

**PEDRO TURINGAN, PETITIONER, VS. JUDGE BONIFACIO CACDAC,
REGIONAL TRIAL COURT OF CAGAYAN, AND DANIEL LUYON,
RESPONDENTS.**

G.R. No. 64023. May 30, 1983

Ponente: AQUINO, J.

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AQUINO, J.:

Pedro Turingan received on April 21, 1983 a copy of the decision of Regional Trial Judge Bonifacio Cacdac of Cagayan, reversing the decision of the municipal circuit court of Solana-Enrile, Cagayan.

He allegedly filed a notice of appeal on May 17. He assumed that he has up to May 21, 1983 within which to file in this Court his petition for certiorari. So, on May 18, 1983, he filed a motion for an extension of ten days, or up to May 31, within which to file his petition for certiorari.

The nature of the case is not stated but the decision of the Regional Trial Court in that case is supposed to be final. However, it may be reviewed by the Intermediate Appellate Court pursuant to the Resolution of the Court of Appeals dated August 12, 1971 (67 O.G. 6715). It may also be reviewed by certiorari by this Court pursuant to Rule 45 of the Rules of Court (Secs. 22 and 25, Interim Rules and Guidelines).

We hold that the motion for extension was filed out of time. Under section one of Rule 45, he has only fifteen (15) days from April 21 or up to May 6 Within which to file his petition for certiorari or to ask for an extension of time within which to file it.

WHEREFORE, his instant motion for extension of time to file his petition for certiorari is denied.

SO ORDERED.

Makasiar (Chairman), Concepcion Jr., Guerrero, Abad Santos, De Castro and Escolin, JJ., concur.

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