

REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. HON. ROGELIO R. NARISMA, IN HIS CAPACITY AS PRESIDING JUDGE OF REGIONAL TRIAL COURT BRANCH 23, KIDAPAWAN CITY AND GEMMA FRIZAS-MALIN...

Ponente: FRANCISCO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/582a058be1b0/>

FRANCISCO, J.:

On 8 April 2013, this Court issued a Resolution[1] denying the petitioner's Motion for Extension of Time to File Petition for Certiorari. In the same Resolution, We dismissed the petition for certiorari as follows:

Under A.M. No. 07-7-12-SC, issued on 7 December 2007, The Supreme Court amended Rule 65 of the Rules of Court by deleting the clause that allowed an extension of the period to file a petition for Certiorari under Rule 65 for compelling reasons.

The petitioner cites the case of *Domdom v. Sandiganbayan*, wherein the Supreme Court ruled that the amendment of Rule 65 did not, ipso facto, make the filing of a motion for extension to file a Rule 65 petition absolutely prohibited. In *Domdom*, the Supreme Court held that motions for extension may be allowed, subject to this Court's sound discretion, but only under exceptional and meritorious cases.

In this case, however, the petitioner has not shown any exceptional or meritorious circumstance which merits an extension of the period to file a petition for certiorari. Certainly, the volume of work of the handling associate solicitor does not constitute a valid ground for the grant of the motion.

Moreover, no petition for certiorari has been filed despite the lapse of the period prayed for by the petitioner in its Motion.

In view of the foregoing, the Motion for Extension of Time to File Petition for Certiorari is DENIED. Consequently, the Petition for Certiorari is hereby DISMISSED.[2]

Subsequently, on 10 April 2013, this Court received the Petition for Certiorari[3] filed by the petitioner last 26 March 2013. Thus, this Court issued a Minute Resolution,[4] dated 2 May 2013, stating as follows:

The Petition for Certiorari filed by petitioner Republic of the Philippines, thru the Office of the Solicitor General [OSG] on March 26, 2013 is NOTED WITHOUT ACTION in view of the April 8, 2013 Resolution of this Court dismissing the instant petition.

On 7 May 2013, the petitioner filed a Motion for Reconsideration[5] questioning our 8 April 2013 Resolution.

The same must be denied.

It bears reiterating that the justification offered by the Office of the Solicitor General in its Motion for Extension cannot be considered as a compelling reason to warrant an extension of the time to file a Petition for Certiorari.[6]

Accordingly, We find no reason to deviate from the general rule which requires that a petition for certiorari be filed within the 60-day reglementary period.

Accordingly, the Motion for Reconsideration filed by petitioner Republic of the Philippines is hereby DENIED.

SO ORDERED.

Borja, J., Ch., and Badelles, JJ., concur.

[1] Rollo, pp. 9-11.

[2] Rollo, p. 10.

[3] Rollo, pp. 12-26.

[4] Rollo, p. 36.

[5] Rollo, pp. 37-42.

[6] Heirs of Ramon B. Gayares v. Pacific Asia Overseas Corp., et al., G.R. No. 178477, 16 July 2012.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.