

RAYMAR MINISTRIES, INC., PLAINTIFF-APPELLEE, VS. LYDIA DELA CRUZ, RICARDO ALARCON, JONATHAN SANCHEZ, LUZVIMINDA VAGILIDAD, JERRY ELIZARDE, SAMUEL TEMPLADO, RODOLFO DELA CRUZ, DE...

Ponente: LAGURA-YAP, J.

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LAGURA-YAP, J.:

On February 6, 2014, a Notice[1] to file Brief within forty-five (45) days from receipt of notice, was sent to defendants-appellants counsel, Atty. Pietro C. Villarin. The notice was received on March 3, 2014[2], with proof of service on record.

As of June 2, 2014, no brief has been filed by defendants-appellants as per Cebu Civil docket[3].

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.

Ingles,[*] and Lopez, JJ., concur.

[*] In lieu of Justice Edgardo L. Delos Santos who is on wellness leave as Per Office Order No. 13-14-GTI.

[1] Rollo, page 18.

[2] Rollo, dorsal portion of page 18.

[3] Rollo, dorsal portion of page 21.

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