

REPUBLIC OF THE PHILIPPINES
Court of Tax Appeals
QUEZON CITY

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

-versus-

MARIVIC BRIONES,
DAVID BANGA,
BENJAMIN VALIC,
Accused.

CTA CRIMINAL CASE NO. O-162

*For: Violation of Section 3602 of the TCCP
in relation to Article 172 of the
Revised Penal Code*

Members:

CASTAÑEDA, JR., Chairperson
CASANOVA, and
MINDARO-GRULLA, JJ.

Promulgated:

MAR 07 2012

11:28 a.m.

X -----X

RESOLUTION

Record show that on September 30, 2010, the Public State Prosecutor, joined by accused Marivic Briones represented and assisted by her counsels and accused Benjamin Valic represented and assisted by his counsel, filed a "Joint Manifestation and Motion for Provisional Dismissal" of the above-captioned case, which this Court granted on October 11, 2010. Accordingly the above-captioned case was provisionally dismissed.

Considering that the offense charged in the above-captioned case is Violation of Section 3602 of the Tariff and Customs Code of the Philippines (TCCP) and considering further that offenses under Section 3602 of the TCCP are punishable by a fine or by imprisonment for not less than six (6) months nor more than two (2) years and pursuant to Section 8, Rule 117 of the Rules of Court, which provides among others, that provisional dismissal of an offense punishable by imprisonment not exceeding six (6) years shall become permanent

one (1) year after issuance of the order without the case having been revived, the Court hereby resolves to dismiss the above-captioned case permanently.

WHEREFORE, there having been no motion filed by the prosecution to revive the case within the allowable period, and considering further that the one (1) year period provided in Section 8 Rule 117 of the Rules of Court had already lapsed, the above-captioned case is hereby **PERMANENTLY DISMISSED**.

SO ORDERED.


JUANITO C. CASTAÑEDA, JR.
Associate Justice


CAESAR A. CASANOVA
Associate Justice


CIELITO N. MINDARO-GRULLA
Associate Justice