

COMMUNITIES BULACAN, INC. (FORMERLY CROWN COMMUNITIES [BULACAN], INC.), PETITIONER, V. FE ESPINA, RESPONDENT.

Ponente: LOPEZ, J.

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LOPEZ, J.:

The instant petition for review under Rule 42 of the Rules of Court contains the following defects:

1. The Jurassic on (1) the Verification and Certification of Non-Forum Shopping and (2) the Affidavit of Service failed to indicate the province or city where the notary public is commissioned and his office address. These details are required to be indicated by Section 2, Rule VIII of the 2004 Rules on Notarial Practice.[1]
2. Only the original duplicate copy of one of decision for review, i.e. the Decision dated September 9, 2013 of the Regional Trial Court of Malolos City, Bulacan, Branch 14, is attached as Annex “A”. The certified true copy of the other Decision for review, i.e., the Decision dated April 16, 2012 of the Municipal Trial Court in Cities, Branch 1, Malolos City, Bulacan, is not attached.
3. The petition is not accompanied by material portions of the records, i.e. the entire records of the appealed Civil Case No. 502-M-2012 [Civil Case No. 11-15] filed before the Regional Trial Court of Malolos City, Bulacan, including all oral and documentary evidence.

Rule 42 of the Rules of Court provides:

SEC. 2. Form and contents. – 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 involves, 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 records as would support the allegations of the petition.

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SEC. 3. Effect of failure to comply with the requirements. – 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.

ACCORDINGLY, the petition for review is DISMISSED OUTRIGHT.

SO ORDERED.

Reyes, Jr., (Chairperson) and Inting, JJ., concur.

[1] RULE VIII, SEC. 2. Contents of the Concluding Part of the Notarial Certificate. – The notarial certificate shall include the following:

- (a) the name of the notary public as exactly indicated in the commission;
- (b) the serial number of the commission of the notary public;
- (c) the words “Notary Public” and the province or city where the notary public is commissioned, the expiration date of the commission, the office address of the notary public; and
- (d) the roll of attorney's number, the professional tax receipt number and the place and date of issuance thereof and the IBP membership number.

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