

## **PIA CONSUELA ANTONINA MORATO-BARRETTO, FOR HERSELF AND ON BEHALF OF HER MINOR CHILDREN JOSE EDUARDO AND EDUARDO LUIS BARRETTO, PETITIONERS, VS. HONORABLE REGIONAL TRIAL COURT, B...**

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### **GALAPATE-LAGUILLES, J:**

For Our perusal is a Petition for Certiorari under Rule 65 of the Rules of Court assailing the Orders dated May 16, 2014 and September 22, 2014, both issued by the Regional Trial Court, Branch 94 of Quezon City in Civil Case No. Q-08-63949.

A cursory reading of the instant petition reveals the following defects warranting its outright dismissal, viz:

- Failure of the petitioner to allege in the Verification and Certification of Non-Forum Shopping, that the statements are true and correct based on the petitioner's personal knowledge or based on authentic records; and
- Failure of the petitioner to attach the following copies of the pertinent and relevant pleadings mentioned in the petition:
  - a. Marriage Contract dated January 11, 1997;
  - b. Birth Certificates of minors Jose Eduardo and Eduardo Luis Barreto;
  - c. Petition for Permanent Temporary Protection Order with Application for Immediate Issuance of Temporary Protection Order dated December 12, 2008;
  - d. Temporary Protection Order with Notice dated December 16, 2008;
  - e. Petition for Declaration of Nullity of Marriage and Order granting the Petition;
  - f. Decision dated June 3, 2011 issued by Public Respondent issuing a Permanent Protection Order in favor of petitioner and her two minor children; and
  - g. Entry of Judgment issued in CA-G.R. CV No. 97464.

Section 4 of Rule 7 of the Rules of Court states that a pleading required to be verified but 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.

In relation thereto, We also quote the pertinent provisions of Section 3, Rule 46 of the Rules of Court:

Section 3. Contents and filing of petition; effect of noncompliance with requirements. — The petition shall contain the full names and actual addresses of all the petitioners and respondents, a concise statement of the matters involved, the factual background of the case, and the grounds relied upon for the relief prayed for.

In actions filed under Rule 65, the petition shall further indicate the material dates showing when notice of the judgment or final order or resolution subject thereof was received, when a motion for new trial or reconsideration, if any, was filed and when notice of the denial thereof was received.

It shall be filed in seven (7) clearly legible copies together with proof of service thereof on the respondent with the original copy intended for the court indicated as such by the petitioner, and shall be accompanied by a

clearly legible duplicate original or certified true copy of the judgment, order, resolution, or ruling subject thereof, such material portions of the record as are referred to therein, and other documents relevant or pertinent thereto. The certification shall be accomplished by the proper clerk of court or by his duly authorized representative, or by the proper officer of the court, tribunal, agency or office involved or by his duly authorized representative. The other requisite number of copies of the petition shall be accompanied by clearly legible plain copies of all documents attached to the original.

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The failure of the petitioner to comply any of the requirements shall be sufficient ground for the dismissal of the petition. (emphasis Ours)

IN VIEW OF THE FOREGOING, the instant Petition for Certiorari is DISMISSED.

**SO ORDERED.**

Punzalan Castillo, M. P., Chairperson, and Macalino F. S., JJ., concur.

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