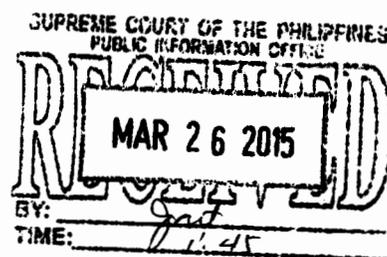




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated February 23, 2015 which reads as follows:

“G.R. No. 213890 (Johlyn L. Mendoza v. Center for Health Services, Inc. and/or Dr. Reynaldo Mariano). – The entry of appearance of Atty. Hernan G. Nicdao as counsel for petitioner is **NOTED**, and the prayer that all notices, processes and pleadings of this case be sent at Rm. 304, Cecileville Bldg., 1203-1211 Quezon Avenue, Quezon City is **GRANTED**.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the June 26, 2014 Decision¹ and August 15, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 133923 for failure of Johlyn L. Mendoza (petitioner) to show that the CA committed any reversible error in upholding the dismissal of her complaint for regularization, illegal dismissal, and money claims against respondents Center for Health Services, Inc. and its president Dr. Reynaldo Mariano.

As correctly ruled by the CA, petitioner was not a regular employee of respondents, but rather, a fixed-term employee, considering that: (a) she knowingly and voluntarily agreed to a fixed-term employment with respondents as evidenced by the fixed-term contracts which she voluntarily signed; and (b) it satisfactorily appears that she and respondents dealt with

- over - three (3) pages

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¹ *Rollo*, pp. 32-43. Penned by Associate Justice Isaias P. Dicedican with Associate Justices Michael P. Elbinias and Victoria Isabel A. Paredes, concurring.

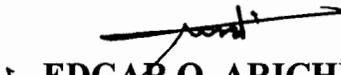
² *Id.* at 29-31.

each other on more or less equal terms with no moral dominance exercised by the latter on the former.³ It is settled that findings of fact of the labor tribunals, as affirmed by the CA, are generally binding and conclusive upon the Court,⁴ and are not to be disturbed unless they fall under the recognized exceptions,⁵ which do not obtain in this case.

The Court hereby **AWAITS** the petitioner's submission of a soft copy of the signed motion for extension of time to file a petition for review on certiorari pursuant to the Resolution dated October 13, 2014.

SO ORDERED."

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *pk 3/13*
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Pasong Tamo 1107 Quezon City

Court of Appeals (x)
Manila
(CA-G.R. SP No. 133923)

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COMMISSION
PPSTA Bldg., Banawe St.
1100 Quezon City
(NLRC LAC No. 01-000464-12
[RA-08-13]; NLRC NCR Case
No. 06-09615-11)

*For this Resolution only.

- over -

³ See *GMA Network, Inc. v. Pabriga*, G.R. No. 176419, November 27, 2013, 710 SCRA 690, 709-710; citation omitted.

⁴ *Acevedo v. Advanstar Company, Inc.*, 511 Phil. 279, 287 (2005).

⁵ *Cirtek Employees Labor Union-Federation of Free Workers v. Cirtek Electronics, Inc.*, G.R. No. 190515, June 6, 2011, 650 SCRA 656, 660.

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