

**JANET SONGCUYA ROQUE, CLAUDIA SONGCUYA MENDOZA AND
MERLE SONGCUYA PIMENTEL, PETITIONERS, VS. HON. LEILA M. DE
LIMA, IN HER CAPACITY AS SECRETARY OF DEPARTMENT OF
JUSTICE, ABRAHA...**

Ponente: QUIJANO-PADILLA, J.

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QUIJANO-PADILLA, J.:

This is a petition for certiorari assailing the Department of Justice Resolution[1] dated March 25, 2010, which affirmed the Joint Resolution[2] dated February 26, 2007 of the Office of the Provincial Prosecutor in I.S. No. 2006-2668 to 2669, finding that no probable cause to file an information for Theft and Anti-Fencing Law against Abraham Castro and Celine Jovero, and the Resolution dated June 9, 2011 denying the Motion for Reconsideration thereof.

The Antecedent Facts

Petitioners together with their father, siblings, nephew and niece are the registered owners of the entire Lot 684 located at Barangay Sebastian, Sta. Barbara, Iloilo. Lot 684 was subdivided into five [5] lots which were titled, thus: Lot 684-A is registered as TCT No. T-12914 in the name of Jason S. Songcuya; Lot 684-B is registered as TCT No. T-12915 in the name of Janice S. Roque and Lots 684-C to 684-E in the name of David A. Songcuya [David], petitioners' father and the latter's other siblings.

Lots 684-A to 684-E were exclusively under the care of petitioner's father David. Abraham Castro [Abraham] is the husband of Celedonia Castro [Celedonia], the sister-in-law of David. Celedonia assisted David in the supervision and the introduction of the improvements in the said property. Sometime in 1994, Celedonia died so that David asked Abraham to take her place and give him assistance in the supervision of the place to which Abraham acceded.

Sometime in 1999, Abraham became a stockholder of Jemara International Freight Services, Incorporation, with a capital stock of P11,200,000.00 as of August 24, 1999 and likewise patented a rice thresher, making him unable to manage the said lots because his business dealings required him to stay in Manila. Consequently, Abraham turned over the administration of the entire property to petitioners' brother, Romeo Songcuya and the latter managed Lot 684 with the assistance of their aunt, Faustina Sobredilla [Faustina].

Romeo then hired John Berganio to take care of the trees planted on the property. In 2003, John Berganio was replaced by Santiago Suede who is the caretaker up to the present.

On January 16, 2005, petitioners who were then residents in Manila received a call from their aunt Faustina, inquiring from them if Abraham secured their consent to cut around 50 mahogany and several 25 year old or so acacia and narra trees on Lot 684 to be utilized for the construction of the house of Celine Jovero [Celine], the daughter of Abraham. When the petitioners answered in the negative, they confronted Abraham and Celine as to the veracity of the report and the latter acknowledged cutting the trees. Thereafter, petitioners proceeded to Iloilo

sometime during the first week of March 2003 to investigate the matter.

Since there were several trees that were cut, petitioners were bent on filing a case against private respondents but they were prevailed upon by their aunt considering that they are family and their relationship is quite close. Moreover, they were waiting on private respondents' promise to replace the trees they cut by planting new ones. After waiting for several months when private respondents were not able to make good their promise and there was failure to reach an amicable settlement, petitioners decided to report the matter to the police and thereafter lodged a criminal complaint against private respondents on October 13, 2006 before the Office of the Provincial Prosecutor.

In the meantime, Abraham filed before the Provincial Agrarian Reform Adjudicator [PARAD] on July 27, 2005, a complaint for Recovery of Possession, Annulment of Titles and Damages with Prayer for the Issuance of a Writ of Preliminary Injunction against petitioners and their other siblings. In the said complaint Abraham alleged that he is an agricultural lessee of the 8.9014 hectare portion of Lot 684 owned by the spouses David and Claudia Songcuya and that he had been in peaceful possession and cultivation of said parcel of land for fifteen [15] years and had religiously paid the lease rentals thereof to the spouses until he was dispossessed thereof by David Songcuya sometime in 2004. Likewise, he used to cultivate another parcel of land known as Lot 4695-B containing an area of 1.6154 hectares of land owned by the spouses Songcuya covered by TCT No. T-109016 but David Songcuya likewise took over the cultivation of said landholding, against Abraham's will. He was simply informed by David Songcuya not to continue cultivating the subject agricultural landholdings because the titles thereto had already been transferred in the name of his grandchildren, Jason and Janice Songcuya Roque.

In a Decision dated July 14, 2006, PARAD declared Abraham to be the legitimate lessee of the agricultural landholding in question.

So that, in the Joint Resolution of the Provincial Prosecutor dated February 26, 2007, it dismissed the complaint of Theft against Abraham for failure to establish animus lucrandi or the intent to gain. The salient portion of the resolution reads:

“The undersigned takes particular notice of the appealed Decision of the DARAB (sic) dated July 14, 2006 which declared Abraham Castro as the “legitimate lessee” of the subject landholdings and declared CLOA on Lots 864-A and 864-B as null and void. This fact is very much revealing and much more useful in determining probable cause on this complaint.

The elements of Theft are the following:

1. That there be taking of personal property
2. That said property belongs to another
3. That the taking be done with intent to gain
4. That the taking be done without the consent of the owner
5. That the taking be accomplished without the use of violence against or intimidation of persons or force upon things.

Verily, the cut trees, whether good timber or not is a non-issue. The intent of Abraham in cutting the same is, to the mind of the undersigned, the main issue.

As earlier stated the DARAB (sic) Decision declared that Abraham Castro is the legitimate lessee of the landholdings where the trees were cut. In taking into consideration the findings of the DARAB-VI, the undersigned does not attempt to touch on the merits of the case which should be better left off to the proper forum to which it is being appealed to. However, said findings, although being appealed to, can not be simply ignored in resolving this criminal complaint.

It is clear that the filing of this complaint was done after the complaints received an unfavorable decision from the DARAB. The Decision was dated July 14, 2006 and although the complaints had known the cutting since January 2005, they seemed to have slept on their perceived right over the trees and waited until August 18, 2006 and September 3, 2006 to report the same to the police authorities.

If indeed the complainants believe that they own the subject trees, their posturing at the time they first know of its cutting is contrary to human nature and experience. In other words, the motive of the complainants in filing this complaint after the aforementioned Decision is very much susceptible to suspicion which tends to work against their cause.

The undersigned is of the honest opinion that when Abraham cut and took away the trees, he was claiming ownership over the same and thus negates the theory that he had an intent to gain. If ever he had, it was the gain which he, the owner, may derive from it. The future findings of the DAR Central Adjudicatory Board as to the status of Abraham vis a vis to the landholdings is immaterial in the resolution of this complaint. What is material is the fact that he has no criminal intent at the time he cut the trees.

The same holds true in the case of Celine Jovero. If she indeed had been responsible for the cutting of some trees, she undoubtedly proceeded to do it in the belief that it belongs to her father Abraham who was the legitimate lessee of the landholding where the trees were standing. There is therefore no criminal intent in her actions.

In a legal setting like the case at bar, the Supreme Court has time and again, laid down this precept, thus: "when title to a land is in dispute the act of taking crops thereon would not constitute theft, because the property taken cannot be said to be that of another." (U.S. v. Andrade, 1 Phil.308). Saying it in a different context, Court ruled: "It is law as well as common sense that one who takes property openly and avowedly under claim of title preferred in good faith is not guilty of robbery or larceny though the claim of ownership is untenable."

Thus, for lack of probable cause, undersigned therefore recommends that the complaint for Theft against Abraham Castro and Celine Jovero be dismissed.

On the part of Celine Castro who is being charged for Violation of the Anti-Fencing Law (P.D. 1612), the Supreme Court has held that:

"Fencing is that act of any person who, with intent to gain for himself or for another, shall buy, receive, possess, keep, acquire, conceal, sell or dispose of, or shall buy and sell, or in any manner deal in any article, item, anything of value which he knows, or should be known to him, to have been derived from the proceeds of the crime of robbery or theft." Dunlao, Sr. vs. Court of Appeals, 260 SCRA 788.

Granting arguendo, that the cut trees were delivered to, and used by Celine Castro [Jovero] in the construction of her house, the same were not proceeds of the crime of Theft. Consequently, the charge against her for Violation of Anti-Fencing Law should also be dismissed.

WHEREFORE, premises considered, it is respectfully recommended that the complaints against the respondents Abraham Castro and Celine C. Jovero be DISMISSED." [3]

Petitioners filed their motion for reconsideration but was denied, [4] hence they appealed the said dismissal before the Office of the Secretary of Justice, which affirmed the resolution of the Prosecutor's Office. [5]

Thus, petitioners come to Us via petition for certiorari, with the following assignment of errors, to wit:

"I. THE PUBLIC RESPONDENT DECIDED AN ISSUE IT HAS NO JURISDICTION TO PASS UPON IN FINDING NO REVERSIBLE ERROR IN THE JOINT RESOLUTION OF THE ILOILO PROVINCIAL PROSECUTOR'S OFFICE WHICH PASSED UPON THE LEGITIMACY OF RESPONDENT ABRAHAM

CASTRO AND DECLARED HIM AS LEGITIMATE LESSEE OF THE PROPERTIES AND THEREFORE HAS A RIGHT TO THE TREES THEREON;

II. THE PUBLIC RESPONDENT GRAVELY ERRED IN HOLDING THAT RESPONDENT ABRAHAM CASTRO HAD NO CRIMINAL INTENT IN CUTTING THE TREES AS HE WAS DECLARED BY THE DEPARTMENT OF AGRARIAN REFORM ADJUDICATION BOARD THE LEGITIMATE LESSEE OF THE LANDHOLDINGS WHERE THE TREES WERE CUT THUS NEGATING ELEMENT OF INTENT TO GAIN;

III. THE PUBLIC RESPONDENT GRAVELY ERRED IN FINDING NO REVERSIBLE ERROR IN THE JOINT RESOLUTION OF THE ILOILO PROVINCIAL PROSECUTOR'S OFFICE WHICH HELD THAT THE PETITIONERS' DELAY IN THE FILING OF THE CASE IS VERY MUCH SUSCEPTIBLE TO SUSPICION WHICH TENDS TO WORK AGAINST THEIR CAUSE; AND

IV. THE PUBLIC RESPONDENT GRAVELY ERRED IN FINDING THAT NO PROBABLE CAUSE (sic) AGAINST RESPONDENTS ABRAHAM CASTRO AND CELINE JOVERO.”[6]

Our Ruling

A preliminary investigation, according to Section 1, Rule 112 of the Rules of Court, is “an inquiry or proceeding to determine whether there is sufficient ground to engender a well-founded belief that a crime has been committed and the respondent is probably guilty thereof, and should be held for trial.” The investigation is advisedly called preliminary, because it is yet to be followed by the trial proper in a court of law. The occasion is not for the full and exhaustive display of the parties’ evidence but for the presentation only of such evidence as may engender a well-founded belief that an offense has been committed and that the accused is probably guilty of the offense. The role and object of preliminary investigation were “to secure the innocent against hasty, malicious, and oppressive prosecutions, and to protect him from open and public accusation of crime, from the trouble, expenses and anxiety of a public trial, and also to protect the State from useless and expensive prosecutions.”[7]

In *Arula vs. Espino*,[8] the Supreme Court rendered the three purposes of a preliminary investigation, to wit: (1) to inquire concerning the commission of a crime and the connection of the accused with it, in order that he may be informed of the nature and character of the crime charged against him, and, if there is probable cause for believing him guilty, that the State may take the necessary steps to bring him to trial; (2) to preserve the evidence and keep the witnesses within the control of the State; and (3) to determine the amount of bail, if the offense is bailable. The officer conducting the examination investigates or inquires into facts concerning the commission of a crime with the end in view of determining whether an information may be prepared against the accused.[9]

The determination of the existence of probable cause lies within the discretion of the public prosecutor after conducting a preliminary investigation upon the complaint of an offended party. Probable cause for purposes of filing a criminal information is defined as such facts as are sufficient to engender a well-founded belief that a crime has been committed and that the respondent is probably guilty thereof. A finding of probable cause needs only to rest on evidence showing that more likely than not a crime has been committed, and that it was committed by the accused. Probable cause, although it requires less than evidence justifying a conviction, demands more than bare suspicion. [10]

The Court remains mindful of the established principle that the determination of probable cause is essentially an executive function that is lodged with the public prosecutor and the Secretary of Justice. However, equally settled is the rule that courts retain the power to review findings of prosecutors in preliminary investigations, although in a mere few exceptional cases showing grave abuse of discretion.[11]

Judicial power under Section 1, Article VIII of the 1987 Constitution covers the courts’ power to determine

whether there has been grave abuse of discretion amounting to lack or excess of jurisdiction committed by any branch or instrumentality of the government in the discharge of its functions. Although policy considerations call for the widest latitude of deference to the prosecutors' findings, courts should not shirk from exercising their power, when the circumstances warrant, to determine whether the prosecutors' findings are supported by the facts or by the law. In so doing, courts do not act as prosecutors but as organs of the judiciary that are exercising their mandate under the Constitution, relevant statutes, and remedial rules to settle cases and controversies. Indeed, the exercise of the courts' review power ensures that, on the one hand, probable criminals are prosecuted and, on the other hand, the innocent are spared from baseless prosecution.[12]

The Supreme Court in *Tan v. Ballena*[13] ruled that while the findings of prosecutors are reviewable by the DOJ, this does not preclude courts from intervening and exercising their own powers of review with respect to the DOJ's findings. In the exceptional case in which grave abuse of discretion is committed, as when a clear sufficiency or insufficiency of evidence to support a finding of probable cause is ignored, the CA may take cognizance of the case via a petition under Rule 65 of the Rules of Court.[14]

To guide the prosecutor's determination, a finding of probable cause needs only to rest on evidence showing that, more likely than not, a crime has been committed and that it was committed by the accused; the quantum of proof to establish its existence is less than the evidence that would justify conviction, but it demands more than bare suspicion.[15]

No definitive basis to determine probable cause has been established, except to consider the attendant facts and circumstances according to the prosecutor's best lights. No law or rule states that probable cause requires a specific kind of evidence. No formula or fixed rule for its determination exists. Probable cause is determined in the light of conditions obtaining in a given situation. In going through the process, the prosecutor should carefully calibrate the issues of facts presented to him to the end that his finding would always be consistent with the clear dictates of reason.[16]

In order to engender a well-founded belief that a crime has been committed, and to determine if the suspect is probably guilty of the same, the elements of the crime charged should, in all reasonable likelihood, be present. This is based on the principle that every crime is defined by its elements, without which there should be, at the most, no criminal offense.[17]

Theft under Article 308 of the Revised Penal Code reads:

"Art. 308. Who are liable for theft. — Theft is committed by any person who, with intent to gain but without violence against or intimidation of persons nor force upon things, shall take personal property of another without the latter's consent.

Theft is likewise committed by:

1. Any person who, having found lost property, shall fail to deliver the same to the local authorities or to its owner;
2. Any person who, after having maliciously damaged the property of another, shall remove or make use of the fruits or object of the damage caused by him; and
3. Any person who shall enter an inclosed estate or a field where trespass is forbidden or which belongs to another and without the consent of its owner, shall hunt or fish upon the same or shall gather cereals, or other forest or farm products."

Thus, the elements of theft are: (1) that there be taking of personal property; (2) that said property belongs to another; (3) that the taking be done with intent to gain; (4) that the taking be done without the consent of the

owner; and (5) that the taking be accomplished without the use of violence against or intimidation of persons or force upon things.[18]

We find that the elements of theft are present.

There is taking of personal property in this case of felling of the trees which was not denied by Abraham and said taking was without the use of violence against or intimidation of persons nor upon force upon things. It is the second, third and fourth elements that are placed in question.

In dismissing the complaint, according to the prosecutor, since PARAD pronounced that Abraham is an agricultural lessee and the person who planted the subject trees thereon, then there can really be no intent to gain because as such he believes himself to be the owner of said trees and more so because said belief is strengthened by the pronouncement of PARAD.

However, it should not be amiss to point out that that said PARAD Decision was reversed by the DARAB, which board later on declared that Abraham is not an agricultural lessee of David Songcuya since his name is not registered as tenant in the records of DAR so that reliance on the PARAD Decision regarding ownership is quite misplaced. Verily, the claim of good faith based on that decision, which was overturned, stands on shaky ground. Pertinent is the Supreme Court ruling in *Gaviola v. People*[19] regarding a claim of good faith, thus: “where one in good faith takes another’s property under claim of title in himself, he is exempt from the charge of larceny, however puerile or mistaken the claim may in fact be. And the same is true where the taking is on behalf of another, believed to be the true owner. Still, if the claim is dishonest, a mere pretense, it will not protect the taker. The gist of the offense is the intent to deprive another of his property in a chattel, either for gain or out of wantonness or malice to deprive another of his right in the thing taken. This cannot be where the taker honestly believes the property is his own or that of another, and that he has a right to take possession of it for himself or for another, for the protection of the latter.”

Contrary to the claim of tenancy by Abraham, which is determinative of his good faith, the pertinent affidavits submitted by the petitioners, reveal otherwise. In the Affidavit dated September 13, 2006[20] executed by John Berganio, the following are the pertinent portions:

- “1. That I personally know the person of MR. ABRAHAM CASTRO, married to Celedonia Sobredilla (already deceased), he being also a resident of Rodriguez St., Sta. Barbara, Iloilo;
2. That said ABRAHAM CASTRO was the former caretaker of the properties which I know to be owned by DAVID A. SONGCUYA situated at Brgy. Duyan-duyan, Sta. Barbara, Iloilo;
3. That sometime in 1999 ABRAHAM CASTRO turned over the management and care of said properties to ROMEO SONGCUYA, the latter hired me to work on the said landholding and assigned me to be caretaker of the entire landholding with an area of eight (8) hectares more or less;
4. That since 1999 a portion of said landholding had been planted with mahogany, acacia and other trees, and is actually and exclusively devoted to tree plantation while the rest of the portion is riceland;
5. That from the year 1999 to 2003 I acted as caretaker of the entire landholding under the management of Romeo Songcuya and his family; in fact, I built a small semi-permanent residential house on said landholding where my family and I were staying to better care and guard the entire landholding;
6. That sometime in 2003, MR. SANTIAGO SUEDE, a resident of Brgy. Duyan-duyan, Sta. Barbara, Iloilo was appointed as a caretaker of the said landholding in lieu of myself;
7. That sometime in January 2005, I was personally hired by Abraham Castro to load cut mahogany and acacia trees for transporting of the said cut trees to the place where Celine Jovero, daughter of Abraham Castro was

constructing a residential house;

8. That the said cut mahogany and acacia trees were cut and taken from the properties of DAVID SONGCUYA;

9. That I personally saw the cutting of mahogany trees by Alfonso Panoy (alias) Nono and under the command and direction of ABRAHAM CASTRO by means of chainsaw;

10. That I rendered service for one day for the loading and transporting the cut trees to the construction place of Celine Jovero;

xxxx

13. That I was just following the instructions of ABRAHAM CASTRO with the assumption that he was authorized by the owner DAVID SONGCUYA as they are relatives;

xxxxx”

Even if We are to altogether disregard the issue of tenancy and ownership, what is certain is that the trees that were cut by Abraham were found on Lot 684 which land was registered in the name of David Songcuya and siblings and to Jason and Janice. In accordance with Article 441[21] of the Civil Code to the owners belongs the natural, civil and industrial fruits[22] of the land owned. No proof was shown to the contrary, consequently, the presumption in law that the fruits standing on the land of the owner belongs to the said owner stands. This by itself negates the claim of ownership by Abraham, which again is the basis of his good faith. Considering that the cutting of said trees is without the consent of the title holders of the land from which the trees were cut, We find that the said circumstance is enough to sustain probable cause regardless if said facts are enough to warrant a conviction, which is not the concern in a preliminary investigation.

With respect to Celine Jovero, under Presidential Decree 1612, “fencing is the act of any person who, with intent to gain for himself or for another, shall buy, receive, possess, keep, acquire, conceal, sell or dispose of, or shall buy and sell, or in any other manner deal in any article, item, object or anything of value which he knows, or should be known to him, to have been derived from the proceeds of the crime of robbery or theft.[23]

The elements of fencing are as follows:

“1. A crime of robbery or theft has been committed;

2. The accused who is not a principal or accomplice in the crime of robbery or theft, buys, receives, possesses, keeps, acquires, conceals, sells or disposes, or buys and sells, or in any manner deals in any article, item, object or anything of value, which have been derived from the proceeds of the said crime;

3. The accused knows or should have known that the said article, item, object or anything of value has been derived from the proceeds of the crime of robbery or theft; and

4. There is, on the part of the accused, intent to gain for himself or for another.”[24]

Under Sec. 5. of PD 1612 there is Presumption of Fencing, when mere possession of any good, article, item, object, or anything of value which has been the subject of robbery or thievery shall be prima facie evidence of fencing. Consequently, as established by the affidavits of the petitioners and their witnesses the felled trees were brought at the address of Celine Jovero and were used in part for the building of her house.

At the risk of being repetitive, a preliminary investigation is essentially inquisitorial, and its function is merely to determine the existence of probable cause. Probable cause has been defined as the existence of such fact and circumstances as would excite the belief, in a reasonable mind, acting on the facts within the knowledge of the

prosecution, that the person charged was guilty of the crime for which he was prosecuted. The term does not mean actual and positive cause nor does it import absolute certainty. It is merely based on opinion and reasonable belief. Thus, a finding of probable cause does not require an inquiry into whether there is sufficient evidence to procure a conviction. It is enough that it is believed that the act or omission complained of constitutes the offense charged. Precisely, there is a trial for the reception of evidence of the prosecution in support of the charge.[25]

Settled is the rule that the presence or absence of the elements of the crime is evidentiary in nature and is a matter of defense, the truth of which can be best passed upon after a full-blown trial on the merits.[26] In fine, the validity and merits of a party's defense or accusation, as well as admissibility of testimonies and evidence, are better ventilated during trial proper than at the preliminary investigation level.[27]

In conclusion, We find that there is probable cause for the filing of information for Theft against Abraham Castro and information for violation of the Anti-Fencing Law against Celine Jovero. However, Our pronouncement as to the existence of probable cause does not delve into the merits of the case; neither do we pronounce that the evidence is sufficient to secure a conviction.[28]

WHEREFORE, premises considered, the instant petition for certiorari is hereby GRANTED. The Department of Justice Resolutions dated March 25, 2010 and June 9, 2011 are hereby REVERSED and SET ASIDE. The Department of Justice is ORDERED to issue the proper resolution in accordance with this Decision.[29]

SO ORDERED.

Hernando, J., Chairperson, and Azcarraga-Jacob, JJ., concur.

[1] Rollo, pp. 38-39

[2] Rollo, pp. 123-130

[3] Rollo, pp. 128-130

[4] Rollo, p.147

[5] Rollo, pp. 38-39

[6] Rollo, pp. 16-17

[7] Claridad v. Esteban, et al., G.R. No. 191567, March 20, 2013

[8] G.R. No. L-28949, June 23, 1969

[9] Claridad v. Esteban, et al., G.R. No. 191567, March 20, 2013

[10] Claridad v. Esteban, et al., G.R. No. 191567, March 20, 2013

[11] Tan, Jr. v. Matsuura, et al., G.R. No. 179003, January 9, 2013

[12] Tan, Jr. v. Matsuura, et al., G.R. No. 179003, January 9, 2013

[13] G.R. No. 168111, July 4, 2008

[14] Tan, Jr. v. Matsuura, et al., G.R. No. 179003, January 9, 2013

[15] Elma, et al. v. Jacobi, et al., G.R. No. 155996, June 27, 2012

[16] Elma, et al. v. Jacobi, et al., G.R. No. 155996, June 27, 2012

[17] Balois, et al. v. CA, et al., G.R. Nos. 182130-182132, June 19, 2013

[18] Gaviola v. People, G.R. No. 163927, January 27, 2006

[19] G.R. No. 163927, January 27, 2006

[20] Rollo, pp. 148-149

[21] CIVIL CODE, Article 441. To the owner belongs:

- (1) The natural fruits;
- (2) The industrial fruits;
- (3) The civil fruits

[22] Article 442. Natural fruits are the spontaneous products of the soil, and the young and other products of animals.

Industrial fruits are those produced by lands of any kind through cultivation of labor. Civil fruits are the rent of buildings, the price of leases of lands and other property and the amount of perpetual or life annuities or other similar income.

[23] Dunlao, Sr. v. CA, et al., G.R. No. 111343, August 22, 1996

[24] Dela Torre v. COMELEC, et al., G.R. No. 121592, July 5, 1996

[25] United Coconut Planters Bank v. Looyuko, et al., G.R. No. 156337, September 28, 2007

[26] Lanier, et al. v. People, G.R. No. 189176, March 19, 2014

[27] United Coconut Planters Bank v. Looyuko, et al., G.R. No. 156337, September 28, 2007

[28] Clay and Feather International, Inc., et al. v. Lichaytoo, et al., G.R. No. 193105, May 30, 2011

[29] Balois, et al. v. CA, et al., G.R. Nos. 182130-182132, June 19, 2013

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