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only ten (10) days, and not eleven (11), as contented by him. Such petulant attitude towards the Court must not be repeated.

PREMISES CONSIDERED, the petition is dismissed. No costs.

Fernando (Chairman), Antonio and *Muñoz Palma, JJ.,* concur.

AQUINO, *J.*, *concurring*:

I concur in the result. It does not appear that at the hearing of petitioner's accounts she was examined under oath and that she presented evidence in support of her disbursements (Sec. 9, Rule 85). Her appeal would be frivolous because the Appellate Court would have no basis for reviewing the probate court's order.

SECOND DIVISION

[G.R. No. L-34100. June 30, 1976]

IN THE MATTER OF THE PETITION TO BE ADMITTED AS CITIZEN OF THE PHILIPPINES, CHAN YEN, *petitioner-appellant, vs.* **REPUBLIC OF THE PHILIPPINES,** *oppositor-appellee.*

SYLLABUS

POLITICAL LAW; CITIZENSHIP; NATURALIZATION; APPEAL SHALL BE DISMISSED IF NATURALIZATION HAS BEEN GRANTED. — Petitioner's naturalization pursuant to Presidential Decree No. 836 which rendered the question of naturalization on appeal moot and academic, justifies the dismissal of the appeal.

R E S O L U T I O N

FERNANDO, *J.*:

The case before us is an appeal from a decision by the then Judge, now retired Associate Justice of the Court of Appeals,

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Jose N. Leuterio, denying a petition for naturalization of the applicant Chan Yen. The basis for such an adverse judgment was his failure to register his children with the Bureau of Immigration within the first sixty days of every calendar year as required by pronouncements of this Court. That did render dubious his claim that he did conduct himself in a proper and irreproachable manner during the entire period of his residence in the Philippines, in his relation with the constituted government as well as the community in which he is leaving. The case was submitted for decision with briefs having been filed by appellant Chan Yen as well as the appellee, the Republic of the Philippines.

Subsequently, under date of April 27, 1976, a motion for dismissal was filed by appellant Chan Yen. It is worded thus: "That the hereinabove named Petitioner [Chan Yen] has already become a naturalized citizen of the Republic of the Philippines, pursuant to Presidential Decree No. 836, as evidenced by his Certificate of Naturalization No. 002505 (Pet. No. 000387), issued by the Special Committee on Naturalization on February 24, 1976, after taking his oath of Allegiance on the same date; that, likewise, his Identification Certificate No. 45040, dated April 2, 1976, was issued to him by the Commission on Immigration and Deportation x x x"[1] The prayer is for the dismissal of the case as the matter involved had become moot and academic.

WHEREFORE, the appeal is dismissed, the question of naturalization of appellant Chan Yen having become moot and academic with the grant of citizenship to him under Presidential Decree No. 836, the certificate of naturalization having been signed by the Chairman of the Special Committee on Naturalization, the Honorable Estelito P. Mendoza, on February 24, 1976.

Barredo, Muñoz Palma, Aquino and *Martin, JJ.*, concur.

Antonio, J., took no part.

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

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[1] Motion for Dismissal dated April 27, 1976.