

VIRGINIA R. GALLARDO, PETITIONER, V. ROSEMARIE LIRAZAN, RESPONDENT.

Ponente: BUESER, J.

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BUESER, J.:

Before this Court is a Petition for Review filed under Rule 42 of the Rules of Court assailing the Decision of the Regional Trial Court in the exercise of its appellate jurisdiction in Criminal Case Nos. 10-40803 to 40811 for violation of Batas Pambansa No. 22.[1]

However, a perusal of the instant petition reveals the following defects, to wit:

- Copies of the assailed 07 May 2012 Decision and 28 November 2013 of the Regional Trial Court, Branch 75, Antipolo City are mere photocopies[2];
- There is no Certification Against Forum Shopping; and
- Initiatory pleadings, particularly those filed before the Municipal Trial Court of Taytay, Rizal are not attached.

At this juncture, Section 2 of Rule 42 of the Rules of Court states that:

The petition shall be filed in seven (7) legible copies, with the original copy intended for the court being indicated as such by the petitioner, and shall (a) state the full names of the parties to the case, without impleading the lower courts or judges thereof either as petitioners or respondents; (b) indicate the specific material dates showing that it was filed on time; (c) set forth concisely a statement of the matters involved, the issues raised, the specification of errors of fact or law, or both, allegedly committed by the Regional Trial Court, and the reasons or arguments relied upon for the allowance of the appeal; (d) be accompanied by clearly legible duplicate originals or true copies of the judgments or final orders of both lower courts, certified correct by the clerk of court of the Regional Trial Court, the requisite number of plain copies thereof and of the pleadings and other material portions of the record as would support the allegations of the petition.

The petitioner shall also submit together with the petition a certification under oath that he has not theretofore commenced any other action involving the same issues in the Supreme Court, the Court of Appeals or different divisions thereof, or any other tribunal or agency; if there is such other action or proceeding, he must state the status of the same; and if he should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, he undertakes to promptly inform the aforesaid courts and other tribunal or agency thereof within five (5) days therefrom. (Underscoring Ours)

Section 3 of the same rule states that the failure to comply with the requirements will be a sufficient ground to dismiss the petition, viz:

“The failure of the petitioner to comply with any of the foregoing requirements regarding the payment of the docket and other lawful fees, the deposit for costs, proof of service of the petition, and the contents of and the documents which should accompany the petition shall be sufficient ground for the dismissal thereof.”

WHEREFORE, in view of the foregoing, the instant petition is hereby DISMISSED.

SO ORDERED.

Zalameda[*] (Acting Chairperson) and Sempio Diy,[**] JJ., concur.

[*] Vice Justice De Guia-Salvador per Office Order No. 184-14-ABR dated May 5, 2014.

[**] Acting Junior Member per Office Order No. 187-14-ABR dated May 6, 2014.

[1] Rollo, p. 36

[2] Rollo, pp 83 & 126

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