the prosecution had until August 30, 2015 to comply.

On September 28, 2015, the Judicial Records Division issued a Records Verification Report stating that as of said date, the prosecution failed to comply.

On October 9, 2015, the Judicial Records Division issued another Records Verification Report stating that as of said date, the prosecution still failed to comply with the Court's order in the August 18, 2015 Resolution.

On October 27, 2015, the Court issued a Resolution ordering the prosecution for the last time to amend the information and make the necessary corrections, to submit the original or certified true copy of the resolution of the prosecutor, recommendation for criminal prosecution of the accused, and the Complaint-Affidavit, and to present additional evidence, if any, within five (5) days from notice.

Record shows that the prosecution received the Resolution through the Docket Section on November 2, 2015; hence, the prosecution had until November 7, 2015 to comply.

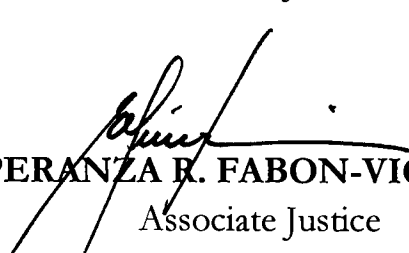
On November 16, 2015, the Judicial Records Division issued another Records Verification Report stating that as of said date, the prosecution still failed to comply with the Court's order in the October 27, 2015 Resolution.

Due to the failure of Assistant State Prosecutor Rohairah A. Lao, and Prosecutor General Claro A. Arellano to comply with the Order dated August 18, 2015 and provide the Court with the necessary documents despite repeated orders to do so, this Court is unable to determine the existence of probable cause to determine whether or not a warrant of arrest should issue.

WHEREFORE, the above-captioned case is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

SO ORDERED.


LOVELL R. BAUTISTA
Associate Justice


ESPERANZA R. FABON-VICTORINO
Associate Justice


MA. BELEN M. RINGPIS-LIBAN
Associate Justice