

SECOND DIVISION

UY, Chairperson,
BACORRO-VILLENA, and
CUI-DAVID, JJ.

Promulgated:

FEB 15 2023

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 1.2 p.m.

RESOLUTION

On 06 December 2022, plaintiff filed an Information against accused for violation of Section 255 of the National Internal Revenue Code (**NIRC**) of 1997, as amended.

Finding the attachments to the Information to be incomplete, the Court on 12 January 2023 issued a Resolution ordering plaintiff to submit, within five (5) days from receipt of such order, the original or certified true copy of the following documents:

- (1) duly signed authority to file the present criminal action;
- (2) Investigation Data Form dated 20 November 2014;
- (3) Complaint Affidavit against accused; and,
- (4) subpoena issued against accused during the preliminary investigation and proof of service thereof.

Per Records Verification dated 02 February 2023, plaintiff failed to comply with the orders contained in the said Resolution. Considering plaintiff's failure to file the above documents to prove that it is authorized to file the present criminal action and that accused was

RESOLUTION

CTA Crim. Case No. **Q-1000**

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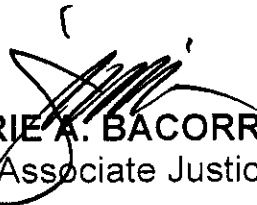
previously notified of the criminal complaint, the Court finds no probable cause to issue a warrant of arrest in the present case.

WHEREFORE, premises considered, the Information filed on 06 December 2022 is **DISMISSED** without prejudice.

SO ORDERED.



ERLINDA P. UY
Associate Justice



JEAN MARIE A. BACORRO-VILLENA
Associate Justice



LANEE S. CUI-DAVID
Associate Justice