

ARNOLFO G. SEGUISABAL, PETITIONER, VS. SALESHE GIMENEZ BAKING, REP. BY DOMINDA GIMENEZ, RESPONDENT,

Ponente: LAGURA-YAP, J.

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LAGURA-YAP, J.:

In our Resolution dated August 15, 2013[1], We directed the petitioner to cure the noted defects within ten (10) days from notice and non-compliance therewith shall cause the dismissal of the petition.

On September 24, 2013, counsel of the petitioner filed a Manifestation of Compliance[2] stating that she received the Resolution dated August 15, 2013 on September 10, 2013 and she is preparing the necessary documents for compliance.

Upon verification, the Judicial Records Division (CA-JRD) made a report[3] that no compliance has been made by the petitioner as of February 18, 2014. The failure of the petitioner and neglect to comply with the Resolution dated August 15, 2013, or to take any necessary steps or action within a reasonable period of time despite the time frame given, clearly manifests a lack of interest to pursue the appeal.

WHEREFORE, pursuant to Section 1(h), Rule 504 of the Revised Rules of Court, the Petition is hereby DISMISSED.

SO ORDERED.

Lagura-Yap, and *Quijano-Padilla, JJ. concur.

* Acting Junior Member per Office Order No. 472-13-ABR dated December 12, 2013.

[1] Rollo, pages 81-83.

[2] Rollo, page 84.

[3] Rollo, dorsal portion of page 92.

[4] 1997 Rules of Civil Procedure Rule 50, 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 xxx xxx

(h) Failure of the appellant to appear at the preliminary conference under Rule 48 or to comply with orders, circulars, or directives of the court without justifiable cause; (Bold supplied)

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