



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated November 18, 2020 which reads as follows:

“G.R. No. 240997 (Dela Torre & Co., Inc., Petitioner, v. Republic of the Philippines, Respondent). – This is a Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court, seeking to reverse and set aside the Decision² dated 20 July 2017 and Resolution³ dated 31 July 2018 promulgated by the Court of Appeals (CA) in CA-G.R. CV No. 105261, entitled “*Dela Torre & Co., Inc., represented by its Executive Vice President, Erwin Dela Torre, Applicant-Appellee, v. Republic of the Philippines, Oppositor-Appellant.*” The CA reversed the Decision⁴ dated 26 October 2012 rendered by the Municipal Trial Court (MTC) of Sto. Tomas, Batangas, in LRA MTC No. 2008-008 (LRA Record No. N-79277).

Antecedents

On 19 August 2008, petitioner Dela Torre & Co., Inc. (petitioner) filed before the Regional Trial Court of Tanauan City an application for registration of titles under Presidential Decree No. (PD) 1529, as amended, involving Lot 3, PSU-4A-004309, consisting of 10,811 square meters (Lot 1), and Lot 3, PSU-4A-004299, consisting of 3,676 square meters (Lot 2) (subject properties, collectively).

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¹ *Rollo*, pp. 10-31.

² *Id.* at 33-45; penned by Associate Justice Mariflor P. Punzalan-Castillo and concurred in by Associate Justices Florito Macalino and Maria Elisa Sempio Diy of the Court of Appeals, Manila.

³ *Id.* at 47-48; penned by Associate Justice Mariflor P. Punzalan-Castillo and concurred in by Associate Justices Ramon Paul L. Hernando (now a Member of this Court) and Maria Elisa Sempio Diy of the Court of Appeals, Manila.

⁴ *Id.* at 49-56; *ponente* undisclosed/omitted.

Later, petitioner's application was transferred to the MTC of Sto. Tomas, Batangas, pursuant to Administrative Circular No. 64-93, which granted first level courts the delegated jurisdiction to hear and decide cadastral and land registration cases.⁵

There being no private opposition to the application, the MTC issued an Order of general default against the whole world except the government. Upon motion of petitioner, the MTC allowed it to present evidence *ex-parte*.⁶

Pursuant thereto, petitioner presented a plethora of documentary evidence, including the subdivision plans with a notation that the subject properties were alienable and disposable, as well as technical descriptions of the subject properties,⁷ Geodetic Engineer's Certificate for registration purpose, Certifications of Non-Delinquency of Real Estate Tax, a certified true copy of Land Classification Map No. 582 from the National Mapping and Resource Information Authority (NAMRIA),⁸ a 1955 unnumbered tax declaration⁹ and the 1958 Tax Declaration No. 15688¹⁰ in the name of Patricia Maloles vda. de Lantin (Patricia), Tax Declaration No. 26-028-0390,¹¹ issued in 1989 for Liduvina M. Lantin (Liduvina),¹² and the subsequent tax declarations issued in the names of Jaime Y. Ladao (Ladao), Jose Ben R. Laraya (Laraya), and petitioner.¹³

Petitioner also presented the following certifications: (1) Certificate of Verification¹⁴ issued on 11 October 2010 by the Chief, Forest Resources Development Division of the Department of Environment and Natural Resources (DENR), Regional Office No. IV-A, Calabarzon, stating that the subject properties were within agricultural land (Alienable & Disposable Land) per Land Classification Map No. 582, Project No. 30 of Sto. Tomas, Batangas, certified and released on 31 December 1925; and (2) Certifications¹⁵ dated 05 October 2011, from the Community Environment and Natural Resources Office (CENRO) of the DENR, Calabarzon Region, which verified that the subject properties were within the alienable and disposable zone.

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⁵ *Id.* at 34.

⁶ *Id.* at 34 and 52.

⁷ *Id.* at 68-69.

⁸ *Id.* at 158, mentioned only in TSN dated 26 April 2011, copy not attached to the petition.

⁹ *Rollo*, p. 78, Annex "AA" of the application.

¹⁰ *Id.* at 79, Annex "BB" of the application.

¹¹ *Id.* at 80, Annex "W" of the application.

¹² Liduvina M. Lantin vda. De Rojas.

¹³ *Id.* at 81, 83, 84, and 86-89.

¹⁴ *Id.* at 70.

¹⁵ *Id.* at 76-77.

Likewise attached to the application was a letter-reply¹⁶ dated 15 March 2011 from the Undersecretary for Staff Bureaus and Project Management of DENR, Diliman, Quezon City, stating that the land classification of the subject properties as alienable and disposable was confirmed by the NAMRIA, as indicated in the Memorandum dated 14 February 2011 of the NAMRIA Director. It also stated therein that the confirmation of the Secretary of DENR was no longer necessary as the Certificate issued by the CENRO, together with the certified true copy of the land classification map, was enough to prove the status/classification of the subject properties.

Additionally, petitioner presented the testimonies of the following witnesses: (1) Erwin Dela Torre; (2) Ben Hur U. Hernandez, the Special Investigator I of the DENR CENRO, Batangas City (Investigator Hernandez); (3) Loida Y. Maglinao, Forester I of the DENR CENRO, Batangas City (Forester Maglinao); and (4) Epitacio Maligalig (Epitacio), a resident of Sta. Elena, Sto. Tomas, Batangas since his birth in 1942.

The witnesses claimed that the late Patricia was the original occupant of the subject properties. At that time, the land was planted with rice, corn, and hundreds of coconut trees.¹⁷ When Patricia died, Junior Lantin took over possession thereof, and upon the latter's death, Liduvina succeeded to the subject properties. Liduvina was not seen to have actually possessed the subject properties, but her caretaker planted fruit trees thereon beginning 1985.¹⁸ In 1989, Liduvina sold Lot 1 and Lot 2 to Laraya and Ladao, respectively. The two (2), in turn, installed their own caretakers to manage their respective lots. Then, on 10 April 2008, they sold the subject properties to petitioner.¹⁹ Thereafter, petitioner constructed on Lot 1 a rubber hose plant for mining, and fenced the same. Lot 2, on the other hand, remained vacant and not fenced.²⁰

As part of petitioner's application for registration, Investigator Hernandez and Forester Maglinao conducted an ocular inspection of the subject properties on 02 August 2011.²¹ Investigator Hernandez also made further investigation and verification, and his findings were reduced in his report²² dated 04 October 2011, which showed, *inter alia*, that:

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¹⁶ *Id.* at 71.

¹⁷ *Id.* at 130-131; TSN dated 19 October 2010.

¹⁸ *Rollo*, pp. 134-135; TSN dated 19 October 2010.

¹⁹ *Rollo*, pp. 34-35.

²⁰ *Id.* at 140; TSN dated 19 October 2010; also at 174-176, TSN dated 11 October 2011.

²¹ *Rollo*, p. 166.

²² *Id.* at 72-73.

1. the survey plans and technical descriptions of the subject properties were approved by the Regional Technical Director for Lands as early as 25 June 1980;

2. the subject properties, located in Brgy. Sta. Elena, Municipality of Sto. Tomas, Batangas, are within the alienable and disposable zone, as classified under Project No. 30, Land Classification Map No. 582; and

3. there were three (3) buildings erected on Lot 1, while Lot 2 was vacant.²³

Forester Maglinao confirmed that she issued the Certifications²⁴ dated 05 October 2011 which verified that the subject properties were located in Sta. Elena, Sto. Tomas, Batangas, and within the alienable and disposable zone.²⁵

Ruling of the MTC

In its 26 October 2012 Decision,²⁶ the MTC granted petitioner's application, thus:

WHEREFORE, premises considered, judgment is hereby rendered granting the instant Application, thus, title of applicant Dela Torre & Co., Inc. to the subject parcels of land is hereby CONFIRMED.

That upon finality of this Decision, let the corresponding Decree of Registration and Certificate of Title be issued to the applicant pursuant to Section 39 of PD 1529.

Let copies of this Decision be furnished to the proper government agencies for its/their implementation.

SO ORDERED.²⁷

It held that based on the evidence adduced by petitioner, it was able to sufficiently prove its imperfect title over the subject properties, which can be confirmed and deemed proper for registration under PD 1529.²⁸

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²³ *Id.*

²⁴ *Id.* at 76-77.

²⁵ *Id.* at 181-183, TSN dated 11 October 2011, pp. 19-21.

²⁶ *Rollo*, pp. 49-56.

²⁷ *Id.* at 56.

²⁸ *Id.*

The Republic of the Philippines (the Republic), through the Office of the Solicitor General (OSG), moved for reconsideration, but the MTC denied the same. Accordingly, the Republic appealed.²⁹

Ruling of the CA

The CA, in its 20 July 2017 Decision, granted the appeal, the dispositive portion of which stated:

WHEREFORE, the instant appeal is **GRANTED**. Accordingly, the assailed Decision of the Municipal Trial Court of Santo Tomas, Batangas, in LRA MTC Case No. 2008-008 LRA Record No. N-79277, is **REVERSED** and **SET ASIDE**. The application for registration filed by Dela Torre and Co., Inc. is **DENIED**.

SO ORDERED.³⁰

According to the CA, although petitioner was able to show that the subject properties were alienable and disposable in nature, it was still not entitled to registration either under Section 14(1) or Section 14(2) of PD 1529.

The CA pointed out that the earliest tax declaration presented by petitioner was issued only in 1948, and it cannot even be ascertained whether such tax declaration covered the subject properties since it pertained to a coco land located in San Pablo, Santo Tomas, Batangas, with an area of 41,862 square meters, whereas the subject properties consisted of a total area of 14,487 square meters, and situated in Sta. Elena, Sto. Tomas, Batangas.³¹ It added that the defect in the tax declaration could not have been cured by the testimony of Eпитacio, as the latter was only seven (7) years old in 1949, when he allegedly came to know that the subject properties supposedly belonged to Patricia.³²

It likewise found petitioner ineligible for registration of title under Section 14(2) of PD 1529 in the absence of proof that the subject properties have been declared to be no longer intended for public use or for the development of national wealth by law enacted by Congress or by a proclamation issued by the President.³³

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²⁹ *Id.* at 37.

³⁰ *Id.* at 44.

³¹ *Id.* at 42-43.

³² *Id.* at 43-44.

³³ *Id.* at 44.

Petitioner's Motion for Reconsideration of the Decision Promulgated on July 20, 2017³⁴ was denied by the CA, hence, it filed the present petition with the following assignment of errors for Our consideration, viz.:

I

THE COURT OF APPEALS ERRED IN HOLDING THAT THE PETITIONER IS NOT ENTITLED TO THE REGISTRATION OF THE SUBJECT PARCELS [OF LAND] IN ITS NAME UNDER SECTION 14 (1) OF THE PROPERTY REGISTRATION DECREE.

II

THE COURT OF APPEALS ERRED IN HOLDING THAT THE SUBJECT PARCELS OF LAND ARE INELIGIBLE FOR LAND REGISTRATION UNDER SECTION 14 (2) OF THE PROPERTY REGISTRATION DECREE.³⁵

Ruling of the Court

The petition lacks merit.

It is a fundamental rule in land registration cases that a person who seeks the registration of title to a piece of land on the basis of possession by himself and his predecessors-in-interest must prove his claim by clear and convincing evidence, *i.e.*, he must prove his title and should not rely on the absence or weakness of the evidence of the oppositors.³⁶ Hence, the burden of proof in land registration cases rests on the applicant who must show by clear, positive and convincing evidence that his alleged possession and occupation of the land is of the nature and duration required by law.³⁷

Section 14 of PD 1529 enumerates those who may file an application for registration of land based on possession and occupation of a land of the public domain.³⁸ Each paragraph thereof refers to a distinct type of application depending on the applicable legal ground. Since each type is governed by its own set of legal

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³⁴ *Id.* at 201-209.

³⁵ *Id.* at 18.

³⁶ *See Republic of the Philippines vs. East Silverlane Realty Development Corporation*, G.R. No. 186961, 20 February 2012, 682 Phil. 376-397 (2012) [Per J. Reyes].

³⁷ *See Ong vs. Republic*, G.R. No. 175746, 12 March 2008, 571 Phil. 588-596 (2008) [Per J. Ynares-Santiago].

³⁸ *See Republic of the Philippines v. Zurbaran Realty and Development Corporation*, G.R. No. 164408, 24 March 2014, 730 Phil. 263-278 (2014) [Per J. Bersamin].

principles, the framework for analysis to be used in resolving an application would vary depending on the paragraph invoked.³⁹ Hence, it is important for the Court to first determine the exact legal ground used by an applicant for registration.⁴⁰

In the instant case, petitioner did not state the particular legal basis for its application. Presently, however, petitioner claims that based on the facts and evidence, it is entitled to a registration of the subject properties either through: (1) Section 14 (1), or judicial confirmation of imperfect title, because petitioner and its predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of the subject properties since 12 June 1945 or earlier; or (2) Section 14 (2) – acquisitive prescription, since petitioner and its predecessors-in-interest have been in possession of the subject properties for at least 30 years.

As correctly held by the CA, though, petitioner failed to sufficiently prove entitlement to registration through either means.

*Registration under Section
14(1) of PD 1529*

Registration under Section 14(1) of PD 1529 is based on possession and occupation of the alienable and disposable land of the public domain since 12 June 1945 or earlier, without regard to whether the land was susceptible to private ownership at that time. For registration under Section 14(1) to prosper, the applicant for original registration of title to land must establish the following: (1) the subject land forms part of the disposable and alienable lands of the public domain; (2) the applicants by themselves and their predecessors-in-interest have been in open, continuous, exclusive, and notorious possession and occupation thereof; and (3) the possession is under a *bona fide* claim of ownership since 12 June 1945, or earlier.⁴¹

On the first requirement, jurisprudence is clear that incontrovertible evidence must be presented to establish that the land subject of the application is alienable or disposable.⁴² The present rule thus requires the presentation, not only of the certification from the

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³⁹ See *Republic of the Philippines v. Nicolas*, G.R. No. 181435, 02 October 2017, 819 Phil. 31-52 (2017) [Per CJ. Sereno].

⁴⁰ *Id.*

⁴¹ See *Espiritu, Jr. vs. Republic of the Philippines*, G.R. No. 219070, 21 June 2017, 811 Phil. 506-524 (2017) [Per J. Mendoza].

⁴² See *Republic of the Philippines vs. Tri-Plus Corporation*, G.R. No. 150000, 26 September 2006, 534 Phil. 181-197 (2006) [Per J. Austria-Martinez].

CENRO/PENRO, but also the submission of a copy of the original classification approved by the DENR Secretary and certified as a true copy by the legal custodian of the official records.⁴³ It is not amiss to echo on this score the Court's pronouncement in *Espiritu v. Republic of the Philippines (Espiritu)*.⁴⁴ In said case, the Court stressed that strict compliance, as enunciated in *Republic of the Philippines v. T.A.N. Properties (T.A.N. Properties)*,⁴⁵ remains to be the governing rule in land registration cases. This rule was neither abandoned nor modified by the subsequent pronouncements in *Republic of the Philippines v. Serrano*⁴⁶ and *Republic v. Vega*⁴⁷ as these two (2) cases were mere *pro hac vice*. The Court further stressed in *Espiritu* that substantial compliance may be applied, at the discretion of the courts, only if they rendered their decision on the application prior to 26 June 2008, the date of the promulgation of *T.A.N. Properties*.

In this case, the MTC and the CA similarly concluded that petitioner duly proved that the subject properties are alienable and disposable with its presentation of CENRO certification, as well as the certified true copy of the Land Classification Map No. 582.⁴⁸ The Court affirms such factual finding, there being no showing that it was arrived at arbitrarily or erroneously.

Nonetheless, petitioner's evidence failed to show that petitioner and its predecessors-in-interest have been in open, continuous, exclusive and notorious possession under a *bona fide* claim of ownership of the subject properties dating back to 12 June 1945 or earlier.

The MTC erroneously concluded that the alleged 1948 Tax Declaration No. 2422⁴⁹ in the name of Patricia suffices to comply with the requirement on the length of time of possession.⁵⁰ The law clearly states that possession should date back to 12 June 1945 or *earlier*, not *later*. In this regard, it bears noting that said tax declaration was merely mentioned in the TSN dated 26 April 2011, but a copy thereof does not form part of the annexes of the petition at bar. Petitioner asserts that it was Exhibit "AA" of its application,⁵¹ as per its Formal

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⁴³ *Supra* at note 41.

⁴⁴ *Id.*

⁴⁵ G.R. No. 154953, 26 June 2008, 578 Phil. 441-564 (2008) [Per J. Carpio].

⁴⁶ G.R. No. 183063, 24 February 2010, 627 Phil. 350-362 (2010) [Per J. Carpio-Morales].

⁴⁷ G. R. No. 177790, 17 January 2011, 654 Phil. 511-528 (2011) [Per J. Sereno].

⁴⁸ *Rollo*, pp. 55 and 42-43.

⁴⁹ *Rollo*, p. 151; mentioned in TSN dated 26 April 2011, but not attached to the petition.

⁵⁰ *Id.* at 55.

⁵¹ *Id.* at 21.

Offer of Exhibits,⁵² but a perusal of Exhibit “AA”⁵³ on hand shows that it is unnumbered, and effective 1955, with “7-28-55” indicated therein. It is also stated therein that it was revised by Tax Declaration No. 15688,⁵⁴ which was issued in 1958.

In the absence of said 1948 tax declaration, the earliest that petitioner can establish possession of the subject properties by its predecessors would be in 1955, which, to state the obvious, makes it even farther away from, and much later than the 12 June 1945 cut-off set by law. Clearly then, the pieces of documentary evidence relied upon by petitioner cannot prove possession in the period required by law.

On a related point, the Court agrees with the CA that the testimony of Eptacio cannot help petitioner’s cause. He claimed that he has been a resident of Sta. Elena since his birth in 1942,⁵⁵ and learned about Patricia’s supposed ownership in 1949.⁵⁶ Not only is his statement hearsay since the information came from his mother, it also could not establish that Patricia, at that time, had *bona fide* claim of ownership of the subject properties since 1945 or earlier. Surely, a seven-year old child would not be in a position to personally know such fact. It is also difficult to give enough credence to Eptacio’s assertions since he himself claimed that he could not remember certain information as he was still too young during the relevant time period.⁵⁷

Finally, the Court subscribes to the OSG’s posture that petitioner likewise failed to establish open, continuous, exclusive and notorious possession and occupation of the subject properties.

To recall, petitioner’s evidence showed that Patricia was the first occupant of the subject property. Eptacio testified that during Patricia’s lifetime, the subject properties were planted with rice, corn and hundreds of coconut trees, but he did not claim that it was Patricia who cultivated them. He likewise claimed that Junior Lantin took over the possession of the subject properties when Patricia died. However, nothing on record can establish when and how said Junior Lantin obtained possession of the subject properties and exercised acts of ownership thereon. With respect to Liduvina’s possession, Eptacio

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⁵² *Id.* at 57-67.

⁵³ *Id.* at 78.

⁵⁴ *Id.* at 79, Annex “BB” of the application.

⁵⁵ *Id.* at 127; TSN dated 19 October 2010.

⁵⁶ *Id.* at 128-130.

⁵⁷ *Id.* at 131-132.

claimed that he never saw Liduvina occupy the subject properties by herself, while her caretaker took over cultivation of the subject properties only in 1985 by planting fruit trees thereon.⁵⁸ Further, it bears to point out that the tax declarations in the name of Patricia were only for the years 1955 and 1958, while Tax Declaration No. 26-028-0390 in the name of Liduvina was effective for 1989, and only for Lot 2. Notably, petitioner did not present any tax declaration in the name of Junion Lantin.

These unaccounted gaps, showing lack of continuity in the possession of the subject properties under *bona fide* claim of ownership, militate against petitioner. In *Republic of the Philippines v. Manahan-Jazmines*,⁵⁹ the Court held that testimony regarding mere casual cultivation, without any specific detail regarding the manner of cultivating or grazing the land, cannot establish the *bonafide* claim of ownership. Moreover, intermittent and sporadic assertion of alleged ownership does not prove open, continuous, exclusive and notorious possession and occupation.

From the foregoing, the ineluctable conclusion is that petitioner cannot seek registration of the subject properties under Section 14(1) of PD 1529 as it utterly failed to establish the existence of all the requirements thereof.

*Registration under Section
14(2) of PD 1529*

Neither can petitioner successfully avail of Section 14(2) of PD 1529.

Petitioner's invocation of *Republic v. Naguit (Naguit)*⁶⁰ is utterly misplaced. Although the Court pronounced therein that once a property is declared as alienable and disposable, there is already an intention on the part of the State to abdicate its exclusive prerogative over the property,⁶¹ such statement should be read in its proper context. To be sure, *Naguit* involved an application for registration under Section 14(1), not 14(2). Section 14(1) categorically allows registration of alienable public lands of the public domain, while Section 14(2) expressly prohibits the same as it covers "private

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⁵⁸ *Id.* at 134-135.

⁵⁹ G.R. No. 227388, 23 July 2018 [Per J. Gesmundo], citing *Wee v. Republic*, G.R. No. 177384, 08 December 2009, 622 Phil. 944 (2009) [Per J. Del Castillo].

⁶⁰ G.R. No. 144057, 17 January 2005, 489 Phil. 405-420 (2005) [Per J. Tinga].

⁶¹ *Rollo*, p. 28.

property” only.⁶² Accordingly, contrary to petitioner’s erroneous posture, the fact that the subject properties are alienable and disposable in nature is not enough for the registration of land under Section 14(2) of PD 1529.⁶³

Indeed, as Section 14(2) [of PD 1529] categorically provides, only private properties may be acquired thru prescription, and under Articles 420 and 421 of the Civil Code, only those properties which are not for public use, public service or intended for the development of national wealth are considered private.⁶⁴ In other words, properties of the public dominion, or those owned by the State, are expressly excluded by law from this general rule on acquisitive prescription, unless they are proven to be *patrimonial* in character.⁶⁵

As such, before prescription can even begin to run against the State, the following conditions must concur to convert the subject land into patrimonial property:

1. The subject lot must have been classified as agricultural land in compliance with Sections 2 and 3 of Article XII of the Constitution;
2. The land must have been classified as alienable and disposable;
3. There must be a declaration from a competent authority that the subject lot is no longer intended for public use, thereby converting it to patrimonial property.

Only when these conditions are met can applicants begin their public and peaceful possession of the subject lot in the concept of an owner.⁶⁶

In the instant case, as aptly underlined by the CA, petitioner miserably failed to prove that the subject properties had already become patrimonial property by express declaration of the State.

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⁶² See *Tan v. Republic of the Philippines*, G.R. No. 193443, 16 April 2012, 685 Phil. 721-733 (2012) [Per J. Reyes], citing *Heirs of Malabanan v. Republic of the Philippines*, G.R. No. 179987, 29 April 2009, 605 Phil. 244-326 (2009) [Per J. Tinga]; and *Republic of the Philippines v. East Silverlane Realty Development Corporation*, *supra* at note 36.

⁶³ *Supra* at note 41.

⁶⁴ *Republic of the Philippines v. Cortez*, G.R. No. 186639, 05 February 2014, 726 Phil. 212-228 (2014) [Per J. Reyes].

⁶⁵ *Supra* at note 39.

⁶⁶ *Republic of the Philippines vs. Tan*, G.R. No. 199537, 10 February 2016, 780 Phil. 764-778 (2016) [Per J. Brion].

Petitioner failed to point to the pertinent declaration in the form of a law duly enacted by Congress or a Presidential Proclamation, in cases where the President is duly authorized by law, converting said land to patrimonial property.⁶⁷

Considering the absence of sufficient evidence that the subject properties are already patrimonial properties of the State, the same remain part of public dominion, and thus immune from acquisitive prescription.⁶⁸ Again, a mere declaration by government officials that a land of the public domain is already alienable and disposable, as in this case, would not suffice for purposes of registration under Section 14(2) of PD 1529.⁶⁹

Furthermore, even conceding that petitioners and its predecessors-in-interest have been in possession of the subject properties for 30 years or so, this is of no moment since acquisitive prescription would only begin to run from the time that the State officially declares that the public dominion property is no longer intended for public use, public service, or for the development of national wealth.⁷⁰

All the foregoing considered, the CA clearly did not commit reversible error in denying petitioner's application for registration.

WHEREFORE, premises considered, the instant Petition for Review on Certiorari is hereby **DENIED**. The Decision dated 20 July 2017 and Resolution dated 31 July 2018 promulgated by the Court of Appeals in CA-G.R. CV No. 105261 are **AFFIRMED**.

The manifestation with notice of change of firm name, by Atty. Junita N. Dayao-Gomos of Dayao-Gomos Law Office, counsel for petitioner, stating that the lawyer who prepared the petition of this case, Atty. Jose Alfonso M. Gomos, has been appointed to the judiciary and has severed ties with their firm, and consequently, the firm is now operating under the new name Dayao-Gomos Law Office with the same address and contact details, is **NOTED**; and Atty. Junita N. Dayao-Gomos is hereby required to **SUBMIT**, within five (5) days from notice hereof, a soft copy in compact disc, USB or e-mail containing the PDF file of the signed manifestation pursuant to A.M. Nos. 10-3-7-SC and 11-9-4-SC.

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⁶⁷ See *Republic of the Philippines v. Rizalvo, Jr.*, G.R. No. 172011, 07 March 2011, 659 Phil. 578-591 (2011) [Per J. Villarama, Jr.].

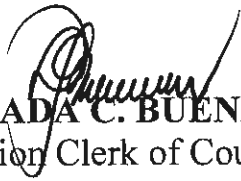
⁶⁸ *Supra* at note 65.

⁶⁹ *Supra* at note 64.

⁷⁰ *Id.*

SO ORDERED.” *Carandang, J., on official leave.*

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court
42116

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
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Court of Appeals (x)
Manila
(CA-G.R. CV No. 105261)

The Solicitor General
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The Hon. Presiding Judge
Municipal Trial Court
Sto. Tomas, 4234 Batangas
(LRA MTC No. 2008-008)
[LRA Record No. N-79277]

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