

**VILLAFLORES COLLEGE, INC., REPRESENTED BY MR.
HERMENEGILDO C. ZERNA AND/OR MR. ENRICO Z. PILAS,
PLAINTIFF-APPELLEE, TERESITA PADA LIMBAGA,
DEFENDANT-APPELLANT.**

Ponente: LOPEZ, J.

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LOPEZ, J.:

This Court issued a Notice to File Brief[1] dated June 5, 2014 to counsel for defendant-appellant, Atty. Myrna Valderrama-Limbaga who received it on July 1, 2014, as stated in her Motion for Extension of Time to File Appellant's Brief[2] praying for an extension to file her brief until September 14, 2014 on the ground that she is saddled with other commitments in cases of equal importance.

In a Minute Resolution[3] issued on November 25, 2014, this Court resolved to grant the said motion.

Per Judicial Records Division (JRD) verification report[4] dated January 23, 2015, no appellant's brief was filed by defendant-appellant.

WHEREFORE, this Court resolves to DISMISS this instant appeal for failure of the defendant-appellant to file and serve the appellants' brief pursuant to Section 1 (e)[5] and (h)[6], Rule 50 of the 1997 Rules of Civil Procedure.

SO ORDERED.

Ingles, G.T. Chairperson and Lagura-Yap, M.B. JJ., concur

[1] Rollo, p. 28.

[2] Id., p. 29-30.

[3] Id., p. 32.

[4] Id., back of p. 33.

[5] Section 1. Grounds for dismissal of appeal. ---An appeal may be dismissed by the court of appeals, on its own motion or on that of the appellee, on the following grounds: xxx (e) Failure of the appellant to serve and file the required number of copies of his brief or memorandum within the time provided by these Rules; xxx

[6] Id., xxx (h) failure of the appellant to comply with the directives of the court without justifiable cause xxx

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