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appeal had become moot. Appellants' counsel further stated that Eusebio Mercader is already dead.

WHEREFORE, the appeal is dismissed for having become, moot and academic. No costs.

SO ORDERED.

Fernando (Chairman), Barredo, Antonio and *Martin, JJ.*, concur.

Concepcion, Jr., J., is on leave.

Martin, J., was designated to sit in the Second Division.

SECOND DIVISION

[G.R. No. L-39326. June 3, 1976]

IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF THE PHILIPPINES.

ANTONIO K. GO, *petitioner-appellant, vs.* **REPUBLIC OF THE PHILIPPINES,** *oppositor-appellee.*

SYLLABUS

NATURALIZATION; APPLICATION UNDER LETTER OF INSTRUCTION NO. 270; DISMISSAL OF APPEAL UPON GRANT OF CITIZENSHIP. — When an application for naturalization under Letter of Instruction No. 270 has been approved and the applicant has taken his oath as a Filipino citizen by virtue of Presidential Decree No. 836, the appeal from the decision denying his petition for naturalization becomes moot and academic and must be dismissed.

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RESOLUTION

AQUINO, *J.*:

Antonio K. Go appealed from the decision of the Court of First Instance of Tarlac dated June 26, 1974, denying his petition for naturalization.

After Go had filed his appellant's brief, the Solicitor General filed a motion dated October 20, 1975 for the suspension of the period for the filing of oppositor-appellee's brief on the ground that Go had filed an application for naturalization under Letter of Instructions No. 270. The motion was granted in this Court's resolution of October 24, 1975.

On May 13, 1976 Assistant Solicitor General Jose F. Racela, Jr. informed the Clerk of Court of this Court that Go's administrative application for naturalization under Letter of Instructions No. 270 (SCN Case No. 000046) had been approved. He took his oath as a Filipino citizen on January 23, 1976 by virtue of Presidential Decree No. 836. He is now the holder of Certificate of Naturalization No. 001067 dated February 25, 1976.

WHEREFORE, Go's appeal herein is dismissed for having become moot and academic. No costs.

SO ORDERED.

Fernando (Chairman), Barredo, Antonio and *Martin, JJ.*, concur.

Concepcion, Jr., J., is on leave.

Martin, J., was designated to sit in the Second Division.