

****Title:** Palafox v. Wangdali and Rural Bank of Tabuk: A Case of Certificate of Time Deposit Dispute******

****Facts:****

1. Noli C. Palafox held a Certificate of Time Deposit (CTD) No. 19265 with Rural Bank of Tabuk, maturing on April 12, 2003.
2. On June 11, 2003, Palafox attempted to withdraw P1,181,388.99 but was advised by bank employees to wait for the manager, Christine B. Wangdali, who also denied the request.
3. Atty. Edgar Orro, representing Palafox, sent a letter demanding the CTD's value. Wangdali replied, citing an investigation by BSP due to suspected fraudulent dealings involving Palafox.
4. Efraim B. Orodio, under a Special Power of Attorney (SPA) from Palafox, filed a complaint for the withdrawal of the deposit and damages.
5. The Bank filed a motion to dismiss, arguing that Orodio was not the real party in interest and raised issues with the certificate of non-forum shopping, which was executed by Orodio, not Palafox.
6. RTC denied the motion, and after various legal maneuvers, including a denied preliminary attachment request, trial commenced. Orodio was the sole witness for Palafox.
7. Respondents failed to present witnesses and argued a counterclaim about discrepancies in depositor identity and alleged AMLA violations by Palafox.
8. RTC ruled in Palafox's favor due to the lack of rebuttal from respondents.
9. Respondents appealed to the CA, which reversed the RTC decision, stating Palafox failed to prove his entitlement.
10. Palafox filed a motion for reconsideration, which was denied, prompting the present Supreme Court petition.

****Issues:****

1. Whether or not Palafox is the person named in CTD No. 19265.
2. Whether or not respondents shifted their theory on appeal, which affected case integrity.

****Court's Decision:****

1. ****Person Named in CTD No. 19265****:
 - The Supreme Court affirmed the CA's ruling that Palafox did not meet the burden of proof to establish himself as the rightful owner of CTD No. 19265. The evidence did not convincingly link Palafox to the CTD or justify the discrepancy in names.

2. **Change of Theory on Appeal**:

- The court noted the issue was factual, settled by the CA and verified by lack of cogent evidence proving Palafox's claims, maintaining the CA's findings.

Doctrine:

- He who alleges a fact bears the burden of proof, which must be established by a preponderance of evidence. Evidence presented must be credible, admissible, and meet the required quantum to establish claims in civil cases.

Class Notes:

- Preponderance of Evidence: The greater weight of evidence or more convincing evidence in terms of credibility and reliability.

- Burden of Proof: The obligation to prove one's assertion or claim in a legal dispute.

- In civil proceedings, the claimant must demonstrate the likelihood of truth in their assertions to succeed.

Historical Background:

The case reflects challenges in banking transactions regarding identity verification and procedural compliance, amidst regulations like the Anti-Money Laundering Act. It underscores ongoing jurisprudence on burden of proof and evidentiary standards in civil cases.