



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
Quezon City

FIRST DIVISION

MINUTES of the proceedings held on January 10, 2023

Present:

Hon. **EFREN N. DE LA CRUZ**. Associate Justice/Chairperson
Hon. **GERALDINE FAITH A. ECONG** Associate Justice
Hon. **ARTHUR O. MALABAGUIO*** Associate Justice

The following **Resolution** was adopted:

CRIM. CASES NOS. SB-17-A/R-0004 to -0006 –
PEOPLE OF THE PHILIPPINES vs. ROLANDO S. SIDENO

On August 22, 2022, the Court issued a *Resolution*, reinstating these cases in view of the *Decision* of the Supreme Court, which became final and executory on November 24, 2020, and directing the accused-appellant and plaintiff-appellee "to file their respective briefs within the reglementary period and in the manner and number of copies required under the Rules."

On October 13, 2022, Atty. Edmundo R. Calo, counsel for accused-appellant Rolando S. Sideno, received a copy of the said resolution. However, up to the present, the accused has not filed his appellant's brief.

Section 1, Rule XII of the Revised Internal Rules of the Sandiganbayan provides:

Section 1. *Ordinary Appeal*. – Appeal to the Sandiganbayan from a decision rendered by a Regional Trial Court in the exercise of its original jurisdiction shall be by ordinary appeal under Rules 41 and 44 of the 1977 Rules of Civil Procedure, or Rules 122 and 124 of the Revised Rules of Criminal Procedure, as the case may be.

Under Section 3 of Rule 124 of the Revised Rules of Criminal Procedure, the appellant has thirty (30) days from notice within which to file the appellant's brief.

Section 8 of the same Rule provides:

SEC. 8. *Dismissal of appeal for abandonment or failure to prosecute*. – The (Sandiganbayan) 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 counsel *de officio*.

*Sitting as Special Member of the First Division as per Administrative Order No. 173-A-2022, dated August 2, 2022.

[Handwritten signatures and initials]

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For failure of the appellant to file his brief despite the lapse of over four (4) months from notice to so file his brief, the Court hereby **RESOLVES** to **DISMISS** appellant Rolando S. Sideno's appeal.

Furnish appellant and counsel, as well as the prosecution, a copy of this resolution.


SO ORDERED.

Approved on:

DE LA CRUZ, J., Chairperson



ECONG, J.



MALABAGUIO, J.