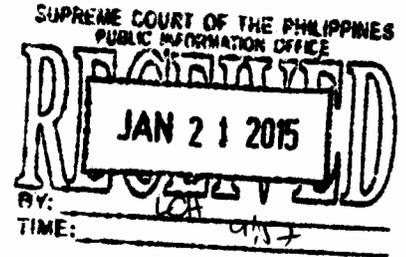




Republic of the Philippines
Supreme Court
Manila

EN BANC

NOTICE



Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated NOVEMBER 25, 2014, which reads as follows:

“G.R. No. 206681 - ARANGKADA SAN JOSEÑO POLITICAL PARTY, REPRESENTED BY ITS SECRETARY GENERAL, MR. ZOSIMO B. LORENZO, Petitioner v. COMMISSION ON ELECTIONS and IMELDA A. PAPIN, Respondents.

Before the Court is the petition for *certiorari* and prohibition to nullify the resolution issued on April 22, 2013 by Commission on Elections *En Banc* (COMELEC)¹ that reversed and set aside the resolution issued on January 31, 2013 by the COMELEC Second Division.²

The petition stemmed from the filing by respondent Imelda Papin of her Certificate of Candidacy (COC) for Representative of the Lone District of San Jose Del Monte City, Bulacan in the May 2013 elections. It appears that Papin indicated therein that she resided in Barangay San Manuel, San Jose Del Monte City.³

On October 10, 2012, petitioner Arangkada San Joseño Political Party (Arangkada) filed a Petition to Deny Due Course To or Cancel Papin’s COC, claiming that Papin could not be a resident of San Jose Del Monte City for six years because she had indicated in her COC for the position of Senator in the 2010 National Elections that she had been a resident of North Fairview, Quezon City; and that she had used the same residence in the Articles of Incorporation of QueenChem Philippines Corporation that she had established.⁴

¹ *Rollo*, pp. 28-39.

² *Id.* at 126-135.

³ *Id.* at 29.

⁴ *Id.* at 9.

On January 31, 2013, the COMELEC Second Division issued a resolution granting Arangkada's petition, and ordering the cancellation of Papin's COC on the ground that she had committed false material representation under Section 78 of the *Omnibus Election Code* by her allegations, admissions and evidence showing multiple changes of her residence, which changes were inconsistent with her claim that she had established her residence in San Jose Del Monte City, Bulacan for six years.⁵

The COMELEC *En Banc* reversed the resolution of the Second Division, and instead held that the changes in her residence manifested Papin's intention to abandon Quezon City as her domicile and to establish her new domicile of choice in San Jose Del Monte City, Bulacan. It found that her lease of a property at Block 2, Lot 10, Diamond Crest Village, Barangay San Manuel, San Jose Del Monte City, Bulacan, and the purchase of a residential property located at Block 20, Lot 17, San Lorenzo Street, Pleasant Hills Subdivision, Barangay San Manuel, San Jose Del Monte City on May 10, 2012 sufficiently complied with the one-year residency requirement;⁶ and that she had made no deliberate attempt to misrepresent her residence in her COC because she believed in good faith that she had transferred her domicile to San Jose Del Monte City, rendering her eligible to seek the congressional post in the May 2013 elections.⁷

Hence, the petition for *certiorari* and prohibition,⁸ in which Arangkada contends that the COMELEC *En Banc* gravely abused its discretion in reversing the resolution of the Second Division to find and declare that: (1) Papin had abandoned Quezon City in favor of San Jose Del Monte City; (2) she had complied with the one-year residency requirement; and (3) she had committed no deliberate attempt to misrepresent her residence in the COC.⁹

We dismiss the petition.

The proclamation of Arturo Bardillon Robes as the winning candidate for Representative of the Lone District of San Jose Del Monte, Bulacan¹⁰ rendered moot the issue of whether Papin was qualified to run for said position. It is settled that a petition for *certiorari* and prohibition may be dismissed for its mootness when there no longer exists any actual

⁵ Supra note 2.

⁶ Id. at 35.

⁷ Id. at 38.

⁸ Id. at 3-25.

⁹ Id. at 6.

¹⁰ Id. at 275.



controversy between the parties, such that resolving the petition on its merits would no longer serve any useful purpose.¹¹

WHEREFORE, the Court **DISMISSES** the petition for *certiorari* and prohibition for being **MOOT AND ACADEMIC**. No pronouncement on costs of suit.” Brion, J., on leave. Perlas-Bernabe, J., on official leave.
(27)

Very truly yours,


ENRIQUETA E. VIDAL
Clerk of Court

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Supreme Court

G.R. No. 206681
wmd 112514 (27) 11415

¹¹ *Quiño v. Commission on Elections*, G.R. No. 197466, November 12, 2012, 685 SCRA 371, 380-381.