

BERNER INCORPORATED, PETITIONER, VS. BRUNO SALERA, RESPONDENT.

Ponente: REYES, JR., J.C., J.

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REYES, JR., J.C., J.:

In a Resolution (Rollo, p. 351) dated May 3, 2013, this Court noted that in the petitioner's Compliance dated February 25, 2013 (Rollo, pp. 343-344), it confirmed the receipt of the Court's Resolution dated February 8, 2013 (Rollo, p. 342), as to the Philippine Mediation Center's Report dated January 17, 2013 (Rollo, p. 341), that there is nothing to mediate since the lower court already executed the ejectment order and that the petitioner had already vacated the contested area.

This Court thus ordered that within five (5) days upon receipt of the Resolution dated May 3, 2013, the petitioner should manifest whether it would still pursue its petition for review before this Court, in light of the above mentioned Philippine Mediation Center's Report.

On July 25, 2013, this Court issued another Resolution that "In the interest of justice, the petitioner is REQUIRED anew to MANIFEST to the Court, within five (5) days from notice, if it will still pursue its Petition for Review, with the warning that failure to so comply shall render their Petition as dismissible." (Rollo, p. 352)

As per Postmaster's Certification dated December 3, 2013 (Rollo, p. 359), petitioner received a copy of this Court's Resolution dated July 25, 2013, on August 1, 2013.

On December 9, 2013, this Court verified through its Computer Management Information System (CMIS) that as of even date no compliance has been submitted by the petitioner to this Court's Resolution dated July 25, 2013, as per CMIS Verification print-out. (Rollo, p. 361)

Considering that no Compliance was filed by petitioner with this Court's Resolutions dated May 3, 2013 and July 25, 2013, despite having received notice thereof, the Petition for Review is hereby DISMISSED.

SO ORDERED.

Lopez, M. V., and Inting, S. B., JJ., concur.

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