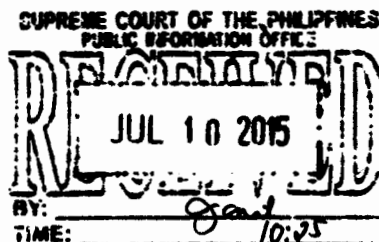




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 15, 2015** which reads as follows:*

“G. R. No. 213132 (Dave Ybanez, Adame Ybanez, Marilyn Baldon, Victor Jariolne, Teodola Jariolne, et al. v. Ricardo Maandig). – Before us is a Motion for Reconsideration¹ of the Resolution² of this Court dated 22 October 2014, which denied the Petition for Review on Certiorari³ of the Court of Appeals (CA) Decision and Resolution dated 05 December 2013 and 19 June 2014, respectively, in CA-G.R. CV No. 01514-MIN. The Court cited the late filing of the Petition and the fact that it only raised factual issues as bases for its denial.

Petitioners-appellants presented no substantial argument to warrant a reversal or modification of the Resolution. They failed to provide valid grounds for allowing the late filing of the Petition other than the liberal application of the rules. They also merely reiterated their arguments in the dismissed Petition, which involved only questions of fact.

It bears stressing that only questions of law may be raised in a Rule 45 petition, as the Court is not a trier of facts.⁴ In consonance with this rule, the CA’s factual findings are deemed conclusive on the parties and are not reviewable by this Court. These findings carry even more weight when the CA affirms the factual findings of the trial court,⁵ as in this case. While there are exceptions⁶ to this rule, none of them applies to the case at bar.

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¹ *Rollo*, pp. 92-103.

² *Id.* at 86-87.

³ Under Rule 45 of the Rules of Court.

⁴ *Manotok Realty, Inc. v. CLT Realty Development Corp.*, G.R. Nos. 123346, 134385, and 148767, 29 November 2005.

⁵ *Goldenrod, Inc. v. Court of Appeals*, 418 Phil 492-502 (2001).

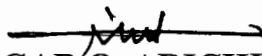
⁶ See *Cosmos Bottling Corp. v. Nagrama, Jr.*, 571 Phil 281-310 (2008).

WHEREFORE, in view of the foregoing, we **DENY** the Motion for Reconsideration with **FINALITY**. No further pleadings shall be entertained. Let Entry of Judgment be made in due course.

The petitioners' compliance with the Resolution dated October 22, 2014 submitting a copy of the petition for review on certiorari in CD is **NOTED**.

SO ORDERED."

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *6/15/15*
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(CA-G.R. CV No. 01514-MIN)

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The Hon. Presiding Judge
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