JUSTINIETA DE CHAVEZ, PLAINTIFF-APPELLANT, VS. JIMMY DE CHAVEZ, DEFENDANT-APPELLEE.

Ponente: LAGURA-YAP, J.

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LAGURA-YAP, J.:

The Judicial Records Division (CA-JRD) previously reported that the official receipt on docket fees as proof of payment is required[1].

On September 10, 2014, this Court issued a Resolution[2], directing the plaintiff-appellant to submit to this Court the official receipt on docket fees as proof of payment.

However, Upon re-verification, the Judicial Records Division (CA-JRD) wrote a report[3] that no compliance has been made by the plaintiff-appellant as of January 16, 2015. The considerable lapse of time for almost one (1) year from receipt of the Resolution dated September 10, 2014 without positive action and compliance from the plaintiff-appellant shows appellant's lack of interest and laxity in prosecuting her case.

The Supreme Court explicitly stated in the case of Zamboanga Forest Managers Corp., v. New Pacific Timber and Supply Co., et al[4]., held that a party's failure to comply with the CA's directive without justifiable cause is a ground for the dismissal of an appeal under Section 1 (h), Rule 50 of the Rules.

WHEREFORE, the appeal is hereby DISMISSED for failure of the plaintiff-appellant to comply with the directive of the Court without justifiable cause.[5]

SO ORDERED.

Delos Santos, J., Chairperson, and Lopez, JJ., concur.

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[1] Rollo, page 1.

[2] Rollo, page 4.

[3] Rollo, dorsal portion of page 5.

[4] G.R. No. 173342, October 13, 2010.

[5] Regalado, Florenz D., REMEDIAL LAW COMPENDIUM, Vol. 1 Ninth Revised Edition, Notes on the Revised Rules of Court, Rule 50, Sec. 1 (h), page 630.

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