



Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE
RECEIVED
OCT 03 2014
BY: *[Signature]*
TIME: *1:10*

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated September 15, 2014 which reads as follows:

“G.R. No. 213801 (Linda Zerrudo v. Consorcia Poblador, represented by her Heirs Gregorio D. Poblador, Ruel D. Poblador and Belle P. Umali, and Salome P. Pallan). - After a judicious review of the records, the Court resolves to **DENY** the petition and **AFFIRM** the February 12, 2014¹ and July 24, 2014² Resolutions of the Court of Appeals (CA) in CA-G.R. SP No. 05966 for failure of petitioner Linda Zerrudo (Zerrudo) to sufficiently show that the CA committed any reversible error in dismissing her petition for being filed out of time.

As correctly ruled by the CA, Zerrudo’s petition was belatedly filed, and accordingly, the October 24, 2012 Decision of the Office of the President (OP) can no longer be assailed. Notably, the OP, in its Order dated April 3, 2013, has expressly declared its October 24, 2012 Decision to be final and executory, considering that no appeal or motion for reconsideration had been timely filed. Fundamental is the rule that once a judgment has attained finality, it becomes immutable and unalterable, and may no longer be modified in any respect, even if the modification is meant to correct erroneous conclusions of fact or law regardless of whether the modification is attempted to be made by the court rendering it or by the highest court of the land,³ as in this case.

- over – two (2) pages

76

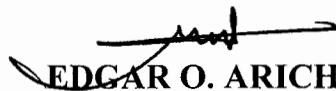
¹ *Rollo*, pp. 30-34. Penned by Associate Justice Edgardo T. Lloren with Associate Justices Marie Christine Azcarraga-Jacob and Edward B. Contreras, concurring.

² *Id.* at 35-36. Penned by Associate Justice Edgardo T. Lloren with Associate Justices Oscar V. Badelles and Edward B. Contreras, concurring.

³ “Once a judgment attains finality, it becomes immutable and unalterable. A final and executory judgment may no longer be modified in any respect, even if the modification is meant to correct what is perceived to be an erroneous conclusion of fact or law and regardless of whether the modification is attempted to be made by the court rendering it or by the highest court of the land. This is the doctrine of finality of judgment. It is grounded on fundamental considerations of public policy and sound practice that, at the risk of occasional errors, the judgments or orders of courts must become final at some definite time fixed by law. Otherwise, there will be no end to litigations, thus negating the main role of courts of justice to assist in the enforcement of the rule of law and the maintenance of peace and order by settling justiciable controversies with finality.” (*Dacanay v. Yrastorza, Sr.*, G.R. No. 150664, September 3, 2009, 598 SCRA 20, 25-26; citations omitted.)

SO ORDERED.” SERENO, C.J., on leave; **VELASCO, JR., J.**, acting member per S.O. No. 1772 dated August 28, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *of abn*
76

B. JOMENTO LAW FIRM
Counsel for Petitioner
71-A Sct. Borromeo St.
1128 Diliman, Quezon City

Court of Appeals
9000 Cagayan de Oro City
(CA-G.R. SP No. 05966)

Atty. Alberto T. Eramis
Counsel for Resp. Consorcia Poblador
Talisay St., Poblacion 1
9410 Midsayap, Cotabato

Pubic Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to
A.M. No. 12-7-1-SC)

Atty. Ruel Pallan Diaz, CPA
Counsel for Resp. Salome Pallan
Quezon Ave., Poblacion 2
9410 Midsayap, Cotabato

Judgment Division (x)
Supreme Court

Office of the President
Malacañang
1005 San Miguel, Manila
(O.P. Case No. 09-A-038)

SR

