

Title: **Remelita M. Robinson vs. Celita B. Miralles**

Facts:

Step-by-step Facts:

- Initial Borrowing:** On January 12, 2000, Remelita Robinson (petitioner) borrowed US\$20,054.00 from Celita Miralles (respondent) and they executed a Memorandum of Agreement to this effect.
- Complaint Filed:** On August 25, 2000, Miralles filed a complaint for the recovery of the borrowed sum against Robinson in the Regional Trial Court (RTC) of Parañaque City, docketed as Civil Case No. 00-0372.
- Summons and Service Issues:**
 - First Attempt:** Summons was initially served at Robinson's given address but Sheriff Maximo Potente reported on March 5, 2001, that Robinson no longer resided there.
 - Alias Summons:** On July 20, 2001, an alias summons was issued to be served at Robinson's new address in Alabang Hills, Muntinlupa City. However, Sheriff Potente was denied entry by the security guard, A.H. Geroche, who stated that Robinson instructed to not allow anyone to her house in her absence.
- Substituted Service:** The sheriff left a copy of the summons and complaint with the security guard, despite his refusal to sign.
- Motion to Declare in Default:** Miralles filed a motion to declare Robinson in default for failing to file an answer. On February 28, 2003, the court granted this motion, allowing Miralles to present evidence ex parte.
- Default Judgment:** On June 20, 2003, the RTC issued a decision in favor of Miralles, ordering Robinson to pay US\$20,054.00, the stipulated interest of 3% per month from May 2000, Php100,000.00 for moral damages, Php50,000.00 plus Php1,500.00 per appearance for attorney's fees, and costs of the suit.
- Writ of Execution:** On September 8, 2003, upon motion by Miralles, the trial court issued a writ of execution.
- Petition for Relief:** On September 26, 2003, Robinson filed a petition for relief from the default judgment, claiming improper service of summons, thus rendering the court's proceedings void.

****Procedural Posture:****

- The RTC denied Robinson's petition for relief on February 11, 2004.
- Robinson's motion for reconsideration was also denied on May 11, 2004.

Issues:

1. Whether the substituted service of summons upon Robinson was valid and effectual.
2. Whether the trial court acquired jurisdiction over Robinson.

Court's Decision:

****Issue 1: Validity of Substituted Service****

- The Supreme Court emphasized the necessity of complying strictly with the statutory requirements for substituted service. The Rules mandate that if personal service is not feasible, substituted service can be effected by leaving copies with a person of suitable age and discretion residing at the defendant's residence or office.
- The court found that service upon the security guard was valid given Robinson's explicit instructions to the security guard and her failure to refute receipt of the summons. Thus, under the circumstances, the substituted service on the security guard was considered proper.

****Issue 2: Trial Court's Jurisdiction****

- The court held that jurisdiction over Robinson was acquired by the RTC due to the valid substituted service, noting that strict interpretations of procedural rules should not frustrate substantial justice.

Doctrine:

- ****Substituted Service:**** For substituted service to be valid, personal service must first be attempted unsuccessfully. Substituted service should then be done by leaving summons with a person of suitable age and discretion residing at the party's residence or office. A defendant's intentional evasion cannot frustrate the service of summons.
- ****Jurisdiction:**** Proper service of summons is imperative for the court to acquire jurisdiction over the person of the defendant. Any deviation from the procedural requirements must be justified sufficiently.

Class Notes:

- ****Substituted Service (Rule 14, Sec. 7, 1997 Rules of Procedure):**** Substituted service may be used when personal service is impractical and must be made at the defendant's residence or business with a competent person.

- **Jurisdiction Through Summons:** The court cannot proceed without proper service of summons to the defendant, ensuring due process.

Historical Background:

This case is set against the backdrop of the Philippine judiciary's emphasis on balancing strict procedural rules with the pursuit of substantive justice. It highlights procedural adherence in the context of ensuring that court processes are not frustrated by evasive tactics, maintaining the balance between form and fairness.