



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
 Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on **March 4, 2022**

PRESENT:

HON. SARAH JANE T. FERNANDEZ.....Associate Justice
HON. KARL B. MIRANDA.....Associate Justice
HON. KEVIN NARCE B. VIVERO.....Associate Justice

The following resolution was adopted:

SB-19-A/R-0003 –

PEOPLE vs. ERLINDA U. CABRERA

In the Resolution dated March 26, 2019, the Court directed accused-appellant Erlinda U. Cabrera and plaintiff-appellee to file their respective briefs within the period and in the manner provided under Rules 122 and 124 of the Revised Rules of Criminal Procedure. The record would show that counsel for the accused-appellant received a copy of the Court’s Resolution on April 12, 2019.¹ To date, the Court has not received the appellant’s brief.

Sec. 8, Rule 124 of the Rules of Court provides:

Sec. 8. Dismissal of appeal for abandonment or 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 officio*.

x x x

Considering the foregoing, the Court resolves to **DISMISS** the present appeal for accused-appellant’s failure to file her brief within the time prescribed by the Rules.²

SO ORDERED

¹ Record, p. 41 (back)

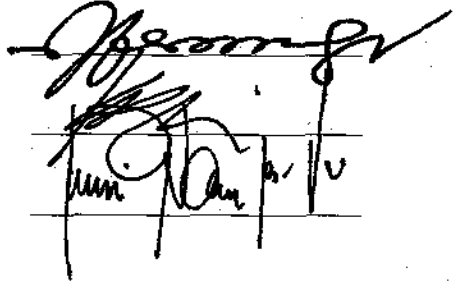
² Rules of Court. Rule 124, Sec. 3. When brief for appellant to be filed. – Within thirty (30) days from receipt by the appellant or his counsel of the notice from the clerk of court of the Court of Appeals that the evidence, oral and documentary, is already attached to the record, the appellant shall file seven (7) copies of his brief with the clerk of court which shall be accompanied by proof of service of two (2) copies thereof upon the appellee. (underscoring supplied)

APPROVED:

FERNANDEZ, SJ, J., *Chairperson*

MIRANDA, J.

VIVERO, J.



Three handwritten signatures are present on the right side of the page, corresponding to the names listed in the 'APPROVED' section. The top signature is for Fernandez, SJ, J., the middle one for Miranda, J., and the bottom one for Vivero, J.