

SPO3 PEDRITO L. LEONARDO, PLAINTIFF-APPELLANT, VS. FLORDELIZA CARDENAS ABIOG, DEFENDANT-APPELLEE.

Ponente: ZALAMEDA, R.V., J.

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ZALAMEDA, R.V., J.:

On 11 August 2014, the Court issued a Notice[1] requiring plaintiff-appellant to file Appellant's Brief within FORTY-FIVE (45) days from notice, copy furnished counsel for defendant-appellee herein. The registry return card[2] shows that the notice was received by counsel for plaintiff-appellant on 26 August 2014, thus, the latter had until 05 October 2014 within which to file the Brief.

However, per CMIS Verification[3] dated 12 November 2014, no Appellant's Brief has yet been filed up to this date.

Section 1 (e) Rule 50 of the Rules of Court provides that the court, by motion of a party or motu proprio, may dismiss an appeal for failure of the appellants to file the required Brief within the prescribed period.

WHEREFORE, premises considered, the instant Appeal is deemed ABANDONED and, accordingly, DISMISSED. Consequently, this case is deemed CLOSED and TERMINATED.

SO ORDERED.

Bato, Jr., (Chairperson), and Sempio Diy, JJ., concur.

[1] Rollo, page 16.

[2] Id., dorsal portion.

[3] Id., see marginal notes.

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