

SC CIRCULAR NO. 56-2000, September 05, 2000

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TO:

THE COURT OF APPEALS, SANDIGANBAYAN, COURT OF TAX APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS AND SHARI'A CIRCUIT COURTS.

SUBJECT:

A.M. No. 00-2-03-SC. RE: AMENDMENT TO SECTION 4, RULE 65 OF THE 1997 RULES OF CIVIL PROCEDURE.

For the information and guidance of all concerned, quoted hereunder is the latest amendment of Section 4 of Rule 65 of the 1997 Rules of Civil Procedure as amended by the Resolution of 21 July 1998, approved by the Court En Bane in its resolution dated 1 August 2000 in A.M. No. 00-2-03-SC. (Reglementary Periods to File Petitions for Certiorari and Petition for Review on Certiorari) to wit:

"RULE 65

Sec. 4. When and where petition filed. - the petition shall be filed not later than' sixty (60) days from notice of the judgment, order or resolution. In case a motion for reconsideration or new trial is timely filed, whether such motion is required or not the sixty (60) day period shall be counted from notice of the denial of the said motion.

The petition shall be filed in the Supreme Court or, if it relates to the "acts or omissions of a lower court or of a corporation, board, officer or person, in the Regional Trial Court exercising jurisdiction over the territorial area as defined by the Supreme. Court. It may also be filed in the Court of Appeals whether or not the same is in the aid of its appellate jurisdiction or in the Sandiganbayan if it is in aid of its appellate jurisdiction. If it involves the acts or omissions of a quasi-judicial agency, unless otherwise provided by law or these rules, the petition shall be filed in and cognizable only by the Court of Appeals.

No extension of time to file the petition shall be granted except for compelling reason and in no case exceeding fifteen (15) days. (4a)"

The resolution took effect on September 1, 2000.

September 5, 2000.

(Sgd.)ALFREDO L. BENIPAYO

Court Administrator

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