

PANDAO PANGANDAG, PETITIONER, VS. HON. JUDGE ANTONIETTA PABLO-MEDINA, RESPONDENT.

Ponente: CRUZ, R.A., J.

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CRUZ, R.A., J.:

This is a Petition for Certiorari filed by Petitioner Pandao Pangandag assailing the Order dated March 14, 2014 issued by public respondent in Criminal Case No. 04-150 denying petitioner's second motion for reconsideration. Our examination of the petition however reveals the following defects, to wit:

- a) Failure to state the material date as to when petitioner filed his first motion for reconsideration from the Decision dated May 15, 2013; There are three material dates that must be stated in a petition for certiorari brought under Rule 65. First, the date when the notice of the judgment or final order or resolution was received; second, the date when a motion for new trial or for reconsideration was filed; and third, the date when notice of the denial thereof was received. The requirement of setting forth the three dates in a petition for certiorari under Rule 65 is for the purpose of determining its timeliness. Failure to comply with any of the requirements shall be sufficient ground for the dismissal of the petition.[1]
- b) The copy of the assailed Decision attached to the petition is a mere photocopy; The rules require that the petition shall be accompanied by a certified true copy of the judgment, order or resolution subject thereof.[2]
- c) The People of the Philippines, represented by the Office of the Solicitor General, was not impleaded as a party respondent to the petition; When the petition filed relates to the acts or omissions of a judge, court, quasi-judicial agency, tribunal, corporation, board, officer or person, the petitioner shall join, as private respondent with such public respondent, the persons interested in sustaining the proceedings in the court.[3]
- d) Certain portions of the Annexes to the petition are illegible.

By reason of the foregoing defects, this Petition for Ceriorari is accordingly DISMISSED.

SO ORDERED.

Abdulwahid, H.S., Chairperson and Barza, R.F., JJ., concur.

[1] Spouses Lapid v. Laurea, G.R. No. 139607, October 28, 2002.

[2] Section 1, Rule 65 of the Rules of Court.

[3] Section 5, Rule 65 of the Rules of Court.

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