

# **Bayot v. Court of Appeals and Vicente Madrigal Bayot**

### **Supreme Court of the Philippines, G.R. Nos. 155635 and 163979, September 21, 2007**

## **Facts**

**Marriage and Divorce Proceedings**

1. Vicente Madrigal Bayot and Maria Rebecca Makapugay Bayot were married on April 20, 1979, in Mandaluyong City.
2. They have a daughter, Marie Josephine Alexandra, born on November 27, 1982, in San Francisco, California.
3. In 1996, Maria Rebecca initiated divorce proceedings in the Dominican Republic, resulting in Civil Decree No. 362/96 on February 22, 1996, and later Civil Decree No. 406/97, finalizing property relations.
4. Maria Rebecca later files a petition to nullify their marriage in Makati City RTC but withdraws it shortly after.

**Support and Nullity Petition**

5. On March 21, 2001, Maria Rebecca filed another petition to nullify the marriage on grounds of Vicente's psychological incapacity and sought support pendente lite for herself and their daughter.
6. Vicente moved to dismiss the petition on grounds of lack of cause of action and claimed it was barred by the prior divorce judgment.

**RTC Ruling**

7. The RTC denied Vicente's motion to dismiss and granted Maria Rebecca's application for support pendente lite. Vicente filed for certiorari with the CA, questioning these orders.

**CA Rulings**

8. The CA issued a TRO and a writ of preliminary injunction, halting the implementation of the RTC's orders.
9. On March 25, 2004, the CA dismissed Civil Case No. 01-094 for failure to state a cause of action and reversed RTC orders regarding support pendente lite.

## **Issues**

1. **Certiorari Petition (G.R. No. 155635)**  
- Did the CA err in enjoining the RTC's orders granting support pendente lite?
2. **Review Petition (G.R. No. 163979)**

- Did the CA err in dismissing the nullity petition based on the alleged lack of a cause of action?
- Could Maria Rebecca still claim Filipino citizenship at the time of obtaining the foreign divorce decree?
- Can the Dominican Republic divorce decree be recognized and given legal effect in the Philippines?

#### ## **Court's Decision**

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##### 1. **Maria Rebecca's Citizenship and Divorce Validity:**

- **Citizenship:** At the time of the divorce, Maria Rebecca was an American citizen, as shown through her birth in Guam (jus soli), the marriage certificate, a U.S. passport, and her consistent representation as an American. The 2000 affirmation by the Secretary of Justice was not retroactive.
- **Valid Divorce:** With her American citizenship and U.S. laws recognizing divorce, the decree secured was valid.

##### 2. **Impacts of Divorce Decree:**

- **Effect on Legal Rights and Obligations:** The severance of marital ties protected Vicente from marital obligations post-divorce, including support.
- **Family Code Art. 26(2) Application:** Both Maria Rebecca and Vicente were free to remarry, applying the provision that allows for capacitating a Filipino spouse to remarry if a foreign divorce was obtained by the other.

##### 3. **Recognition of Dominican Republic Divorce by CA:**

- The CA properly recognized the foreign divorce and the subsequent property settlement.

##### 4. **Dismissal of Nullity Petition:**

- **Lack of Cause of Action:** Since the marriage had already been dissolved by a valid foreign divorce decree, there was no remaining marriage to nullify in the Philippines.

**G.R. No. 155635**

- **Moot Issue on Support Pendente Lite:** The validity of the nullity petition being dismissed negated grounds for pendente lite support. Thus, issue moot.

#### ## **Doctrine**

1. **Foreign Divorce Recognition:** Divorce obtained by an American citizen spouse is recognized in the Philippines as long as valid under their national law, freeing both parties

to remarry.

2. **Determination of Citizenship for Divorce Validity**: Citizenship at the time of obtaining the divorce is crucial for its validity, not citizenship at marriage.
3. **Cause of Action Requirement in Annulment**: A suit for declaration of nullity of marriage must show an existing marital relationship.

#### **## Class Notes**

- **Cause of Action Elements**: Legal right, defendant's obligation, and defendant's act violating the right.
- **Art 26 of the Family Code**: Recognizes Filipino capacitating to remarry after foreign spouse obtains valid divorce.
- **Extrinsic Validity of Foreign Judgments**: Jurisdiction, legal procedures, and recognition specifically cited under Rule 39, Sec. 48, 1997 Rules of Civil Procedure.

#### **## Historical Background**

This case exemplifies the interaction between Filipino family law and foreign divorce laws, particularly highlighting the complexities in establishing citizenship and the consequences of international marital dissolution.

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This analysis provides a comprehensive understanding of the case within the context of recognized legal principles relevant to Filipino and international family law.