

**REYNALDO C. CORRECHE AND CONCHITA B. CORRECHE,
PETITIONERS, VS. SALVADOR TAN, ET. AL., RESPONDENT.**

Ponente: QUIJANO-PADILLA, J.

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QUIJANO-PADILLA, J.:

At bar is petitioners' motion[1] asking for a 30-day extension from October 25, 2014, within which to file their Petition for Review under Rule 42 of the Rules of Court on the Order of the Regional Trial Court, Branch 41, Gandara Samar dated October 1, 2014.

Section 1, Rule 42 of the Rules of Court provides, thus:

Section 1. How appeal taken; time for filing. — A party desiring to appeal from a decision of the Regional Trial Court rendered in the exercise of its appellate jurisdiction may file a verified petition for review with the Court of Appeals, paying at the same time to the clerk of said court the corresponding docket and other lawful fees, depositing the amount of P500.00 for costs, and furnishing the Regional Trial Court and the adverse party with a copy of the petition. The petition shall be filed and served within fifteen (15) days from notice of the decision sought to be reviewed or of the denial of petitioner's motion for new trial or reconsideration filed in due time after judgment. Upon proper motion and the payment of the full amount of the docket and other lawful fees and the deposit for costs before the expiration of the reglementary period, the Court of Appeals may grant an additional period of fifteen (15) days only within which to file the petition for review. No further extension shall be granted except for the most compelling reason and in no case to exceed fifteen (15) days. [Emphasis and underscoring supplied.]

Petitioners' motion is unaccompanied by proof of payment of the required docket fee. Moreover, the 30-day extension prayed for by petitioners is clearly beyond what this Court can grant.

IN VIEW OF THE FOREGOING CAUSES, petitioners' motion for extension to file their Petition for Review is hereby DENIED and consequently, the Petition is DEEMED DISMISSED.

SO ORDERED.

Hernando, Chairperson and Azcarraga-Jacob, JJ., concur.

[1] Motion for Extension, rollo, pp. 3-5

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