

**ROBERTO S. CUENCA, FOR AND IN BEHALF OF PHILIPPINE
NATIONAL CONSTRUCTION CORPORATION (PNCC),
PLAINTIFF-APPELLANT, VS. PT CITRA LAMTORO GUNG PERSADA
AND CITRA METRO MANILA TOLLWA...**

Ponente: BARZA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/57e9b12db793/>

BARZA, J.:

Record shows that a Notice to File Brief[1] was sent to plaintiff-appellant, Roberto S. Cuenca, on August 4, 2014, and the same was received by the plaintiff-appellant's counsel on August 18, 2014[2], giving him 45 days from receipt to file Appellant's Brief and which period expired on October 2, 2014.

As per Report of the Judicial Records Division (JRD)[3] dated November 4, 2014, no appellant's brief has been filed within the period prescribed by the rules and the same is hereby NOTED. In view of the plaintiff-appellant's failure to file the required brief, We consider him as having ABANDONED the filing thereof.

WHEREFORE, the instant appeal is hereby DISMISSED, pursuant to Section 1(e), Rule 50 of the Revised Rules of Court.

SO ORDERED.

Abdulwahid, (Chairperson), and Cruz, JJ., concur.

[1] p. 68, Rollo

[2] p. 68, Rollo (dorsal portion)

[3] p. 68, Rollo

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