

Title:

Casalla vs. People of the Philippines and Milagros S. Estevanes: A Review on the Formal Requirements of Motions and the Correct Remedy Against Orders of Execution in the Philippines

Facts:

Lamberto Casalla issued two checks as payment for his wife's obligations to Milagros Santos-Estevanes, which were dishonored due to insufficient funds. Estevanes filed criminal complaints for violation of the Bouncing Checks Law (BP 22). The Metropolitan Trial Court (MTC) of Pasig City convicted Casalla, a decision upheld by the Regional Trial Court (RTC) with modifications regarding subsidiary imprisonment. Casalla's subsequent motions for reconsideration were dismissed by the RTC due to procedural defects, triggering the issuance of a writ of execution. Casalla appealed to the Court of Appeals via a petition for review, which was denied due to late filing and procedural errors. His motion for reconsideration to the appellate court was also denied, leading to the Supreme Court petition.

Issues:

1. Whether the requirement of a notice of hearing applies to motions for reconsideration filed in the RTC acting in its appellate jurisdiction.
2. Whether the RTC has the authority to issue a writ of execution.
3. Whether Casalla's procedural approach in challenging the RTC's decisions was correct.

Court's Decision:

1. **Notice of Hearing Requirement:** The Supreme Court upheld the requirement, emphasizing it is mandatory across all courts unless specified otherwise. The absence of such notice rendered Casalla's motion pro forma, not tolling the prescriptive period for filing an appeal.
2. **Authority for Writ of Execution:** While the Court didn't explicitly discuss the RTC's authority, it implied that Casalla's procedural errors, especially in filing inappropriate relief, overshadowed this contention.
3. **Proper Remedy:** The Supreme Court clarified that a petition for review under Rule 45 was incorrect against an order of execution, and instead, a special civil action under Rule 65 should have been filed. Thus, it affirmed the appellate court's decisions due to procedural missteps by Casalla.

Doctrine:

- The Court reinforced the doctrine that notices of hearing are critical for the processing of motions and that failure to comply with such procedural requirements renders motions pro forma, not affecting the running of the prescriptive period.
- It affirmed the principle that a petition for certiorari under Rule 65 is the correct recourse against orders for which no appeal is provided, including orders of execution, not a petition for review.

Class Notes:

- ****Notices of Hearing:**** The inclusion of a notice of hearing is a mandatory requirement for motions, critical for ensuring that motions are considered by courts. Absence of such notices can invalidate motions and affect litigants' rights to appeal.
- ****Correct Remedial Approach:**** When challenging orders that are not appealable, such as those denying motions for reconsideration or orders of execution, the appropriate remedy is a special civil action under Rule 65, not a petition for review under Rule 45.
- ****Procedural Compliance:**** This case emphasizes the importance of adhering to procedural rules in litigation, particularly in matters of appeal and relief seeking.

Historical Background:

The case underscores a pivotal aspect of Philippine jurisprudence regarding procedural requirements for motions and the appropriate courses of action against certain judicial decisions. It exemplifies the Supreme Court's stringent stance on procedural adherence, signifying its role in ensuring due process and orderly litigation.