

**JAMEELA C. GONZALES-RARA, PETITIONER-APPELLEE, VS.
CHRISTOPHER A. RARA, RESPONDENT,**

Ponente: BATO, JR., J.

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BATO, JR., J.:

This is an appeal brought by the Office of the Solicitor General ("OSG") from the Decision[1] dated May 20, 2011 ("Assailed Decision") issued by the Regional Trial Court (RTC) of Infanta, Quezon, Branch 65, in SP. Proc. No. 339-I[2] granting the Petition for Declaration of Absolute Nullity of Marriage filed by petitioner Jameela C. Gonzales-Rara (hereinafter referred to as "Jameela" or "petitioner").

In her Petition,[3] Jameela alleged that she met Christopher A. Rara (hereinafter referred to as "Christopher" or "respondent") through a common friend when they were in high school and their friendship blossomed into a romantic relationship in their early college days.[4] Even then, Jameela claimed, Christopher was already manifesting signs of being irresponsible.[5] In 2002, Jameela became pregnant by Christopher. On July 27, 2002, Christopher and Jameela were married in Infanta, Quezon.[6] On November 16, 2002, their daughter Mia Antonette was born.[7] Jameela maintained that during their marriage, Christopher continued to manifest the same irresponsibility, had vices, and lived as a single man who prioritized his friends and disregarded his family.[8] As a result, Jameela and Christopher would often fight.[9]

On May 15, 2005, Christopher and Jameela got into one of those fights when Jameela confronted Christopher about his decision to still go on a company trip even after she told him not to go because she was then pregnant with their second child and their eldest daughter was sick. Christopher allegedly told her she should have listened to him when he suggested to have their second child aborted because then he would only have one responsibility. Christopher then left the family dwelling and never returned.[10]

On July 26, 2005, Jameela gave birth to their second child Myko Alfonso.[11] Jameela claimed that during their separation, news of Christopher's extra-marital affairs reached her and was confirmed by Christopher's brother.[12] However, Jameela still hoped for reconciliation with Christopher so they met at SM Sta. Mesa mall where she found out from Christopher himself that he was in a relationship with another woman and that he wanted to start a new life with this other woman.[13] At another instance, when Jameela brought their daughter to see Christopher, he showed their daughter a picture of the other woman and asked if she wanted the latter to be her new mother.[14]

Jameela recounted that once when their daughter got sick, she sent Christopher a text message to ask him to help with the expenses for their daughter's care. Christopher refused, saying he had no money. Jameela then met Christopher's girlfriend and informed her that Christopher is married to her and that they have two children together. The girlfriend claimed that she did not know about the marriage because Christopher told her he was single.[15] That night, Jameela allegedly received a text message from Christopher threatening to kill her.[16] Subsequently, Jameela's father arranged to meet the girlfriend's family and told them about Christopher's circumstances. That night, Christopher called Jameela's family and threatened them.[17] At the Christening of Myko Alfonso, Jameela invited the girlfriend's mother, uncle and aunt. They told her that Christopher and the

girlfriend had already stopped seeing each other but the girlfriend was then pregnant by Christopher.[18] Christopher, on the other hand, did not attend their son's Christening.[19]

Jameela then sought legal counsel regarding her situation with Christopher and was advised to petition the Court for the declaration of the nullity of their marriage.[20]

On August 24, 2009, Jameela filed the Petition.[21] Summons[22] and a copy of the Petition was served upon respondent, thru his mother Edna Rara.[23] Respondent, however, failed to file his Answer. The RTC issued an Order[24] setting the pre-trial conference of the petition and directing the attending trial prosecutor to conduct an investigation to determine whether or not collusion exists between the parties in filing this petition. In compliance therewith, Associate Prosecutor Cherry May P. Avellano submitted her Report and Recommendation[25] that upon investigation, "it unequivocally appears that there exists non-collusion between the contending parties in filing this petition/complaint for declaration of nullity of marriage."

Subsequently, the OSG, through then Acting Solicitor General Alberto C. Agra, submitted to the RTC a Notice of Appearance[26] dated May 13, 2010, whereby the Office of the Provincial Prosecutor of Quezon (hereinafter referred to as the "Attending Trial Prosecutor") was authorized to appear for the OSG in the instant case.

On January 12, 2011, Dr. Nedy Tayag (hereinafter referred to as "Dr. Tayag") was presented before the Court as an expert witness[27] and her Judicial Affidavit[28] was adopted as her direct testimony. According to Dr. Tayag, she was able to personally meet petitioner and assess her psychological make-up and mental capacities to determine whether or not she is psychologically incapacitated to perform her marital obligation. A collaborative interview was also conducted through her informant Leonides Gonzales, petitioner's father. Through the data she gathered about respondent, Dr. Tayag was also able to come up with an assessment of his psychological attitude and to determine whether or not he is psychologically incapacitated to perform his essential marital obligations.[29] Dr. Tayag categorically declared both parties psychologically incapacitated to perform their marital obligations since petitioner is suffering from Avoidant Personality Disorder while respondent is suffering from Narcissistic and Anti-Social Personality Disorder.[30]

Describing the condition of petitioner, Dr. Tayag explained that petitioner is seen to be manifesting signs of Avoidant Personality Disorder[31] as seen in her pervasive patterns of social inhibition, feelings of inadequacy and sensitivity to negative evaluation. In their marriage, she just accepted the irresponsible ways of respondent, hoping against hope that he would change for the better. She did not undertake any effort to take the risk and to prevent him from his selfishness and irresponsible acts. Throughout their marriage, petitioner had shown restraint even in her intimate relationship with her husband, leaving her to suffer in the end when he proved to be a cad and uncaring man. Her inhibitions and self-doubt did not help matters and even became one of the factors that affected the union most. Although she had seen to the needs of their kids, her restraint and inhibition deterred her from meeting in the middle with her partner.[32]

Dr. Tayag surmised that the cause of petitioner's psychological incapacity is the ineffective family system to which she was raised. Petitioner experienced a lot of feelings of insecurities and inadequacies due to her being the middle born and the only daughter with two brothers who are both well accomplished in their own means. Because petitioner was forced to compete with her brothers' achievements to vie the constant favor of their parents, such behavior prevented her from taking risks in order to not make any mistakes which could result to losing their approval. Petitioner's actions persisted and she became truly inhibited, unable to explore other possibilities and opportunities. She was seen to be meek and timid, making her an easy target of abusive persons like the respondent whom she married. This psychological condition has become an integral part of what makes her who she is. Thus, it would be hopeless to mend and alter this behavioral pattern.[33]

On the other hand, people diagnosed with Narcissistic Personality Disorder, such as respondent, are known to have pervasive patterns of grandiosity in fantasy or behavior, need for admiration, and lack of empathy, beginning by early adulthood.[34] Meanwhile, the Anti-Social Personality Disorder is characterized by disregard for and violation of the rights of others as well as failure to conform to social norms with respect to lawful behaviors. This is indicated by repeatedly performing acts that are clearly immoral and socially-despised, and by consistent irresponsibility. This disorder is considered to be grave, severe, long-lasting and incurable.[35]

In this case, Dr. Tayag concluded that respondent had never been a good husband from the very start. He was unable to fulfill his roles of providing well to sustain the needs of his wife and kids as he was constantly hanging out with his peers. Dr. Tayag also pointed out that respondent also carried on affairs with other women. Respondent is further seen to be unperturbed with the feelings and needs of his partner and more interested in emotionally exploiting her.[36] According to Dr. Tayag, the root cause of aberration in respondent's psychological profile can be traced to his early developmental years where he was exposed to a maladaptive family set up and dysfunctional early role models.[37]

Dr. Tayag concluded that "[t]he psychological incapacity of the petitioner and respondent was already present even before the marriage ceremony especially because the root causes I have just described. There were already signals of this disorder before this marriage." [38]

On May 20, 2011, the RTC rendered the assailed Decision, the decretal portion of which reads:

WHEREFORE, in the light of the foregoing, judgment is hereby rendered ordering the following:

- a) the marriage of the petitioner with the respondent which was celebrated on July 27, 2002 at Infanta, Quezon, celebrated before a catholic rite and officiated by Rev. Fr. Lutgardo T. Evangelista is declared null and void ab initio pursuant under Article 36 of the Family Code of the Philippines;
- b) the care and custody of the couple's two (2) children namely: a) Mia Antonette and Myko Alfonso are given to the herein petitioner;
- c) the couple's absolute community of property/ies, if any, is ordered dissolved and to be liquidated in accordance with Articles 50 & 51 of the Family Code as implemented under the Rule on Liquidation, Partition and Distribution of Properties (Section 21 of A.M. 02-11-10-SC), and;
- d) the respondent is ordered to support their children namely Mia Antonette and Myko Alfonso, in the total amount of Eight Thousand Pesos (php8,000.00) per month for both children to be handed to the herein petitioner every first ten (10) days of every month and to begin immediately upon receipt of this decision by the respondent, and every month thereafter, subject to increase based upon the need of their children and upon order of this Court.

Let copies of this Decision be furnished the parties and their counsels, the Office of the Solicitor General and the attending public prosecutor to be served personally or by registered mail, whichever is applicable.

SO ORDERED.

On June 22, 2011, the OSG filed a Motion for Reconsideration of the assailed Decision which was resolved by the RTC in the Order[39] dated April 17, 2012 ("Assailed Resolution"), to wit:

WHEREFORE, premises considered, the Motion for Reconsideration filed by the Office of the Solicitor General praying for the setting aside of the Decision of this Court dated May 20, 2011, is DENIED for want of merit.

SO ORDERED.

Hence, this appeal brought by the OSG assigning the lone error on the part of the RTC in declaring the marriage of petitioner and respondent null and void on the ground of psychological incapacity of both parties.[40]

We resolve to grant the instant appeal.

At the outset, We note that the testimony proffered by Dr. Tayag on respondent's alleged psychological incapacity due to his psychological disorders deserves scant consideration. Dr. Tayag's report and testimony are hearsay evidence since she had no personal knowledge of the alleged facts she was testifying on.[41] As correctly pointed out by the OSG in their appeal, Dr. Tayag's findings were based on information supplied by petitioner and her relatives. Such information are clearly not from an objective source.[42] The finding of Dr. Tayag that respondent was raised by a dysfunctional and maladaptive family is hearsay as she neither met nor conducted interviews and tests on respondent or his parents. In fact, there is nothing on record to show that petitioner has submitted any evidence that she herself came to know respondent's family as a dysfunctional one.[43] Succinctly, Dr. Tayag's testimony should have been dismissed for being unscientific and unreliable.[44]

In a previous case entitled *Padilla-Rumbaua vs. Rumbaua*[45] for Declaration of Nullity of Marriage citing psychological incapacity, wherein Dr. Tayag was also presented as an expert witness, the Supreme Court opined:

We cannot help but note that Dr. Tayag's conclusions about the respondent's psychological incapacity were based on the information fed to her by only one side—the petitioner— whose bias in favor of her cause cannot be doubted. While this circumstance alone does not disqualify the psychologist for reasons of bias, her report, testimony and conclusions deserve the application of a more rigid and stringent set of standards in the manner we discussed above (citing *So v. Valera*, G.R. No.150677, June 5, 2009). For, effectively, Dr. Tayag only diagnosed the respondent from the prism of a third party account; she did not actually hear, see and evaluate the respondent and how he would have reacted and responded to the doctor's probes. (Emphasis supplied.)

Similarly, in accord with the Supreme Court's ruling in *Padilla-Rumbaua vs. Rumbaua*,[46] Dr. Tayag's conclusion in her Report that respondent's psychological incapacity is in the form of "Narcissistic and Anti-Social Personality Disorder which are considered to be grave, severe-chronic in proportion and incurable by any treatment,"[47] is an unfounded statement and is not a necessary inference from her previous characterization and portrayal of the respondent. While the various tests administered on petitioner could have been used as a fair gauge to assess her own psychological condition, this same statement cannot be made with respect to the respondent's condition. To make conclusions and generalizations on respondent's psychological condition based on the information fed by only one side is, to our mind, not different from admitting hearsay evidence as proof of the truthfulness of the content of such evidence.[48]

Be that as it may, even if the report and testimony of Dr. Tayag is given full evidentiary weight, this Court still finds that psychological incapacity on the part of either petitioner or respondent have not been proven to warrant the declaration of nullity of their marriage pursuant to Article 36 of the Family Code which states:

A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after its solemnization.

It is well-settled that the burden of proof to show the nullity of the marriage belongs to the petitioner.[49] The evidence must convince the Court that the parties, or one of them, was mentally or psychically ill to such an extent that the person could not have known the obligations he was assuming, or knowing them, could not have given valid assumption thereof.[50] Any doubt should be resolved in favor of the existence and continuation of the marriage and against its dissolution and nullity. This is rooted in the fact that both our Constitution and our laws cherish the validity of marriage and unity of the family.[51] Our Constitution unequivocally states:

Section 1. The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

Section 2. Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State. (Article XV, 1987 Constitution).

As reiterated in *Santos vs. Court of Appeals*,^[52] marriage is not just an adventure but a lifetime commitment. We should continue to be reminded that innate in our society, then enshrined in our Civil Code, and even now still indelible in Article 1 of the Family Code, is that —

Article 1. Marriage is a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life. It is the foundation of the family and an inviolable social institution whose nature, consequences, and incidents are governed by law and not subject to stipulation, except that marriage settlements may fix the property relations during the marriage within the limits provided by this Code. (*Italics supplied.*)

In this jurisdiction, for psychological incapacity to render a marriage void *ab initio*, it must be characterized by: (a) Gravity - it must be grave and serious such that the party would be incapable of carrying out the ordinary duties required in a marriage; (b) Juridical Antecedence - it must be rooted in the history of the party antedating the marriage, although the overt manifestations may emerge only after the marriage; and (c) Incurability - it must be incurable, or even if it were otherwise, the cure would be beyond the means of the party involved.^[53] Psychological incapacity must be more than just a "difficulty," "refusal" or "neglect" in the performance of some marital obligations.^[54] It is essential that they must be shown to be incapable of doing so, due to some psychological illness existing at the time of the celebration of the marriage.^[55]

In the assailed Decision, the RTC ruled that there is substantial, clear, and convincing evidence to support a finding of psychological incapacity in this case considering that both petitioner and respondent have been found to have psychological disorders: Avoidant Personality Disorder on the part of petitioner and Narcissistic and Anti-Social Personality Disorder on the part of respondent. The RTC gave credence to Dr. Tayag's report and testimony to the effect that such psychological disorders have proven to be existing even prior to the celebration of their marriage, and that the same are permanent, incurable by any form of treatment, severe and grave. Dr. Tayag further declared that these are constitutive of their psychological incapacity to perform their essential marital obligations pursuant under Articles 68 up to 71 of the Family Code, and with respect to respondent, his psychological disorder is also constitutive of his psychological incapacity to perform his parental obligations under Articles 220, 221 and 225 of the same Code.^[56]

We do not agree.

It has been ruled that examination of the person by a physician in order for the former to be declared psychologically incapacitated is not considered a requirement. What is important is the presence of evidence that can adequately establish the party's psychological condition. If the totality of evidence presented is enough to sustain a finding of psychological incapacity, then actual medical examination of the person concerned need not be resorted to.^[57] In the same vein, a categorical declaration of psychological incapacity of a person by a clinical psychiatrist will not constrain the Court to a finding of psychological incapacity in a case where the evidence presented do not merit such a finding.

In this case, notwithstanding the categorical declaration by Dr. Tayag that both petitioner and respondent are afflicted by psychological disorders, a careful evaluation of the totality of evidence presented by petitioner will reveal that there is no sufficient evidence to support a finding of psychological incapacity on either party that would render their marriage null and void.

As to petitioner, We are not convinced how her alleged social inhibition, feelings of inadequacy and sensitivity to negative evaluation[58] could reasonably translate to her incapacity to perform the basic marital covenants or to at least have known the obligations she was assuming at the time she married the respondent. To this Court, petitioner's own expectations as to how respondent should be responsible in taking care and providing for her and their children, albeit unfulfilled, reflect her understanding of the basic marital covenants and obligations between husband and wife. To her credit, petitioner was even the one who exerted the effort to reconcile with her husband even after he left her and their children and learning of his infidelities. Clearly, it is counter-intuitive to declare petitioner psychologically incapacitated to comply with the essential marital obligations of marriage.

Thus, We are now left to discuss the alleged psychological incapacity of respondent.

Petitioner laments that during their marriage, respondent continued to manifest his irresponsibility, had vices, and lived as a single man who prioritized his friends and disregarded his family.[59] However, petitioner also admitted that respondent helped in her father's Pest Control business and even applied as a service crew at a fast food chain.[60] It appears, then, that to petitioner, respondent's irresponsibility is manifested in his preference to be with his friends than to look after his family.[61]

Time and again, however, the Supreme Court has ruled that the husband's preference to spend more time with his friends than his family are not rooted on some debilitating psychological condition but a mere refusal or unwillingness to assume the essential obligations of marriage.[62] Moreover, to prove psychological incapacity, it is not enough to prove that a spouse failed to meet his responsibility and duty as a married person.[63]

Petitioner also alleged that when they separated, respondent admitted having an illicit relationship with another woman whom he later impregnated. On this issue, the Supreme Court has ruled that such infidelity cannot automatically be equated with a psychological disorder, especially when no specific evidence was shown that promiscuity was a trait already existing at the inception of marriage, as in this case.[64] By all accounts on record, there was no such allegation, much less evidence, of respondent's promiscuity to have existed at the inception of their marriage.

Contrary to the ruling of the RTC, respondent's alleged psychological incapacity was not shown to be so grave and so permanent as to deprive him of the awareness of the duties and responsibilities of the matrimonial bond.[65] In fact, if petitioner were to be believed that respondent resented that he had to take care of and provide for two children, instead of just one, there is absolutely no reason for the Court to rule that respondent could not have known the obligations he was assuming, or knowing them, could not have given valid assumption thereof.[66] At best, petitioner's allegations showed that respondent was irresponsible or emotionally immature. However, immaturity does not constitute psychological incapacity.[67]

In *Pesca vs. Pesca*,[68] the Supreme Court upheld the Court of Appeals when it reversed the Decision of the RTC of Caloocan City, Branch 130, which has declared the marriage between petitioner and respondent to be null and void ab initio on the ground of psychological incapacity on the part of respondent. In said case, petitioner and respondent got married in 1975 and begot four children within the marriage. Petitioner alleged that starting in 1988, she noticed that respondent surprisingly showed signs of psychological incapacity to perform his marital covenant, claiming that respondent was an emotionally immature and irresponsible husband. Petitioner claimed that respondent was cruel and violent; a habitual drinker who stayed with friends daily from 4:00 o'clock in the afternoon until 1:00 o'clock in the morning; beat, slapped and kicked her; at one time, chased her with a loaded shotgun and threatened to kill her in the presence of the children; and that the children themselves were not spared from physical violence. Petitioner alleged that respondent assaulted her for about half an hour in the presence of the children where she was battered black and blue. Petitioner even lodged a case for slight physical injuries

against respondent who was convicted by the Metropolitan Trial Court of Caloocan City and sentenced to eleven days of imprisonment. Here, the Supreme Court ruled that petitioner has utterly failed, both in her allegations in the complaint and in her evidence, to make out a case of psychological incapacity on the part of respondent, let alone at the time of solemnization of the contract, so as to warrant a declaration of nullity of the marriage. Emotional immaturity and irresponsibility, invoked by her, cannot be equated with psychological incapacity.

What the law requires to render a marriage void on the ground of psychological incapacity is downright incapacity, not refusal or neglect or difficulty, much less ill will.[69] The mere showing of "irreconcilable differences" and "conflicting personalities" will not suffice.[70]

In this case, respondent may indeed be unwilling to discharge his marital obligations. However, psychological defect cannot be presumed from the mere fact that respondent refuses to comply with his marital duties.[71] Respondent's refusal does not warrant a conclusion that he had a psychological malady at the time of the marriage that rendered him incapable of fulfilling his duties and obligations.[72]

In sum, We cannot see how the personality disorders of petitioner and respondent would render them unaware of the essential marital obligations or to be incognitive of the basic marital covenants that concomitantly must be assumed and discharged by the parties to a marriage.[73] As all people may have certain quirks and idiosyncrasies, or isolated characteristics associated with certain personality disorders, there is hardly a doubt that the intendment of the law has been to confine the meaning of "psychological incapacity" to the most serious cases of personality disorders clearly demonstrative of an utter insensitivity or inability to give meaning and significance to marriage.[74] While petitioner's marriage with respondent failed and appears to be without hope of reconciliation, the remedy however is not always to have it declared void ab initio on the ground of psychological incapacity.[75]

As the Supreme Court has repeatedly declared, Article 36 of the Family Code is not to be confused with a divorce law that cuts the marital bond at the time the causes thereof manifest themselves. Article 36 refers to a serious psychological illness afflicting a party even before the celebration of the marriage. The malady must be so grave and so permanent as to deprive one of awareness of the duties and responsibilities of the matrimonial bond one is about to assume.[76]

WHEREFORE, the instant appeal is hereby GRANTED. The assailed Decision is REVERSED and SET ASIDE. The marriage of Jameela C. Gonzales-Rara to Christopher A. Rara subsists and remains valid.

SO ORDERED.

Zalameda, and Diy, JJ., concur.

[1] Rollo, pp. 34-48.

[2] Entitled "Jameela C. Gonzales-Rara v. Christopher A. Rara."

[3] Records, pp. 1-25.

[4] Records, p. 2.

[5] Records, p. 2.

[6] The Certificate of Marriage was registered with the Office of the Civil Registrar of Infanta, Quezon, with Registry No. 2002-264; Records, p. 7.

- [7] A copy of Mia Antonette's Birth Certificate is found in the Records, p. 8.
- [8] Records, p. 2.
- [9] Records, p. 2.
- [10] Records, p. 47.
- [11] A copy of Myko Alfonso's Birth Certificate is found in the Records, p. 9.
- [12] Records, p. 47.
- [13] Records, p. 48.
- [14] Records, p. 49.
- [15] Records, p. 49-50.
- [16] Records, p. 50.
- [17] Records, p. 51.
- [18] Records, p. 51.
- [19] Records, p. 51.
- [20] Records, p. 52.
- [21] Records, p. 1.
- [22] Dated August 25, 2009; Records, p. 26.
- [23] Certification dated August 27, 2009 issued by Zita S. Romantico, Sheriff IV of the RTC of Infanta, Quezon - Branch 65; Records, p. 27.
- [24] Dated November 27, 2009; Records, p. 32.
- [25] Dated April 14, 2010; Records, pp. 82-83.
- [26] Records, p. 85.
- [27] Records, p. 102.
- [28] Records, pp. 109-112.
- [29] Records, p. 109.
- [30] Records, p. 110.
- [31] Records, p. 110.
- [32] Records, p. 111.
- [33] Records, p. 111.
- [34] Records, p. 110.
- [35] Records, p. 110.
- [36] Records, p. 111.

- [37] Records, p. 111.
- [38] Records, p. 112.
- [39] Rollo, pp. 49-55.
- [40] Rollo, p. 20.
- [41] Paz vs. Paz, G.R. No. 166579, February 18, 2010 citing Padilla-Rumbaua vs. Rumbaua, G.R. No. 166738, August 14, 2009.
- [42] Rollo, p. 29.
- [43] Rollo, p. 30.
- [44] Paz vs. Paz, G.R. No. 166579, February 18, 2010 citing Najera vs. Najera, G.R. No. 164817, July 3, 2009.
- [45] G.R. No. 166738, August 14, 2009.
- [46] G.R. No. 166738, August 14, 2009.
- [47] Records, p. 109.
- [48] Padilla-Rumbaua vs. Rumbaua, G.R. No. 166738, August 14, 2009.
- [49] Republic vs. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.
- [50] Republic vs. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.
- [51] Republic vs. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.
- [52] G.R. No. 112019, January 4, 1995.
- [53] Republic vs. Cabantug-Baguio, G.R. No. 171042, June 30, 2008 citing Republic vs. Iyoy, G.R. No. 152577, September 21, 2005.
- [54] Navarro, Jr. vs. Cecilio-Navarro, G.R. No. 162049, April 13, 2007 citing Choa vs. Choa, G.R. No. 143376, November 26, 2002.
- [55] Navarro, Jr. vs. Cecilio-Navarro, G.R. No. 162049, April 13, 2007 citing Republic v. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.
- [56] Rollo, pp. 45-46.
- [57] Zamora vs. Court of Appeals, G.R. No. 141917, February 7, 2007 citing Marcos vs. Marcos, G.R. No. 136490, October 19, 2000.
- [58] Records, p. 111.
- [59] Records, p. 2.
- [60] TSN, p. 45.
- [61] Records, p. 46.
- [62] Ma. Armida Perez-Ferraris vs. Brix Ferraris, G.R. No. 162368, July 17, 2006.
- [63] Padilla-Rumbaua vs. Rumbaua, G.R. No. 166738, August 14, 2009 citing Republic vs. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.

- [64] Padilla-Rumbaua v. Rumbaua, G.R. No. 166738, August 14, 2009.
- [65] Paz vs. Paz, G.R. No. 166579, February 18, 2010.
- [66] Republic vs. Court of Appeals and Molina, G.R. No. 108763, February 13, 1997.
- [67] Navarro, Jr. vs. Cecilio-Navarro, G.R. No. 162049, April 13, 2007 citing Choa vs. Choa, G.R. No. 143376, November 26, 2002.
- [68] G.R. No. 136921, April 17, 2001.
- [69] Paz vs. Paz, G.R. No. 166579, February 18, 2010 citing Republic vs. Court of Appeals, G.R. No. 108763, February 13, 1997.
- [70] Paz vs. Paz, G.R. No. 166579, February 18, 2010 citing Republic vs. Court of Appeals, G.R. No. 108763, February 13, 1997.
- [71] Padilla-Rumbaua vs. Rumbaua, G.R. No. 166738, August 14, 2009.
- [72] Padilla-Rumbaua vs. Rumbaua, G.R. No. 166738, August 14, 2009.
- [73] Aspillaga vs. Aspillaga, G.R. No. 170925, October 26, 2009.
- [74] Paz vs. Paz, G.R. No. 166579, February 18, 2010 citing Perez-Ferraris vs. Ferraris, G.R. No. 162368, July 17, 2006.
- [75] Ma. Armida Perez-Ferraris vs. Brix Ferraris, G.R. No. 162368, July 17, 2006.
- [76] Aspillaga v. Aspillaga, G.R. No. 170925, October 26, 2009 citing Paras vs. Paras, G.R. No. 147824, August 2, 2007.

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