

CEBU CITY HALL HOMEOWNERS ASSOCIATION, INC. & VICTOR TIU, PLAINTIFFS-APPELLEES VS. FIRST BUILDERS MULTI-PURPOSE COOPERATIVE, INC. & ANDRES T. ALMOCERA, DEFENDANTS-APPELLANTS.

Ponente: LAGURA-YAP, J.

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LAGURA-YAP, J.:

On March 31, 2014, a Notice[1] to file Brief within forty-five (45) days from receipt of notice, was sent to counsel for defendants-appellants, Atty. Nilo G. Ahat. The Notice was received by Atty. Nilo G. Ahat, as per registry return receipt no. 367.

As of June 27, 2014, no brief has been filed by defendants-appellants as per Cebu Civil docket[2].

Section 7, Rule 44 of the Revised Rules of Court, provides:

SEC. 7. Appellant's brief. – It shall be the duty of the appellant to file with the court, within forty-five (45) days from receipt of the notice of the clerk that all the evidence, oral and documentary, are attached to the record, seven(7) copies of his legibly typewritten, mimeographed or printed brief, with proof of service of two (2) copies thereof upon the appellee.

WHEREFORE, for failure to comply with the foregoing rule, the instant appeal is hereby DISMISSED.

SO ORDERED.

Delos Santos, and Lopez, JJ., concur.

[1] Rollo, page 27.

[2] Rollo, dorsal portion of page 28.

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