REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

LEONARDO R. CORREA,
c/o LMC FISHING INC., 54 P. De Guzman Comp., Parada, Valenzuela City,
Accused.

CTA CRIM. CASE NO. O-261
(XV-17-INV-11J-934)

For: Violation of Section 56(b), Section 106(A), and Section 57 (A) (B) of the National Internal Revenue Code of 1997, as amended

Members:

BAUTISTA, Chairperson,
PALANCA-ENRIQUEZ, and
COTANGCO-MANALASTAS, JJ:

Promulgated:
APR 12 2012
JPFernandez 3:50 p.m.

x -x

RESOLUTION

Records show that on March 9, 2012, the prosecution, through 2nd Assistant City Prosecutor Eriberto A. Aricheta of Valenzuela City, filed an "Ex-Parte Motion With Leave Of Court To Withdraw Information" praying for the withdrawal of the Information filed against accused Leonardo R. Correa in order that the Office of the City Prosecutor of Valenzuela City could "forward the complaint/affidavit to the appropriate Office of the City Prosecutor for the conduct of another preliminary investigation and to give accused the opportunity to be heard, which admittedly was not afforded to the accused because of the incorrect address given or furnished by the complainant BIR."

WHEREFORE, finding merit in plaintiff's "Ex-Parte Motion With Leave of Court To Withdraw Information" and considering that the same bears the approval of City Prosecutor Hilda A. Fantastico-Ibuyan, the same is hereby GRANTED without prejudice to the filing of another Information against the accused in accordance with law.

SO ORDERED.

LOVELL R. BAUTISTA
Associate Justice

OLGA PALANCA-ENRIQUEZ
Associate Justice

AMELIA R. COTANGCO-MANALASTAS
Associate Justice