

**SPOUSES NELSON P. MONASTERIAL AND ROSARIO A. MONASTERIAL,
PETITIONERS, VS. THE HONORABLE PRESIDING JUDGE, REGIONAL
TRIAL COURT, BRANCH 24, NAGA CITY, AND PRUDENTIAL BANK,
NOW BA...**

Ponente: CASTILLO, M., J.

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CASTILLO, M., J.:

In Our Resolution dated November 29, 2013,[1] petitioners were directed to explain and/or clarify whether or not they were also withdrawing their petition for certiorari in SP-131534, and if so, to make the proper manifestation and/or motion to withdraw within ten (10) days from receipt.

The said resolution was received by petitioners on December 16, 2013.[2] Thus, they had until December 26, 2013 within which to comply with Our Order.

The Judicial Records Division verification report indicated that as of April 1, 2014, no compliance has been filed by petitioners.

We resolve to dismiss the instant Petition for failure of petitioners to comply with the above-mentioned Resolution pursuant to Section 1(h)[3], Rule 50 of the Revised Rules of Court.

WHEREFORE, premises considered, the Motion to Withdraw SP-131698 is GRANTED. The petition is ordered WITHDRAWN. With respect to SP-131534, the petition is DISMISSED and both cases (SP-131698 and SP-131534) are deemed CLOSED and TERMINATED.

SO ORDERED.

Lazaro-Javier, A.C., and [*]Barrios, M.M., JJ., concur.

[*] Acting Junior Member, vice Justice Laguilles, per Office Order No. 243-14-ABR dated May 23, 2014.

[1] Rollo, p. 156.

[2] Rollo, p. 158.

[3] SEC. 1. Grounds for dismissal of appeal-An appeal may be dismissed by the Court of Appeals, on its own motion or on that of the appellee, on the following grounds:

xxx

(h) Failure of the appellant to appear at the preliminary conference under Rule 48 or to comply with orders, circulars, or directives of the court without justifiable cause.

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