



**Supreme Court of the Philippines
Manila**

OFFICE OF THE COURT ADMINISTRATOR

CIRCULAR NO. 42-93

**TO : ALL JUDGES OF THE REGIONAL TRIAL COURTS,
SHARIA DISTRICT COURTS, METROPOLITAN TRIAL
COURTS, MUNICIPAL TRIAL COURTS IN CITIES,
MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT
TRIAL COURTS, AND SHARIA CIRCUIT COURTS**

SUBJECT : ISSUANCE OF MITTIMUS/COMMITMENT ORDER

Hereafter, in all cases where the records are remanded from the Supreme Court or the Court of Appeals to the lower court for execution of judgment, the judge of the lower court concerned shall immediately issue the corresponding mittimus or commitment order of the prisoner immediately after the records are received by the court of origin.

1) The mittimus shall be under the signature of the judge and shall bear the seal of the court attested by the clerk of court thereof;

2) If the accused is sentenced to imprisonment of more than three (3) years, he is classified as national prisoner and shall be committed to the Director of Corrections in Muntinlupa, Metro Manila;

3) If the accused is sentenced to imprisonment of more than one (1) year but not more than three (3) years, he is classified as city/provincial prisoner, and shall be committed to the city or provincial jail warden;

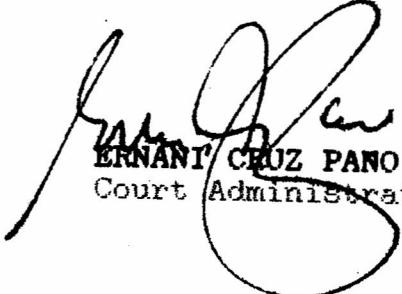
4) If the accused is sentenced to imprisonment of not more than one (1) year, he is classified as municipal prisoner, and shall be committed to the municipal jail warden;

5) In all appealed cases where the records are returned to the court of origin for execution of judgment, the clerk of court of the lower court concerned shall furnish the appellate courts with copies of the mittimus/commitment order within ten (10) days from issuance;

6) The mittimus shall also be issued where a detained prisoner is convicted, but remain in detention even after appeal is perfected for non-posting of bail, or the bail is cancelled, or because the accused has been sentenced to suffer reclusion perpetua.

Strict compliance herewith is enjoined.

August 27, 1993.


ERNANI CRUZ PANO
Court Administrator

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