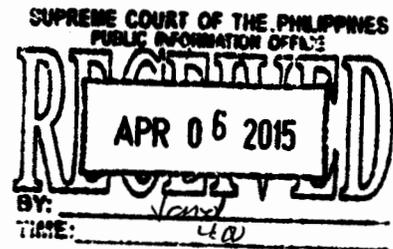




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 16, 2015** which reads as follows:*

“G.R. No. 215618 (Ma. Rosario Detalla v. AFP General Insurance Corporation). – 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 review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the April 22, 2014 Decision¹ and November 27, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 90274 for failure of Ma. Rosario Detalla (petitioner) to show that the CA erred in finding that she was not denied due process.

As correctly held by the CA, petitioner failed to sufficiently establish that she was denied the opportunity to present her case in court as shown by her filing of a motion for extension within which to file her Answer to respondent AFP General Insurance Corporation’s Complaint for Collection of Sum of Money. Jurisprudence teaches that a party cannot feign denial of due process if it has been afforded the opportunity to present its side. What the law prohibits is the absolute absence of the opportunity to be heard.³

- over - two (2) pages

18

¹ *Rollo*, pp. 23-35. Penned by Associate Justice Leoncia Real-Dimagiba with Associate Justices Amelita G. Tolentino and Ricardo R. Rosario, concurring.

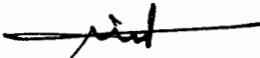
² *Id.* at 42-43. Penned by Associate Justice Leoncia Real-Dimagiba with Associate Justices Mariflor P. Punzalan Castillo and Ricardo R. Rosario, concurring.

³ *Lapulapu Development and Housing Corporation v. Group Management Corporation*, 437 Phil. 297, 314 (2002); citation omitted.

Moreover, petitioner failed to attach copies of the February 7, 2006 Decision and October 1, 2007 Order of the Regional Trial Court, material portions of the record as required under Section 4(d), Rule 45 of the Rules of Court, in relation to Section 5 of the same Rules, warranting the petition's dismissal altogether.

SO ORDERED. SERENO, C.J., on official travel; BRION, J., designated acting member per S.O. No. 1947 dated March 12, 2015.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court ^{m 2/17}
18

Atty. Victor R. De Guzman
Counsel for Petitioner
8963 Aranga St., San Antonio
Village
1203 Makati City

Court of Appeals (x)
Manila
(CA-G.R. CV No. 90274)

Atty. Rhenie S. Reñido
Counsel for Respondent
AFPGIC General Building
Col. Bonny Serrano Road cor. EDSA
1100 Quezon City

The Hon. Presiding Judge
Regional Trial Court, Br. 218
1100 Quezon City
(Civil Case No. Q-02-47236)

Public Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to A.M.
No. 12-7-1-SC)

Judgment Division (x)
Supreme Court

SR