

ESPERANZA ESPIRITU ET AL., PETITIONERS, VS. FRANCISCO VALERIO, RESPONDENT.

G.R. No. 18018. September 26, 1961

Ponente: DIZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-18018/>

DIZON, J.:

The record discloses that on May 2, 1961, counsel for appellants sent by registered mail to Atty. C. Navi Busto, counsel for appellee, the required number of copies of appellants' brief, addressed at Sison, Pangasinan, which was the last known residence of said counsel appearing of record. The registered matter, however, was returned by the postmaster of Sison to the mailing post-office of Lingayen, Pangasinan, marked "Unclaimed." It also appears that before it was forwarded back to Lingayen, the registered package was forwarded by the Sison post-office to Manila, particularly to 3040 Rizal Avenue, supposed to be the address of attorney Busto in said city.

We now have before us a verified petition subscribed by Atty. Busto in which he states that he had received no service of the brief of appellants and that it was only on August 1, 1961 that a copy thereof came into his hands; that the reason for his failure to receive appellants' brief was that in 1961 he had transferred his residence from Sison, Pangasinan, to Calapan, Mindoro Oriental; that upon discovery that appellants had already filed their brief he immediately filed the petition under consideration praying that he be given a period of twenty days from notice to file appellee's brief.

There is no question that appellee's counsel was negligent in not making of record his new address; but considering that he represents appellee, and that no substantial prejudice may be caused to appellants by allowing the filing of appellee's brief, the petition under consideration is hereby granted, with a warning that a repetition of such negligent act will be dealt with more severely in the future. It is so ordered.

Bengzon, C. J., Padilla, Labrador, Concepcion, Reyes, J. B. L., Paredes, and De Leon, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.