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REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
MANILA

January 3, 1961

WILLIAM E. JOLLIFFE,
Petitioner,

- versus -

C.T.A. CASE NO. 414

COMMISSIONER OF CUSTOMS,
Respondent.

x - - - - - x

R E S O L U T I O N

This is a motion filed by respondent praying for the dismissal of the petition for review in the above-entitled case for failure of petitioner to appear and prosecute the case.

On September 7, 1957 or over three years ago, petitioner William E. Jolliffe filed the petition for review in this case. Respondent filed his answer to the petition for review on October 4, 1957. On July 17, 1958, petitioner requested suspension of the hearing of the above-entitled case until such time as the Supreme Court promulgates its decision on the case of People of the Philippines vs. William E. Jolliffe (G. R. No. L-9553). This Court granted petitioner's motion.

The Supreme Court having already decided the case of People of the Philippines vs. William E. Jolliffe, this Court, in an order dated October 10, 1959, set this case for hearing on November 7, 8, 9, 10 and 11, 1960.

Neither petitioner nor his counsel appeared during the hearing on November 7, 1960, although from the records of the case (p. 42 CTA rec.) formal notice of

RESOLUTION -
C.T.A. CASE NO. 414

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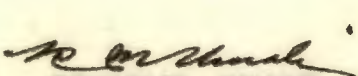
said hearing was served upon them. Whereupon counsel for respondent orally moved for the dismissal of this case with costs against petitioner for failure to appear and prosecute the case. Upon advice of this Court, respondent reduced his motion to writing and filed the same on November 11, 1960, furnishing, by registered mail, counsel for petitioner a copy of said motion. During the hearing for the consideration of the instant motion, petitioner again failed to appear despite due notice given to his counsel.

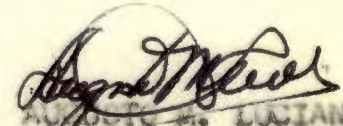
WHEREFORE, finding the instant motion meritorious, the same is hereby granted. Let the petition for review in this case be, as it is hereby, dismissed for lack of interest with costs against petitioner.

SO ORDERED.

Manila, January 3, 1961.


MARIANO NOLASCO
Presiding Judge


ROMAN M. UMALI
Associate Judge


AUGUSTIN E. LUCIANO
Associate Judge