

NOLASCO MANALO, PETITIONER, VS. HON. JUDGE TEODORO N. SOLIS AND THE NATIONAL HOME MORTGAGE FINANCE CORPORATION, RESPONDENTS.

Ponente: LANTION, J.A.C., J.

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LANTION, J.A.C., J.:

Before Us is a Petition for Certiorari under Rule 65 of the Rules of Court filed by Petitioner, assailing the Orders dated 8 June 2011 and 10 April 2014 of the Regional Trial Court of Biñan Laguna, Fourth Judicial Region, Branch 25, in LRC Case No. B-4745.

A perusal of the instant Petition reveals the following defects:

1. The Verification[1] lacks a statement that the allegations in the petition are true and correct of the affiant's personal knowledge or based on authentic records, in violation of Section 4, Rule 7[2] of the Rules of Court; and
2. The notarization by Notary Public Atty. Elmer A. Galicia lacks a properly accomplished jurat as no competent evidence of Petitioner's identity was presented before him, in violation of Sections 6[3] and 12[4] of the 2004 Rules on Notarial Practice.

ACCORDINGLY, the instant petition is DISMISSED.

SO ORDERED.

Veloso, V.S.E, (Chairperson) and Antonio-Valenzuela, N.G., JJ., concur.

[1] Rollo, p. 10.

[2] Section 4, Rule 7, *supra* provides:

SEC. 4. Verification. - Except when otherwise specifically required by law or rule, pleadings need not be under oath, verified or accompanied by affidavit.

A pleading is verified by an affidavit that the affiant has read the pleading and that the allegations therein are true and correct of his personal knowledge or based on authentic records.

A pleading required to be verified which contains a verification based on "information and belief" or upon "knowledge, information and belief," or lacks a proper verification, shall be treated as an unsigned pleading. (Emphasis supplied)

[3] Section 6 of the Rules on Notarial Practice stipulates:

SECTION 6. Jurat. — "Jurat" refers to an act in which an individual on a single occasion:

(a) appears in person before the notary public and presents an instrument or document;

(b) is personally known to the notary public or identified by the notary public through competent evidence of identity as defined by these Rules;

(c) signs the instrument or document in the presence of the notary; and

(d) takes an oath or affirmation before the notary public as to such instrument or document.

[4] As amended by A.M. No. 02-8-13-SC dated 19 February 2008, which postulates:

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Sec. 12. Competent Evidence of Identity. - The phrase “competent evidence of Identity” refers to the identification of an individual based on:

(a) at least one current identification document issued by an official agency bearing the photograph and signature of the individual, such as but not limited to, passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance, postal ID, voter's ID, Barangay certification, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, Philhealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, OFW ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disabled Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification; or (Emphasis supplied)

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