

Republic of the Philippines
COURT OF APPEALS
Manila

**SPECIAL FORMER
SECOND DIVISION**

REPUBLIC OF THE PHILIPPINES,
Petitioner,

CA-G.R. SP No. 70014

- versus -

Members
BUZON, Chairman,
DE LOS SANTOS and
ABDULWAHID, JJ.

Protnulgated:

REGIONAL TRIAL COURT OF
PASAY CITY. BRANCH 111,
ETC., ET AL.,

Respondents.

AUG 24 2005


x-----

RESOLUTION

BUZON, J.:

Submitted are the following pleadings, to wit:

1. Motion To Intervene filed by Don Esteban Benitez Tallano and Don Gregorio Madrigal Acop Foundation;
2. Manifestation and Motion filed by petitioner alleging that the NBI Report is less than thorough and conclusive as it did not mention the date and place of birth of Julian Morden Tatlano, the names of his parents and siblings, his address, his status, the names of his children, if any, and

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whether lie is a registered voter and passport holder. Petitioner thus prayed that the NB1 be directed to make a thorough and conclusive inquiry as to the real identity or existence of the individual representing himself as Julian M. Tallano (JMT) and that the pre-trial scheduled on September 7, 2005 be held in abeyance pending submission by the NBI of *its* exhaustive and conclusive report;

3. Motion to elevate records in respondent court; and

4. Request for issuance of subpoena *ad testijlcandum* and subpoena *duces tecuni*.

We shall resolve the same *in seriatim*.

1. Petitioner is directed to comment on the motion to intervene within ten (10) days from notice.

2. The NB1 Report is accompanied by the Final Report, together with annexes, (*Rollo*, pp. 5069-5240) submitted by SA Florencio C. Canlas which covered the queries posed by petitioner. In view thereof, the Division Clerk of Court is directed to furnish petitioner with a copy of the Final Report and annexes.

3. Considering the voluminous records of the case before respondent court and this Court, the movant, represented by Atty. Benigno M. Puno, is

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directed to secure certified true copies of the pleadings and portions of the record of Civil Case No. 3957-P in order to expedite the proceedings.

4. With respect to the request for issuance of subpoena *ad testificandum* and subpoena *duces tecum* to Afly. Ricardo R. Adolfo, Branch Clerk of Court of respondent court, Atty. Benigno M. Puno is directed to secure certified true copies of such portions of the record in Civil Case No. 3957 for the same reasons stated above, considering that the case is only scheduled for pre-trial and no testimony of *witnesses* will be taken at said hearing.

Anent the request of Ally. Puno that Julian M. Tallano be ordered to bring the original copies of the documents attached as annexes to his undated Manifestation with complete Compliance and Opposition and the Amended Manifestation with complete Compliance and Manifestation, suffice it to say that the production of the original copies of documents is the responsibility of the party submitting the same in evidence.

AS PRAYED FOR, the pre-trial scheduled on September 7, 2005 is *CANCELLED* until further notice.

SO ORDERED.


MARINA L. BUZON
Associate Justice

WE...

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... **CONCUR:**



ELIEZER R. DE LOS SANTOS

Associate Justice



HAKIM S. ABDUL WAHID

Associate Justice