REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

PHILEX MINING CORPORATION, Petitioner,	**CTA CASE NO. 8162**
- versus -	**Members:** Acosta, *Chairperson*, Uy, *and* Fabon-Victorino, *JJ.*
COMMISSIONER OF INTERNAL REVENUE, Respondent.	Promulgated: JAN 21 2011; 3:15pm

x - x

RESOLUTION

Upon manifestation and motion of petitioner's counsel in today's hearing, that he filed a "Motion to Withdraw Petition for Review" on January 14, 2011, stating that the Petition was inadvertently filed prematurely, pursuant to Section 112 (C) of the Tax Code, as amended and reiterated by the Supreme Court in the case of Commissioner of Internal Revenue vs. Aichi Forging Company of Asia, Inc., and there being no objection from respondent's counsel, the motion to withdraw petition for review is hereby **GRANTED**.

WHEREFORE, the instant Petition for Review is hereby **WITHDRAWN** and this case is considered **CLOSED** and **TERMINATED**

SO ORDERED.

ERNESTO D. ACOSTA
Presiding Justice

ERLINDA P. UY
Associate Justice

ESPERANZA R. FABON-VICTORINO
Associate Justice