

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

CTA CRIM. CASE NO. O-216
(I.S. No. XVI-INV-10I-00259)

For: For Violation of Section 3602, in
relation to Sections 2530, 3604 and
1403 of the TCCP

- versus -

LAMBERTO R. ESPIRITU, JR., ALLAN
JAY DE VERA GAHON, MARGARITA
SANTIAGO and VICITASION
DIFUNTORUM,

Accused.

Members:

BAUTISTA, Chairperson,
PALANCA-ENRIQUEZ, and
COTANGCO-MANALASTAS, JJ.

Promulgated:

APR 12 2012

ABFurnand 3:53p.m.

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RESOLUTION

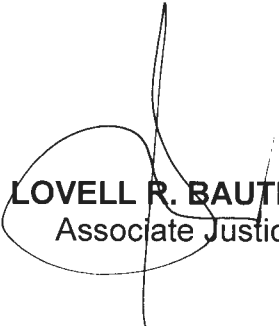
On March 16, 2012, Asst. State Prosecutor Rohairah A. Lao filed a "Motion To Withdraw Information With Leave Of Court" praying for the withdrawal of the Information filed against accused Allan Jay De Vera Gahon, Margarita Santiago and Visitacion Difuntorum for Violation of Section 3602 in relation to Sections 2530 and 1403 of the Tariff and Customs Code of the Philippines.

Considering that the Motion to Withdraw Information bears the written approval of Senior Deputy State Prosecutor Miguel F. Gudio, Jr. and there being no Opposition filed by any of the parties herein, the motion is hereby **GRANTED**. Accordingly, the "Information" filed on July 11, 2011 against accused Allan Jay De Vera Gahon, Margarita Santiago and Visitacion Difuntorum is hereby

considered **WITHDRAWN** and the case against Allan Jay De Vera Gahon, Margarita Santiago and Visitacion Difuntorum is now deemed **CLOSED** and **TERMINATED**. However, the "Information" filed against accused **Lamberto R. Espiritu, Jr.** for Violation of the Tariff and Customs Code of the Philippines (TCCP), as amended, **STANDS**.

As regards the only remaining accused, Lamberto R. Espiritu, Jr., considering that an Alias Warrant of Arrest, dated October 21, 2011, had already been issued against said accused, who still remains at-large up to this day, or a period of more than six (6) months from the issuance of the Warrant of Arrest, and in order that this case may not remain pending in the Court's docket for an indefinite period of time; let the above-captioned case against Lamberto R. Espiritu, Jr. be **ARCHIVED**, subject to its revival upon actual arrest of said accused.

SO ORDERED.



LOVELL R. BAUTISTA
Associate Justice



OLGA PALANCA-ENRIQUEZ
Associate Justice



AMELIA R. COTANGCO-MANALASTAS
Associate Justice