

### Title: Angelita Lopez vs. Court of Appeals, et al.

### Facts:

The legal battle commenced on June 5, 1984, when petitioner Angelita Lopez, represented by her attorney-in-fact Priscilla L. Ty, filed an ejectment action against private respondent Antonio Murillo in the Metropolitan Trial Court (MTC) of Quezon City, under Civil Case No. 0045993. The authorization for Ty to act on Lopez's behalf was through a special power of attorney (SPA) executed in Oslo, Norway. The MTC recognized the SPA and rendered a verdict in Lopez's favor on November 25, 1984.

Murillo challenged the MTC ruling in the Regional Trial Court (RTC) of Quezon City, arguing the SPA's inadmissibility due to the lack of proof of its due execution and authenticity. The RTC reversed the MTC's decision on November 15, 1985, deeming the SPA inadmissible and therefore, concluding the case was not initiated by the real party-in-interest or their duly authorized representative. A subsequent motion for reconsideration by Lopez was denied on June 10, 1986.

Lopez escalated the matter to the Court of Appeals (CA) which treated her certiorari petition as a review petition, CA-G.R. No. SP-09452. The CA, on September 30, 1986, affirmed the lower court's decision, agreeing on the inadmissibility of the SPA for lack of proper authentication. A dissenting opinion by Justice Bienvenido Ejercito suggested the SPA, being publicly notarized, didn't require extra authentication. Lopez brought the case to the Supreme Court seeking review.

### Issues:

1. Whether a special power of attorney executed abroad and notarized by a foreign notary public is admissible in Philippine courts without further authentication.
2. Whether proceedings in lower courts can be nullified due to the inadmissibility of the special power of attorney.

### Court's Decision:

The Supreme Court found the SPA inadmissible in evidence due to non-compliance with Section 25, Rule 132 of the Rules of Court, which requires foreign public documents to be authenticated by Philippine embassy or consulate officials. Since Ty's authority via the SPA was not duly established, she wasn't qualified to prosecute the case on Lopez's behalf. Consequently, the absence of proper representation led to the nullification of all proceedings in the MTC, RTC, and CA. The Supreme Court dismissed the case, lifting the

temporary restraining order issued on February 9, 1987.

**### Doctrine:**

The Court reiterated the necessity of adhering to authentication requirements for foreign public documents under Section 25, Rule 132 of the Rules of Court. This ensures that a document executed in a foreign country and used in legal proceedings within the Philippines is admissible.

**### Class Notes:**

- **Authentication of Foreign Public Documents**: For a foreign public document to be admissible in Philippine courts, it must be authenticated by the designated Philippine embassy or consulate officials.
- **Special Power of Attorney (SPA)**: An SPA executed outside the Philippines needs to comply with Philippine legal requirements on authentication to grant authority to an agent acting on the principal's behalf in Philippine legal proceedings.
- **Rule 132, Section 25, Rules of Court**: Provides the procedures for proving an official record or document when it is admissible for any purpose, focusing on foreign documents' authentication process.
- **Legal Representation**: A suit must be filed by the real party-in-interest or their duly authorized representative. If authority is granted through an SPA executed abroad, proper authentication is pivotal.

**### Historical Background:**

This case underscores the challenges faced in cross-jurisdictional legal representation and documentation in the Philippines. It highlights the strict requirements for foreign documents' authentication for use in domestic legal proceedings, ensuring the integrity and reliability of such documents before Philippine courts.