

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. NELSON SIGNAPAN, ACCUSED-APPELLANT.

Ponente: SINGH, J.

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SINGH, J.:

In the Court's Resolution dated 17 November 2014, the appeal filed by the accused-appellant Nelson Signapan was dismissed pursuant to Section 8, Rule 124 of the Revised Rules of Court.[1]

On 7 August 2014, the accused-appellant's counsel Atty. Kenneth O. Tamala filed a Motion for Reconsideration Cum Motion to Set Aside Resolution.[2] Atty. Tamala alleges that the accused-appellant's case was referred to him through the Integrated Bar of the Philippines' Free Legal Aid Program. However, the accused-appellant's failure to file the required Appellant's Brief was due to an untoward accident involving counsel's family which required their financial and medical attention.

Under certain circumstances, the Court may allow the relaxation of the rules of procedure in order to uphold the substantive rights of the parties. In this particular case, the Court will set aside its Resolution dated 17 November 2014.

"It is settled that technical rules of procedure are mere tools designed to facilitate the attainment of justice. Their strict and rigid application should be relaxed when they hinder rather than promote substantial justice. Cases should as much as possible be resolved on the merits, and not on mere technicalities" (Ricardo Rizal, et al. v. Leoncia Naredo, et al., G.R. No. 151898, 14 March 2012; Swedish Match Philippines v. The Treasurer of the City of Manila, G.R. No. 181277, 3 July 2013).

The Court will grant the instant motion and allow the accused-appellant to file his Brief within a non-extendible period of fifteen (15) days from receipt hereof.

No further leniency will be accorded to the accused-appellant.

WHEREFORE, the Resolution dated 17 November 2014 is hereby SET ASIDE and the appeal is reinstated.

The accused-appellant Nelson Signapan is hereby directed to file an Appellant's Brief within an inextendible period of 15 days from receipt hereof.

SO ORDERED.

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

[1] Rollo, pp. 18-20.

[2] Rollo, pp. 21-29.

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