

BANCO DE ORO UNIBANK, INC., PETITIONER-APPELLEE, VS. CELINA O. CHENG, MORTGAGOR/OPPOSITOR-APPELLANT.

Ponente: PAREDES, J.

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PAREDES, J.:

Appellant was in receipt[1] of the Notice[2] to file Brief on October 14, 2013; the appellant had until November 28, 2013 to file the Appellant's Brief. As of May 8, 2014, appellant had failed to file the Brief per CMIS verification report[3].

Section 1, Rule 50 of the Rules of Court provides:

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:

x x x;

(e) Failure of the appellant to serve and file the required number of copies of his brief or memorandum within the time provided by these Rules; x x x.

Meanwhile, on March 3, 2014, counsel for petitioner-appellee, Valerio & Associates Law Offices, filed its Withdrawal of Appearance[4], with the conformity of petitioner-appellee, through Atty. Maria Cecilia Macatangay-Avila. The Withdrawal of Appearance of counsel for petitioner-appellee, Valerio & Associates Law Offices, is NOTED.

WHEREFORE, the APPEAL from the Decision of the Regional Trial Court, Branch 78, Malolos, Bulacan, in P-266-2011, is DISMISSED.

Send notice directly to petitioner-appellee.

SO ORDERED.

Didican, I.P., Chairperson and [*]Peralta, J., E.B., JJ., concur.

[*] Vice Justice Michael P. Elbinias per Office Order No. 221-14-ABR dated May 21, 2014.

[1] Registry Return Receipt, rollo, dorsal portion of p. 7.

[2] Rollo, p. 7.

[3] Rollo, p. 22.

[4] Rollo, pp. 17-20.

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