

ERENEA LAMBONGAN MANSILA, REPRESENTED BY: LORETA O. RICO, PLAINTIFF-APPELLEE, VS. EPIFANIA RAMON, ELPEDIO MANSILA, SANARITA BONCALES, LOLITA GANAHERON, ANATALIA PACALDO, CLEOPATRA...

Ponente: BORJA, J.

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BORJA, J.:

APPEAL under Rules 41 and 44 of the Rules of Court from the September 21, 2010 Decision of the Regional Trial Court (RTC), 10th Judicial Region, Branch 8, Malaybalay City, Bukidnon, in Civil Case No. 3537-06, a suit for “Judicial Partition, Recovery of Possession and Damages”.^[1]

The Facts of the Case

Erenea Lambongan Mansila, represented by Loreta O. Rico^[2] filed the complaint in the aforementioned case against Epifania Ramon Mansila, et al., alleging that:

xxx xxx xxx

3. xxx Pedro Mansila and plaintiff Erenea Mansila are husband and wife having been married on December 20, 1945 at Malaybalay City, however, the record of marriage during the period Pre-War and War Time to July 2, 1946 were all destroyed by World War II xxx;

4. That at any rate, the Philippine Veterans Administrator, being that Pedro Mansila was a veteran, approved and certified that plaintiff Erenea Mansila is the wife and beneficiary of the late Veterans Pedro Mansila xxx;

5. That in their togetherness as husband and wife, they are childless;

6. That Pedro Mansila died on March 30, 1987 xxx;

7. That during the lifetime of Pedro Mansila, he together with his wife plaintiff Erenea Mansila acquired real properties, more particularly described as follows:

Parcel I. Tax Declaration No. 6772

A parcel of land situated at Babahagon, Lantapan, Bukidnon with an area of 50,038 square meters, more or less, described as follows:

North: Lot No. 2072, 1140 Cad 653;

South: Lot No. 1126 Cad 653;

East: Lot No. 1724 Cad 653;

West: Lot No. 1723 part Cad 653

Parcel II. Tax Declaration No. 6779

A parcel of land situated at Babahagon, Lantapan, Bukidnon with an area of 11,397 square meters, bounded as follows:

North: Lot No. 1137 Cad 653

East: Lot No. 1723 Cad 653

South: Lot No. 1126 Cad 653

West: Lot No. 1137 Cad 653

Parcel III. Tax Declaration No. 6798

A parcel of land situated at Babahagon, Lantapan, Bukidnon with an area of 99,355 square meters, bounded as follows:

North: Lot 1742

South: Lot 1722

West: Lot 1723

East: Road

xxx

8. That during the marital life between Pedro Mansila and plaintiff Erene Mansila, the former engaged in illicit relationship with the defendant Epifania Ramon and were blessed with the following children, to wit: Elpedio Mansila, Sanarita Boncales, Lolita Ganahon, Anatalia Pacaldo, Cleopatra Pacaldo, Lourdes Contreras and Jovelyn Briones who are herein co-defendants;

9. That defendants Epefania Ramon together with her children, Elpedioi Mansila, Sanarita Boncales, Lolita Ganahon, Anatalia Pacaldo and Cleopatra Pacaldo possessed and occupied the properties and have it leased to co-defendants Vicente Pacaldo, Oligario Godinez, Buenaventura Pacaldo, Restituto Ching and Val Araneta who are present actual cultivators of the subject properties, thereby excluding entirely the herein plaintiff to possess and enjoy her share of inheritance;

10. That plaintiff was greatly prejudiced of the acts of the defendants particularly in the failure to observe the law on succession, the fact the defendants failed and refused to share the herein plaintiff what is due upon her particularly 1/2 of the properties described in paragraph 7 hereof plus one (1) share as provided for by law;

11. That plaintiff repeatedly requested for the partition of the properties in accordance with law, yet defendants refused and adamantly refused up to the present time to respect the law and give to the plaintiff what is due to her;

12. That earnest efforts were exerted towards a compromise, yet to no avail;

13. That there is a need to judicially partition the properties in accordance with the law in view of the refusal of the defendants to have it extra judicially partition;[3]

In their answer, defendants denied the material allegations in the complaint and questioned the validity of the Special Power of Attorney executed by plaintiff Erene Mansila in favor of Loreta Rico on the ground that plaintiff Erene “cannot execute the same for [she] is so ill and that it is of common knowledge that she can hardly read and above all, [has] problem in writing down her name”. Defendants contended that defendant Efipania Ramon Mansila, not plaintiff Erene, was married to Pedro Mansila; that Efipania and Pedro begot seven (7) children the eldest was born on April 9, 1952; that the real husband of plaintiff Erene is Gabriel “Babing” Oblad; that upon the death of plaintiff Erene’s first husband, plaintiff Erene married a certain “Tenio” Dako. As an affirmative defense, defendants argued that plaintiff Erene was not entitled to her claim on the ground that she was not married to Pedro Mansila; that plaintiff Erene was guilty of estoppel by laches on the ground that it took her almost fifty (50) years to file a case against defendants. As counterclaim, defendants asked for P20,000.00 attorney’s fees, P10,000.00 as litigation expenses, and P20,000.00 in exemplary damages.[4]

During trial, plaintiff Erene offered the following evidence: a special power of attorney executed by plaintiff

Erenea authorizing Loreta O. Rico as the former's representative;[5] a certification from the Office of the City Civil Registrar of Malaybalay City, Bukidnon stating that the records of marriages which were registered in the said office during the period "pre-war and war time to July 2, 1946" were all destroyed during the World War II;[6] a letter request for "Extract from the Military Service Records/Rectified" to the Philippine Veterans Affairs Office to prove that plaintiff Erenea was duly recognized as the beneficiary of Pedro Mansila;[7] a letter issued by the Philippines Veterans Administrator informing plaintiff Erenea that her "name was approved and certified as a wife or beneficiary of the late Veteran Pedro Mansila";[8] a certification issued by the Barangay Poblacion Office of Lantapan Bukidnon certifying that Pedro Mansila died on March 30, 1987 at Purok 04, Babahagon, Poblacion Lantapan, Bukidnon;[9] Tax Declaration Nos. 6772 and 6779 to prove that Pedro Mansila and plaintiff Erenea are the owners of the subject properties;[10] and as an additional offer of evidence plaintiff Erenea offered Tax declarations and Records Verification Reports to prove ownership of the three parcels of land.[11]

On the other hand, defendants presented the following evidence: Birth Certificate of Elpedio Mansila, the eldest son Pedro Mansila and defendant Epifania Ramon Mansila;[12] Certificate of Tribal Marriage between Pedro Mansila and defendant Epifania Ramon issued by Melinda B. Tulba, Acting Provincial Officer of the National Commission on Indigenous Peoples, Bukidnon Provincial Office;[13] machine copy of the document from the Post Office of Lantapan, Bukidnon, including the column wherein the name of plaintiff "Erenia Lambongan Oblad" was indicated as veterans claim beneficiary of her deceased spouse Gabriel Oblad.[14]

On April 27, 2009, counsel for defendants filed a "Formal Notice of Death and Manifestation" informing the trial court of the death of defendant Eipania Ramon Mansila.[15]

After trial, the lower court rendered the herein assailed Decision,[16] the fallo of which reads –

WHEREFORE, judgment is issued for the judicial partition of the properties of Pedro Mansila as follows: the properties covered by

1. Tax Declaration No. 02-11-6772;
2. Tax Declaration No. 02-11 6779 lot no. 1124 Cad 653;
3. Tax Declaration No. 6798 under lot no. 1724 Cad 653

One half of the foregoing properties of Pedro Mansila shall belong to Erenea Lambongan Mansila as the surviving legal spouse and the remaining one half shall be divided into two: the plaintiff shall be entitled to one half and the illegitimate children of Pedro Mansila or their descendants, whether legitimate or illegitimate shall be entitled to the other half in accordance with Article 998 of the New Civil Code.

SO ORDERED.[17]

Defendants filed a Motion for Reconsideration[18] which was denied by the trial court of its November 2, 2010 Order.[19]

Hence, the present appeal in which defendants (hereinafter, appellants) ascribe the following as errors of the trial court, to wit:

(a)

THE DECISION OF THE TRIAL COURT IS NULL AND VOID FOR FAILURE TO DISTINCTLY STATE THE LAW ON WHICH ITS FINDINGS OF FACTS ARE BASED AS REQUIRED IN SECTION 1, RULE 36 OF THE 1997 RULES OF CIVIL PROCEDURE.

(b)

THE TRIAL COURT ERRED IN APPRECIATING THE EVIDENCE IN FAVOR OF THE PLAINTIFF-APPELLEE IN PARTICULARLY RULING THAT THE LATTER IS THE SURVIVING SPOUSE OF THE LATE PEDRO MANSILA AND AS SUCH, ENTITLED TO GET AND RECEIVE, AS HER SHARE, PORTION OF THE PROPERTY LEGALLY BELONGING TO THE LATE PEDRO MANSILA AND HIS RIGHTFUL AND LAWFUL HEIRS, DEFENDANTS-APPELLANTS.[20]

The Ruling of the Court

On the First Issue

Appellants assail the trial court's decision contending that "[t]here was not a single law being cited in the course of deciphering the truth on the issue at hand, nor jurisprudence correctly applied upon which his conclusions of facts were based". Appellants contend that the said decision of the trial court must be struck down for being violative of Article VIII, Section 14 of the 1987 Constitution.[21]

This will be given short shrift. A careful review of the trial court's Decision reveals that said judgment contains a summary of the antecedent facts, a discussion on the relevant statutory provisions, and the testimonial and documentary evidence presented by both parties. In particular, the trial court cited Section 5(a) and (b), Rule 30 of the Rules of Court referring to the order of trial and burden of proof, and Article 998 of the Civil Code on legitimes. The trial court also cited jurisprudence to support its ruling: *Pugeda vs. Trias*, 4 SCRA 849, *Cox vs. State*, 117 Ala 103, *Rodolfo Garcia vs. PAL*, G.R. No. 162868, July 14, 2008, and *Trinidad vs. Court of Appeals*, 289 SCRA 188 on evidence to prove the existence of marriage if marriage certificate has been lost or destroyed. The factual and legal bases of the decision are readily evident in the assailed decision itself.[22]

On the Second Issue

The Court is tasked to resolve whether appellee Erenia Mansila (hereinafter Erenia) has proven her claim to the disputed properties. To address this issue, the court must rule on who between Erenia and appellant Epifania Ramon Mansila (hereinafter Epifania) is the legal wife of Pedro Mansila.

This appeal originated from an original action for partition. It is governed by Rule 69 of the Rules of Court, and can be availed of under the following circumstances:

Section 1. Complaint in action for partition of real estate. A person having the right to compel the partition of real estate may do so as provided in this Rule, setting forth in his complaint the nature and extent of his title and an adequate description of the real estate of which partition is demanded and joining as defendants all other persons interested in the property.

In a complaint for partition, the plaintiff seeks, first, a declaration that he is a co-owner of the subject property; and, second, the conveyance of his lawful shares.[23] Hence, in the case at bench, Erenia must first prove that she is a co-owner of the three parcels of land. In her complaint, her basis for asserting co-ownership is her alleged marriage to Pedro Mansila and the acquisition of the subject properties during the subsistence of that marriage.

The best proof of marriage between man and wife is a marriage contract.[24] However, in the absence of such certificate, marriage can be proven by any other competent and relevant evidence. As held in *Tomasa Vda. de Jacob v. Court of Appeals*[25]-

As early as *Pugeda v. Trias*,[26] we have held that marriage may be proven by any competent and relevant evidence. In that case, we said:

"Testimony by one of the parties to the marriage, or by one of the witnesses to the marriage, has been held to be admissible to prove the fact of marriage. The person who officiated at the solemnization is also competent to testify as an eyewitness to the fact of marriage."[27] xxx

In *Balogbog v. CA*,^[28] we similarly held:

"[A]lthough a marriage contract is considered primary evidence of marriage, the failure to present it is not proof that no marriage took place. Other evidence may be presented to prove marriage." [Emphasis supplied, footnote omitted]

In both cases, we allowed testimonial evidence to prove the fact of marriage. We reiterated this principle in *Trinidad v. CA*,^[29] in which, because of the destruction of the marriage contract, we accepted testimonial evidence in its place.^[30] [Other Emphasis in the Original]

The foregoing discussion must be situated within the general rules on evidence, in light of the burden of proof in civil cases, i.e., preponderance of evidence, and the shifting of the burden of evidence in such cases. Simply put, he who alleges the affirmative of the issue has the burden of proof, and upon the plaintiff in a civil case, the burden of proof never parts. However, in the course of trial in a civil case, once plaintiff makes out a prima facie case in his favor, the duty or the burden of evidence shifts to defendant to controvert plaintiff's prima facie case, otherwise, a verdict must be returned in favor of plaintiff. Moreover, in civil cases, the party having the burden of proof must produce a preponderance of evidence thereon, with plaintiff having to rely on the strength of his own evidence and not upon the weakness of the defendant's. The concept of "preponderance of evidence" refers to evidence which is of greater weight, or more convincing, than that which is offered in opposition to it; at bottom, it means probability of truth.^[31]

In ruling in favor of Erenia, the trial court said-

xxx [T]he evidence for the plaintiff consisted of the deposition de bene esse, communications showing that Erenia L. Mansila is the wife and beneficiary of the late Pedro Mansila who is a veteran xxx. Another communication also dated June 10, 2004 showing a Resolution from the Office of Veterans Administrator xxx indicated the name of plaintiff was approved and certified as a wife or beneficiary to the late veteran Pedro Mansila for purposes of entitlement to any benefits xxx signed by Capt. Sofronio Tagaro, Deputy Administrator Philippine Veterans Administrator xxx. The evidence presented by the plaintiff, screened by the foregoing Supreme Court ruling, invites a favorable judgment of a valid marriage.

The burden of proof is on the defendant that when the foregoing properties were acquired by Pedro Mansila, she (Epifania) was already married to Pedro but what is presented is a tribal marriage certification dated April 7, 1975 which is null and void from its face as this is contradicted by no less than the evidence of the defendant Epifania Ramon herself as shown in the following discussion:

The High Court held that, baptismal certificates, birth certificates, judicial decisions, xxx in which the names of the spouses have been entered as married are good evidences [sic] of marriage xxx.

But the entries in the birth certificate of Elpedio is [sic] inconsistent with the date of the marriage between Epifania and Pedro. The date of birth of Elpedio is April 9, 1952 but the date of alleged marriage of her parents, Epifania and Pedro, is written as "forgotten". If it were true that the marriage was not yet celebrated in 1952 as the same was made only on April 7, 1975 the entry could not have been "forgotten" but no "marriage". The evidence of the defendant xxx, birth certificate and xxx Marriage Contract dated April 7, 1975 is in conflict with each other. Hence, the entry in the Birth Certificate, "Exhibit 1" could not prevail over "Exhibit 2" showing the date of marriage to be on April 7, 1975. xxx. Another defect in the marriage contract is that while on its face it was issued upon request of the contracting parties on August 10, 2000 but complaint states that one of the contracting parties died on March 30, 1987 xxx. It was therefore impossible for Pedro to appear and request for a certificate of tribal marriage on August 10, 2000. There is no evidence presented that the parties who made the request excluded the husband. Another defect is that, it does not show any signature of Datu Crispin, the alleged solemnizing officer and the parties. So that while the High Court held that the best evidence of marriage is the marriage contract or the marriage certificate xxx, the fact remains that the marriage

contract presented by the defendants is contradicted by the answer of the defendants, and the face of the marriage certification of the certifying officer Melinda Uba itself. The evidence of the defendants is insufficient to prove a valid marriage; hence all the children of Epifania who are impleaded as defendants are all illegitimate.

Defendant Epifania failed to establish her right over the properties in question. The fact that she begot a child in 1952 is not proof of marriage for public open cohabitation as husband and wife after proof of the alleged marriage as living together is not enough to constitute marriage. This is worsened by the fact that she presented an alleged marriage contract solemnized on April 7, 1975. There must be proof of association consciously and openly as husband and wife xxx. The mere allegation that she settled down with the late Pedro Mansila is not enough, it is not evidence of marriage. Defendant merely offered factual assertions of her cohabitation with the late Pedro which produces their children which unfortunately is not supported by proof documentary or otherwise of marriage xxx. On the contrary, the plaintiff presented her deposition de bene esse showing her marriage with late Pedro Mansila on December 30, 1945 supported with communications from the Philippine Veterans Bank recognizing Erenia as the wife and beneficiary of the late Pedro Mansila.[32]

The Court disagrees.

In order to determine who among Erenia and Epifania is the legal wife of Pedro Mansila, the Court deems it proper to scrutinize first the evidence submitted by Erenia, being the party who has the burden of proof to establish her marriage with Pedro Mansila. If the evidence of Erenia fails to establish at least a prima facie case for her being married to Pedro Mansila, her complaint for partition should be dismissed.

The Court finds that Erenia's evidence in fact fails to establish even a prima facie case. Consider the following:

First. The Certification[33] issued by the Office of the City Civil Registrar of the City of Malaybalay, Bukidnon merely stated that the records of marriage during the "Pre-War and War Time up to July 2, 1946" were all destroyed during the World War II. Nothing in the Certification indicates that the said Civil Registrar confirmed that appellee Erenia and Pedro Mansila were married and that said marriage was registered in the Civil Registrar. In fact, the City Civil Registrar stated that:

We also certify that for every registered marriage, this Office submits a copy of the Certificate of Marriage to the Office of the Civil Registrar General, National Statistics Office, R. Magsaysay Blvd., Sta. Mesa, Manila. Hence, the interested party is hereby advised to make further verification in the archives of that office.

Erenia never presented any certification from the Office of the Civil Registrar General to prove her marriage to Pedro Mansila.

Second. The "Request for Extract from the Military Service Records/Rectified"[34] which was made on June 6, 1995 and the June 10, 2004 letter[35] issued by the Philippine Veterans Administrator stating that "your name [Erenia Mansila] was approved and certified as a wife or beneficiary of the late Veteran Pedro Mansila xxx" are not an adequate proof that Erenia was legally married to Pedro Mansila. Although the following were indicated in the letter:

Date: June 10, 2004
Ref.: ML No. VI-53
Page No. 124
Item No. 1823
Res. No. 172
Date: February 01, 1970

nothing points to a fact that Pedro Mansila was married to Erenia. She should have presented the Philippine

Veterans Administrator to testify on the matter but the former failed to do so. The phrase “approved and certified as a wife or beneficiary” does not conclusively dictate that Erenia is the wife of Pedro, the disjunctive “or” means “separate or alternative choice between this or that”.[36]

Third. The Tax Declarations submitted by Erenia are not evidence of her marriage to Pedro Mansila. Tax Declarations are proof that the holder (Pedro Mansila) has a claim of title over the property and serve as sufficient basis for inferring possession and are not conclusive proof of marriage.[37] Moreover, the Tax Declarations of Parcel III (Exhibits “H”, “H-1” , and “H-2”)[38] are not worthy of credence on the ground that the names stated as administrator in the form are conflicting. Exhibits “H” and “H-2” bears the statement “administrator: married to Epifania Ramon Mansila” while Exhibit “H-1” bears the statement “administrator: married to Erenia Lambongan Mansila”. Furthermore, Exhibit “H-1” was issued in the year 1994 which means that when Erenia declared such property for tax purposes, Epifania was already married to Pedro way back on April 7, 1975.

Fourth. The Records Verification Form for Lot No. 1723 Cad 653[39] and Lot No. 1724 Cad 653[40] only proves that as early as 1965 the said properties were declared by Pedro Mansila for tax purposes. Nothing in the said records indicates that the properties were acquired by Pedro Mansila and Erenia.

Fifth. The deposition of Erenia, in which she stated that Pedro Mansila was her husband and that their marriage was solemnized by the “Datu”, standing alone is not sufficient to prove marriage between Pedro and Erenia. Mere allegation is not evidence.[41]

On the basis of the totality of evidence presented by Erenia, the Court finds that she failed to sufficiently establish a prima facie case for her marriage to Pedro Mansila and her right as co-owner of the properties subject of this case.

Erenia’s case suffers more when weighed against the evidence for Epifania. Consider the following:

First. The Certificate of Tribal Marriage[42] issued by the National Commission on Indigenous Peoples certifying that on April 7, 1975, Pedro Mansila and Epifania Ramon Mansila were married and solemnized by Datu Crispin Lumalad is positive evidence to establish marriage between Pedro and Epifania which should be given credence by the lower court. It is evidence clearly superior to that of Erenia.

Second. The Birth Certificate[43] of Elpedio Ramon Mansila which indicated the name of the father as Pedro T. Mansila and the name of the mother as Epifania G. Ramon may also be accepted as proof of marriage to corroborate the NCIP Certificate. In *Trinidad v. Court of Appeals*,[44] the High Court ruled that a birth certificate is good evidence of marriage.

The evidence presented by Epifania – the Certificate of Tribal Marriage and Elpedio Mansila’s Birth Certificate – are public documents and enjoy the presumption that official duty has been regularly performed and the issuances of such documents were done in the regular conduct of official business. This presumption may be rebutted by clear and convincing evidence of irregularity or failure to perform a duty. Unless the presumption is rebutted, it becomes conclusive. In the case at bench, no evidence was shown or presented of any irregularity or failure to perform such duty.

Third. The Affidavit of Antonia Vda de Torres contradicts Erenia’s claim of ownership over the properties. The Records Verification Report issued by the Local Assessment Operation proves that the properties were declared for taxation purposes in 1965, while the statement of Antonia Vda de Torres reveals that in 1948, Erenia left Pedro Mansila and cohabited with another man. Hence, from the time Pedro declared the properties for taxation purposes, he did not have any relationship with Erenia anymore since they were already separated in 1948.

The Court does not discount entirely the possibility that Erenea co-habited with Pedro Mansila but the evidence shows this could only have been for a short period of time. From the records, there is no “proof of association, consciously and openly” so as to constitute proof of marriage^[45]. Thus, the presumption of marriage in favor of Erenea finds no applicability to the case at bench because this does not involve an apparent marriage to which the presumption still needs to be applied.^[46]

Upon a careful scrutiny of the records and evidence presented by both parties, the Court is convinced that Erenea was not able to prove by preponderance of evidence that she was the legal wife of Pedro Mansila. On this score, the evidence preponderates in favor of appellee Epifania Ramon Mansila.

WHEREFORE, the Decision dated September 21, 2010 of the Regional Trial Court, 10th Judicial Region, Branch 8, City of Malaybalay, in Civil Case No. 3537-06 is hereby REVERSED and SET ASIDE. The complaint for partition is DISMISSED.

SO ORDERED.

Francisco and Badelles, JJ., concur.

[1] Rollo, pp. 34-45.

[2] Annex “A” of the Complaint, Records, p. 22.

[3] Records, pp. 2-5.

[4] Records, pp. 23-27..

[5] Exhibit “A”, Records, p. 9.

[6] Exhibit “B”, Records, p. 10.

[7] Exhibit “C”, Records, p. 11.

[8] Exhibit “D”, Records, p. 12.

[9] Exhibit “E”, Records, p. 13.

[10] Exhibits “F” and “G”, Records, pp. 14-15.

[11] Exhibits “F-1”, “F-2”, “G-1”, “G-2”, “H”, “H-1 to “H-4”, Records, pp. 156-164.

[12] Exhibit “1”, Records, p. 128.

[13] Exhibit “2”, Records, p. 129.

[14] Exhibit “3” and “3-A”, Records, p. 130.

[15] Records, p. 111.

[16] Rollo, pp. 34-45.

[17] Id., p. 45.

[18] Records, pp. 184-194.

[19] Records, pp. 196-201.

- [20] Rollo, p. 12.
- [21] Rollo, pp. 21-22.
- [22] Rollo, pp. 39-45.
- [23] Pedro Sepulveda, Sr., et al. v. Atty. Pacifico Pelaez, G.R. No. 152195, January 31, 2005.
- [24] Aileen Ferancullo v. Atty. Sancho Ferancullo, Jr., A.C. No. 7214, November 30, 2006.
- [25] G.R. No. 135216, August 19, 1999.
- [26] 4 SCRA 849, 855, March 31, 1962.
- [27] Ibid., citing 55 CJS, p. 900.
- [28] 269 SCRA 259, 266, March 7, 1997.
- [29] 289 SCRA 188, April 20, 1998.
- [30] Ibid., p. 204
- [31] Francisco Jison v. Court of Appeals, et al., G.R. No. 124853, February 24, 1998.
- [32] Rollo, pp. 41-43.
- [33] Records, p. 10.
- [34] Records, p. 11.
- [35] Records, p. 12.
- [36] Tan v. Carino, CV-01942-R, June 25, 1985.
- [37] Republic of the Philippines v. Fredesvinda Almeda Consunji, G.R. No. 158897, September 13, 2007.
- [38] Records, pp. 160-162.
- [39] Records, p. 142.
- [40] Records, p. 164.
- [41] Nora T. Jimenez, et al. v. Commission on Ecumenical Mission and Relations of the United Presbyterian Church of the United States of America, et al., G.R. No. 140472, June 10, 2002.
- [42] Records, p. 129.
- [43] Records, p. 128.
- [44] G.R. No. 118904, April 20, 1998
- [45] Cox v. State 117 Ala. 103.
- [46] Republic of the Philippines v. Jose A. Dayot, G.R. No. 175581, March 28, 2008.

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