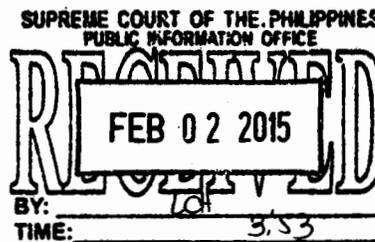




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated November 10, 2014 which reads as follows:

“G.R. No. 213772 (Patria Fragante [deceased], substituted by her heirs Mariz Recinto y Fragante, Josefina Fragante, and Noralyn F. Allen v. Melchora M. Enriquez). - The petitioners’ motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.

After a judicious perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the November 28, 2013¹ and August 14, 2014 Resolutions² of the Court of Appeals (CA) in CA-G.R. SP No. 132590 for failure of Patria Fragante (deceased), substituted by her heirs Mariz Recinto y Fragante, Josefina Fragante, and Noralyn F. Allen (petitioners) to sufficiently show that the CA committed any reversible error in denying their petition for *certiorari* for failure to file a motion for reconsideration prior to filing of the same.

It is settled that the filing of a motion for reconsideration is a condition precedent to the filing of a petition for *certiorari* in order to afford an opportunity for the correction of the error or mistake complained of.³

- over – two (2) pages

¹ *Rollo*, pp. 50-52. Penned by Associate Justice Amelita G. Tolentino with Associate Justices Ricardo R. Rosario and Leoncia R. Dimagiba, concurring.

² *Id.* at 54. Penned by Associate Justice Ricardo R. Rosario with Associate Justices Apolinario D. Bruselas, Jr. and Leoncia Real-Dimagiba, concurring.

³ *PIDL Tranco Service Enterprises, Inc. v. Philtranco Workers Union-Association of Genuine Labor Organizations*, G.R. No. 180962, February 26, 2014.

Neither did the CA err in dismissing the petition based on the following grounds: (1) failure to file an affidavit of service attached to the petition;⁴ (2) failure to show in the Verification/Certification that petitioner ~~Mariz F. Recinto~~ was duly authorized to sign the petition for and in behalf of the other petitioners;⁵ and (3) failure of petitioners' counsel to indicate the date of the issuance of his Mandatory Continuing Legal Education (MCLE) exemption.⁶

SO ORDERED. SERENO, C.J., on official travel; DEL CASTILLO, J., acting member per S.O. No. 1862 dated November 4, 2014. BERSAMIN, J., on official travel; VELASCO, JR., J., acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court

Atty. Manuel R. Bustamante
Counsel for Petitioners
31 11th Drive, Baesa
1401 Caloocan City

Court of Appeals (x)
Manila
(CA-G.R. SP No. 132590)

SAN BEDA LEGAL AID BUREAU
Counsel for Respondent
San Beda College of Law
Mendiola 1000 Manila

The Hon. Presiding Judge
Regional Trial Court, Br. 125
1400 Caloocan City
(Civil Case No. C-18234)

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Supreme Court

SR

⁴ See Section 3, Rule 46 of the Rules of Court.

⁵ Id.

⁶ "Re: Number and date of MCLE Certificate of Completion/Exemption required in all pleadings or motions," Bar Matter No. 1922, June 3, 2008.