



Republic of the Philippines  
Supreme Court  
Office of the Court Administrator  
Manila

OCA CIRCULAR NO. 57-2005

TO : ALL JUDGES AND CLERKS OF COURTS OF THE  
REGIONAL TRIAL COURTS

SUBJECT : COMPLIANCE WITH ADMINISTRATIVE CIRCULAR  
NO. 20-2005, issued on April 19, 2005 by CHIEF  
JUSTICE HILARIO G. DAVIDE, JR.

Quoted hereunder for the information and guidance of all concerned are the pertinent portions of Administrative Circular No. 20-2005 (Directing Regional Trial Courts to Directly Forward to the Court of Appeals Records of Criminal Cases which are subject of Automatic Review or Regular Appeals), to wit:

“WHEREAS, in the decision of 7 July 2004 in G.R. Nos. 147678-87 (*People v. Efren Mateo y Garcia*), the Supreme Court, in the exercise of its power to promulgate rules of procedure in all courts under Section 5, Article VIII of the Constitution, (a) modified Section 3 and 10 of Rule 122, Section 13 of Rule 124, Section 3 of Rule 125 of the Revised Rules of Criminal Procedure and any other rule insofar as they provide for direct appeals from the Regional Trial Courts to the Supreme Court in cases where the penalty imposed is death, *reclusion perpetua*, or life imprisonment, as well as the resolution of the Supreme Court, dated 19 September 1995, in *Internal Rules of the Supreme Court in Cases Involving Death Penalty*; and (b) allowed an intermediate review by the Court of Appeals before such cases are elevated to the Supreme Court;

X X X X

WHEREAS, in view of the said decision, the Supreme Court promulgated on 28 September 2004 in A.M. No. 00-5-03-SC a resolution formally amending Section 3 and 10 of Rule 122 and Sections 12 and 13 of Rule 124 of the Rules of Criminal Procedure, as amended. The amendments took effect on 15 October 2004;

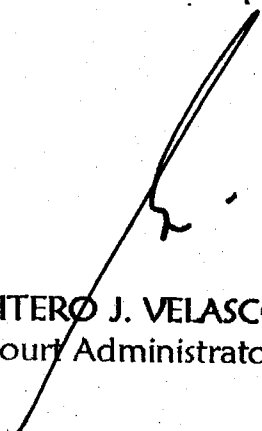
WHEREAS, despite the aforementioned amendments, criminal cases on automatic review or on appeal where the penalty imposed by the trial courts is either death, *reclusion perpetua*, or life imprisonment are still forwarded to the Supreme Court by lower courts.

**NOW THEREFORE**, pursuant to the resolution of the Court of 5 April 2005 in A.M. No. 05-2-16-SC, all Regional Trial Courts concerned through the Presiding Judges and Clerks of Court, are hereby **DIRECTED** to henceforth **DIRECTLY** forward to the **Court of Appeals** (Manila for Luzon cases, Cebu Station for Visayas cases, and Cagayan de Oro Station for Mindanao cases) the records of criminal cases whose decisions are subject to (a) automatic review because the penalty imposed is death or (b) ordinary appeals (by notices of appeal) because the penalty imposed is either reclusion perpetua or life imprisonment, not withstanding a statement in the notice of appeal that the appeal is to the Supreme Court.” (Underscoring ours)

In this regard, all Judges and Clerks of Courts of the Regional Trial Courts are hereby reminded that failure to comply with the above-cited Administrative Circular shall warrant appropriate disciplinary action pursuant to Rule 140 of the Rules of Court, as amended by A.M. 01-8-10-SC, which took effect on 11 September 2001, as well as to the pertinent rules and regulations of the Civil Service Commission.

This Administrative Circular took effect on 19 April 2005, strict compliance herewith is hereby enjoined.

12 May 2005

  
PRESBITERO J. VELASCO, JR.  
Court Administrator