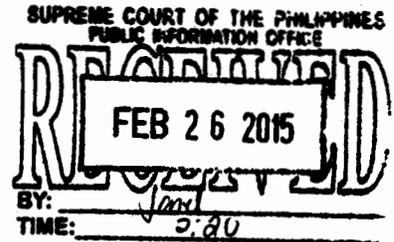




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **January 26, 2015** which reads as follows:*

**‘G.R. No. 214387 (Catalino A. Soto v. People of the Philippines and Rezolito Paño)’**.- The petitioner’s 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 October 8, 2013 Decision<sup>1</sup> and September 18, 2014 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. CR No. 34048 for failure of Catalino A. Soto (petitioner) to show that the CA committed any reversible error in finding him guilty of reckless imprudence punished under Article 365 of the Revised Penal Code.

The question of whose negligence (whether that of petitioner or Ejercito A. Olaguera) caused the collision which injured the victim, respondent Rezolito Paño, is basically a question of fact which, as a general rule, is beyond the scope of a petition for review on *certiorari* under Rule 45 of the Rules of Court,<sup>3</sup> subject to certain exceptions, which do not obtain in the instant case.<sup>4</sup>

- over – two (2) pages .....

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\* “Pano” in some parts of the record.

<sup>1</sup> *Rollo*, pp. 25-34. Penned by Associate Justice Nina G. Antonio-Valenzuela with Associate Justices Stephen C. Cruz and Michael P. Elbinias, concurring.

<sup>2</sup> *Id.* at 35-36.

<sup>3</sup> *Estate of Pastor M. Samson v. Susano*, G.R. Nos. 179024 & 179086, May 30, 2011, 649 SCRA 345, 366; citations omitted.

<sup>4</sup> “[W]hen the conclusion is a finding grounded entirely on speculation, surmises or conjectures, or if the findings of fact are conclusions without citation of specific evidence on which they are based.” (*Id.*; citations omitted.)

