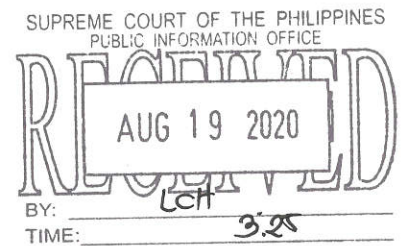




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 22, 2020** which reads as follows:*

“G.R. No. 241554 (REPUBLIC OF THE PHILIPPINES v. ROGELIO B. MALICSE, as substituted by NORMA CONSOLACION S. MALICSE, and the REGISTER OF DEEDS OF THE CITY OF TAGUIG).- The Court resolves to **DENY** the petition for review on *certiorari* for failure to sufficiently show that the Court of Appeals committed reversible error in rendering its assailed Decision dated February 22, 2018 and Resolution dated August 7, 2018 as to warrant the Court’s exercise of its discretionary appellate jurisdiction.

The Republic here raises the issue: did Malicse commit fraud or misrepresentation when he applied for titling to his lot?

In petitions for review on *certiorari* under Rule 45 of the Rules of Court, the Court is narrowly confined to the review of legal issues. Hence, the Court will not take cognizance of the pure factual issue raised, let alone, calibrate anew the evidence which had already been thoroughly evaluated and considered twice by the tribunals below.¹

¹ *Gatan v. Vinarao*, 820 Phil. 257, 265-267 (2017).

Here, the Republic's allegation of fraud is a question of fact which has already been passed upon by the courts below in full. Both the trial court and the Court of Appeals found that the Republic utterly failed to establish the fraudulent acts purportedly committed by Malicse. As such, this factual finding may no longer be assailed and is already conclusive on this Court.

Indeed, absent any showing that certain facts or circumstances of weight and substance have been overlooked, misapprehended or misapplied in the judicial determination of the failure to establish the fraudulent acts purportedly committed by Malicse, We accord the highest respect and finality to the factual findings of the trial court, especially when affirmed by the Court of Appeals, as in this case.²

WHEREFORE, the petition is **DENIED**. The Court of Appeals' Decision dated February 22, 2018 and Resolution dated August 7, 2018 in CA-G.R. CV No. 105416 are **AFFIRMED**.

SO ORDERED."

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
126-B

The Solicitor General
Amorsolo St., Legaspi Village
1229 Makati City

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Manila
(CA-G.R. CV No. 105416)

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² *Soriano v. Bravo*, 653 Phil. 72, 95 (2010).

RESOLUTION

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G.R. No. 241554
June 22, 2020

Judgment Division (x)
Supreme Court

REGISTER OF DEEDS OF
TAGUIG CITY
M.R. Tinga Avenue. Fort Bonifacio
1630 Taguig City

The Presiding Judge
Regional Trial Court, Branch 153
1630 Taguig City
(Civil Case No. 71517-TG)



126-B



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