

BRAULIO B. BALBAS, JR., PETITIONER, VS. HEIRS OF MARIANO DOLLETON, AMELIA M. DOLLETON, MARIANNE M. DOLLETON, MICHAEL M. DOLLETON, MARK ANTHONY M. DOLLETON REPRESENTED BY MARIANN...

Ponente: CRUZ, R.A., J.

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CRUZ, R.A., J.:

This is a Petition for Review^[1] under Rule 42 of the Rules of Court seeking to reverse and set aside the Decision dated August 15, 2013 and the Order dated August 11, 2014 of the Regional Trial Court (RTC) of Muntinlupa City, Branch 256 in Civil Case No. 02-081.

The petition suffers from serious defects. First, the copies of the assailed Decision dated August 15, 2013 and Order dated August 11, 2014 are mere photocopies. Second, petitioner admitted that a copy of the Order dated August 11, 2014 was received on August 21, 2014.^[2] The petition, filed on November 20, 2014, is tardy.

Finally and more importantly, petitioner has availed of a wrong mode of appeal. Under Section 2, Rule 41 of the Rules of Court, the appeal in cases decided by the Regional Trial Court (RTC) in the exercise of its original jurisdiction shall be taken by filing a notice of appeal. Obviously, for availing of an inappropriate mode of appeal, the Petition for Review filed before Us merits an outright dismissal.

WHEREFORE, premises considered, the Petition for Review is DISMISSED.

SO ORDERED.

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

[1] Rollo, pp. 3-12.

[2] Ibid., p.3

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