



Republic of the Philippines
Supreme Court
Manila

CERTIFIED TRUE COPY
Wilfredo V. Lapitan
WILFREDO V. LAPITAN
Division Clerk of Court
Third Division

AUG 15 2018

THIRD DIVISION

REPUBLIC OF THE PHILIPPINES,
Petitioner,

G.R. No. 227388

Present:

- versus -

VELASCO, JR., J., *Chairperson*,
BERSAMIN,
LEONEN,
MARTIRES, and
GESMUNDO, JJ.

MARIA THERESA MANAHAN-
JAZMINES,

Promulgated:

Respondent.

July 23, 2018

X ----- X

Wilfredo V. Lapitan

DECISION

GESMUNDO, J.:

This is an appeal by *certiorari* seeking to reverse and set aside the Decision¹ dated March 15, 2016 and Resolution² dated September 20, 2016 of the Court of Appeals (CA) in CA-G.R. CV No. 99962. The CA affirmed the Decision³ of the Regional Trial Court of San Mateo, Rizal, Branch 75 (RTC) dated October 5, 2012, granting the application of registration of title in LRC Case No. N-330-09 SM, filed by Maria Theresa Manahan-Jazmines (*respondent*).

The Antecedents

On March 11, 2009, respondent filed an application for the registration of four (4) parcels of land (*subject lots*) under Presidential Decree (P.D.) No. 1529 or the Property Registration Decree. She alleged that she is the absolute

¹ *Rollo*, pp. 67-81; penned by Associate Justice Victoria Isabel A. Paredes, with Associate Justices Magdangal M. De Leon and Elihu A. Ybañez, concurring.

² *Id.* at 83-84.

³ *Id.* at 330-339; penned by Judge Ma. Teresa Cruz-San Miguel.

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owner in fee simple of the subject lots, described as Lots 1, 2, 3 & 5 of Plan Psu-114423, Montalban Cadastre, with all the improvements thereon. The subject lots are situated at Brgy. San Rafael, Rodriguez, Rizal and have been declared for taxation purposes. Respondent asserted that she acquired ownership over the same by inheritance from her parents Mariano Manahan, Jr. and Rosita Manahan. She added that she and her predecessors-in-interest have occupied the subject lots for more than forty (40) years and have been in public, peaceful, open, continuous, uninterrupted and adverse possession in the concept of an owner prior to June 12, 1945, devoting the lots solely for agricultural purposes. Respondent averred that there is no mortgage or encumbrance of any kind whatsoever affecting the subject lots and there was no other person having any legal or equitable interest therein.

The Office of the Solicitor General (*OSG*) filed its notice of appearance for the oppositor, Republic of the Philippines (*Republic*). After compliance by respondent with the jurisdictional requirements, the RTC issued an order of general default against the whole world, except the Republic. Thereafter, trial ensued.

In support of the application, respondent presented her and Gregorio Manahan's testimonies, as well as the following documents:

- a. Affidavit of Self-Adjudication of the Estate of Mariano Manahan, Jr. and Rosita S. Manahan;
- b. Tax Declarations of the subject lots;
- c. Original Approved Survey Plan of Psu-114423;
- d. Letter from the Community Environment and Natural Resources Office (*CENRO*) Antipolo City;
- e. Letter from the Land Management Bureau;
- f. Certification from the *CENRO* Antipolo City dated May 13, 2009;
- g. Certification from the Office of the Barangay Chairman of San Rafael, Rodriguez, Rizal dated December 21, 2009;
- h. Certification from the Municipal Agrarian Reform Office (*MARO*) of Rodriguez, Rizal, dated December 8, 2009.⁴

Respondent testified that her paternal grandparents, Mariano Manahan Sr. and Angela Sta. Maria Manahan, owned the subject lots prior to June 12, 1945, and the total area covers more or less two (2) hectares; that when she was born in 1949, they were already in possession of the subject lots; that she acquired ownership over the subject lots when her father passed away in 1976 and her mother passed away in 2003; that she later on executed an affidavit of self-adjudication, which was published in *Bulgar Tabloid* on May 9, 16 and 23, 2008;⁵ and that she has been paying the taxes due on the subject lots, and

⁴ Id. at 174-188.

⁵ Id. at 233.

has obtained an approved survey plan thereof.⁶ Respondent also presented a Certification⁷ issued by the CENRO classifying the lands as alienable and disposable. Finally, she stated that a certain Vergel Carasco used to be a tenant therein and that he planted rice on the subject lots but died several years ago.

Gregorio Manahan testified that he was an adjoining owner of the subject lots; that respondent, the only heir of the late Mariano Manahan Jr. and Rosita Manahan, was the owner of the subject lots after she inherited the same; and that respondent and her predecessors-in-interest have been in possession of the subject lots in the concept of owners for more than thirty (30) years, which started prior to 1945.

Thereafter, respondent filed her formal offer of evidence. The Republic, through the Office of the Provincial Prosecutor of San Mateo, Rizal, did not present any evidence.

The RTC Ruling

In its decision dated October 5, 2012, the RTC granted respondent's application. It held that respondent duly established the ownership of her predecessors-in-interest over the subject lots and her continued possession over the same by virtue of the tax declarations acquired over the years. The RTC also observed that the subject lots were within the alienable and disposable portion of the public domain. The *fallo* of the decision reads:

WHEREFORE, premises considered, the instant application is **GRANTED** and the applicant, **MA. THERESA MANAHAN-JAZMINES**, of legal age, Filipino, married and a resident of #955 Sto. Tomas St., Sampaloc, Manila, is declared the owner of the four (4) parcels of land described as lots 1, 2, 3 and 5 and Psu-114423, the accurate description of which are shown in the following technical descriptions, to wit:

Lot 1
Psu-114423
(Mariano Manahan, Jr.)

A PARCEL OF LAND (Lot 1 as shown on plan Psu-114423, LRC Record No. ____), situated in the Barrio of San Rafael, Municipality of Montalban, Province of Rizal. Bounded on the N, along line 1-2 by the property of the Heirs of Gonzalo Bautista and Gabriel Manahan (Lot 1, Psu-114425); on the NE, along lines 2 to 4 by the property of Josefa Basa; on the SE, along lines 4 to 7 by the property of Joaquin

⁶ Id. at 106, 266-267.

⁷ Id. at 274.



Manahan; on the SW, along line 7-8 by the property of Rosendo Cruz; on the NW, along line 8-9 by Eustaquia Manahan; and on the N, along line 9-1 by the Heirs of Gonzalea Bautista. Beginning at a point marked "1" on the plan, being S. 87 deg. 30'E, m. from BLLM 1, Montalban, Rizal, x x x x containing an area of **SIX THOUSAND EIGHT HUNDRED EIGHTY ONE (6,881) SQ. METERS** x x x[.]

LOT 2

Psu-114423

(Mariano Manahan, Jr. et. al.)

A PARCEL OF LAND (Lot 2 as shown on plan Psu-114423, LRC, Record No. ____), situated in the Barrio of San Rafael, Municipality of Montalban, Province of Rizal, Island of Luzon. Bounded on the SW, along line 1-2 by the property of Rosendo Cruz; on the NW, along lines 2-3 & 3-5 by the property of Joaquin Manahan and Pedro San Diego; on the NE, along lines 5-6 by the Heirs of Severino Santos; and on the SE, along line 6-1 by the property of Pedro San Diego. Beginning at a point marked "1" on the plan, Being S. 80 deg. 26'E, 1089.98 m from BLLM #1, Montalban, Rizal, x x x containing an area of **FOUR THOUSAND FOUR HUNDRED EIGHT (4,408) SQUARE METERS** x x x[.]

LOT 3

Psu-114423

(Mariano Manahan, Jr. et al)

A PARCEL OF LAND (Lot 3 as shown on plan Psu-114423, LRC Record No. ____) situated in the Barrio of San Rafael, Municipality of Montalban, Province of Rizal, Island of Luzon. Bounded on the NE, along line 1-2 by Eustaquia Manahan, on the SE, along line 2-3 by Joaquin Manahan; and on the SW; along line 3-4 by Pedro San Diego, along line 4-5 by Jose Basa; and on the NW, along lines 5 to 7 by Joaquin Manahan; and along lines 7-8-1 by Hrs. of Juan San Juan. Beginning at a point marked "1" on the plan. Being S 72 deg. 28'E, 1120.28 m from BLLM #1, Montalban, Rizal x x x containing an area of **FOUR THOUSAND FOUR HUNDRED EIGHT (4,408) SQUARE METERS** x x x[.]

LOT 5

Psu-114423

(Mariano Manahan, Jr. et al.)

A PARCEL OF LAND (Lot 5 as shown on plan Psu-114423, LRC Rec. No. ____), situated in



the Barrio of San Rafael, Municipality of Montalban, Province of Rizal, Island of Luzon. Bounded on the NE, along line 1-2 by Calle Lopez Jaena; on the SE, along line 2-3 by the Hrs. of Severino Santos; on the SW., along line 3-4 by the property of Pedro San Diego, and on the NW., along 4-1 by Joaquin Manahan. Beginning at a point marked "1" on the plan N. 79 deg. 39'E, 1119.18 m from BLLM #1, Montalban, Rizal x x x containing an area of **FIVE THOUSAND SIXTY TWO (5,062) SQUARE METERS x x x**[.]

Henceforth, upon payments (sic) of the corresponding registry fees and after this decision has become final, let a Decree of Registration be issued over the afore[-]described properties in favor of herein applicant, **MA. THERESA MANAHAN-JAZMINES**, with address at #955 Sto. Tomas St., Sampaloc, Manila.

SO ORDERED.⁸

Aggrieved, the Republic appealed to the CA asserting that the RTC erred in granting the application for land registration of the subject lots.

The CA Ruling

In its decision dated March 15, 2016, the CA denied the appeal and affirmed the RTC ruling. It found that the notice and publication of the initial hearing was sufficient for the court to acquire jurisdiction over the case. The CA stressed that the identities of the lots were clearly established through the technical descriptions provided by respondent, which matched the original approved Survey Plan of Psu-114423. It also gave weight to the slew of tax declarations that respondent offered as evidence to prove her possession of the land.

Further, the CA emphasized that the subject lots were alienable and disposable based on *Republic v. T.A.N. Properties, Inc.*⁹ It observed by judicial notice that Proclamation No. 1637 dated April 18, 1977, established a town site reservation in Antipolo, San Mateo, and Montalban of Rizal, which necessarily classified the lands therein as alienable and indispensable. The CA also highlighted that the CENRO certification confirmed that the subject lands were within the alienable and disposable area of public domain. The dispositive portion of the CA decision states:

⁸ Id. at 336-339.

⁹ 578 Phil. 441 (2008).



WHEREFORE, premises considered, the appeal is **DENIED**. The Decision dated October 5, 2012 of the Regional Trial Court, Branch 75, San Mateo, Rizal, in Land Registration Case No. N-330-09 SM is **AFFIRMED**.

SO ORDERED.¹⁰

The Republic moved for reconsideration but it was denied by the CA in its September 20, 2016 resolution.

Hence, this petition. The Republic, through the OSG, raised the following grounds:

I

THE PRESENT PETITION COMES UNDER THE EXCEPTION TO THE GENERAL RULE THAT IN CERTIORARI PROCEEDINGS UNDER RULE 45 OF THE RULES OF COURT, ONLY QUESTIONS OF LAW ARE ENTERTAINED.

II

THE CA ERRED WHEN IT AFFIRMED THE RTC IN GRANTING THE APPLICATION FOR LAND REGISTRATION CONSIDERING THAT RESPONDENT FAILED TO PROVE THAT THE LAND IS ALIENABLE AND DISPOSABLE.

III

THE CA ERRED WHEN IT AFFIRMED THE RTC IN GRANTING THE APPLICATION FOR LAND REGISTRATION CONSIDERING THAT RESPONDENT FAILED TO PROVE THAT SHE AND HER PREDECESSORS-IN-INTEREST HAD OPEN, CONTINUOUS, EXCLUSIVE AND NOTORIOUS POSSESSION AND OCCUPATION OF THE LAND IN THE CONCEPT OF AN OWNER SINCE JUNE 1945 OR EARLIER.¹¹

The Republic argues that the evidence on record is not enough to support the findings and judgments made by the lower courts and that the complete records of the case must be reviewed. It also asserts that the certification from the CENRO falls short of the requirements set by law as the signatories of the said certification were not presented as witnesses.

¹⁰ *Rollo*, p. 23.

¹¹ *Id.* at 45-46.



The Republic also argues that respondent failed to show through incontrovertible evidence acts of dominion over the subject lots for the following reasons:

- a. The testimonies of respondent and her distant cousin Gregorio S. Manahan are not convincing;
- b. The tax declarations submitted dates back to 1965 only;
- c. Respondent did not provide any explanation why it was only in 1965 that the said properties were declared for tax purposes if she and her predecessors-in-interest were indeed in possession of the subject lots from 1945 or earlier;
- d. The real estate taxes were only paid for the year 1994 up to the present, or a mere 14 years, falling short of the requirements;
- e. The subject lots remain to be unoccupied, unfenced, uncultivated, with no improvements except for a short period when a distant relative tended the subject lots; and
- f. Respondent only lived in the subject lots until 1954 and afterwards, she merely visited the lots as she now resides in Sampaloc, Manila.

In her Comment,¹² respondent counters that the CENRO certification is a substantial compliance with the legal requirement and that the land classification map approved by the DENR Secretary is a mere surplusage. She also argues that the Republic is estopped from assailing the regularity of the said certification since the same was admitted by the public prosecutor.

In its Reply,¹³ the Republic asserts that respondent failed to comply with the requisites for original registration. It adds that the tax declarations presented by respondent dates back only to 1965 showing at best, possession from that year, and the payment for realty taxes for a brief period of time cannot be considered as proof of ownership.

The Court's Ruling

The petition is meritorious.

While it is true that the Court is limited to reviewing only errors of law, and not of fact, in petitions for review on *certiorari* under Rule 45, when the findings of fact are devoid of support by the evidence on record, or when the

¹² Id. at 406-410.

¹³ Id. at 419-429.



assailed judgment is based on a misapprehension of facts, the Court may revisit the evidence in order to arrive at a decision in conformity with the law and evidence at hand.¹⁴

In this case, the evidence on record do not support the findings made by the courts below that respondent had a *bona fide* claim of possession and ownership of the subject lands since June 12, 1945 or earlier. While the general rule is that the factual findings of the lower courts are entitled to respect, the lack of conclusiveness of the factual findings of the CA would impel this Court to re-examine the records of the case.

The main issue in this case is whether respondent, in applying for an original registration of an imperfect title, met the requirements set forth by law and jurisprudence. Respondent's application is grounded on Section 14 (1) of P.D. No. 1529 and Sections 11(4) and 48(b) of Commonwealth Act (C.A.) No. 141.

Under P.D. No. 1529, original registration of title can be acquired through Section 14, to wit:

Section 14. *Who may apply.* — The following persons may file in the proper Court of First Instance an application for registration of title to land, whether personally or through their duly authorized representatives:

- (1) **Those who by themselves or through their predecessors-in-interest have been in open, continuous, exclusive and notorious possession and occupation of alienable and disposable lands of the public domain under a *bona fide* claim of ownership since June 12, 1945, or earlier.**

XXXX (emphasis supplied)

Section 14(1) of P.D. No. 1529 refers to the original registration of imperfect titles and must be discussed in reference to Section 11(4)¹⁵ and

¹⁴ *Republic v. Lualhati*, 757 Phil. 119, 128 (2015).

¹⁵ SECTION 11. Public lands suitable for agricultural purposes can be disposed of only as follows, and not otherwise:

- | | | |
|-----|--|-----|
| xxx | xxx | xxx |
| (4) | By confirmation of imperfect or incomplete titles: | |
| | (a) By judicial legalization; | |
| | (b) By administrative legalization (free patent). | |

required by law. Moreover, their testimonies or proof of possession were self-serving and unsubstantiated, which do not qualify as competent evidences of open, continuous, exclusive and notorious possession and occupation. Respondent herself did not competently account for any occupation, development, cultivation or maintenance of the lots subject of her application either on her part or on her predecessors-in-interest for the entire time that they were supposedly in possession of the lands.

Indeed, respondent's own testimony defeats her claim of open, continuous, adverse, possession and occupation of the subject lots, to wit:

[Prosecutor:]

Q: How about... you mentioned in your application that you are now a resident of Sampaloc, Manila?

A: Yes, Sir.

Q: When did you begin to reside in that place, Madam witness?

A: Since 1954, sir, but at the same time, we have a residence here in San Mateo[,] which I also... where we also stayed from time to time.

Q: So from 1954?

A: Yes sir,

Q: From that time, Madam witness, when you transferred in Sampaloc, Manila, you have never gone anymore to San, Rafael, Rodriguez, Rizal?

A: I visited, sir.

Q: How often, Madam witness?

A: We visited the area from time to time. I cannot how many times (sic) we go there, sometimes once a year. We visited the area from time to time because we also have relatives there also, so we visit them.

Q: You also mentioned a while ago, Madam witness, that the lots you are applying for are still barren or no improvements introduced herein?

A: Yes, sir.

Q: Why is it so, Madam witness?

A: Because before, they were planting rice in that area and as a matter of fact, the persons, the tenants are our relatives. They were also a descendant of the Manahan family but since he got sick several years ago, he stopped tilling the property. So it's just idle sir.

Q: So, you mean to say, Madam witness, that those four lots are agricultural land?

A: Yes sir.

Q: Why did you not continue... by the way, Madam witness, may we know the name of the tenants of the lots you are requesting to be tilled, Madam witness?

A: Vergel Carasco, sir.

Q: Who else?

A: None sir, he's the only one.¹⁸ (emphasis supplied)

From the foregoing testimony, respondent has not resided at any of the subject lots since 1954 because she moved to Sampaloc, Manila. She would rarely visit the subject lots. At one point, respondent admitted that she only went there once a year. There was a lack of continuity in the possession of the said properties.

It was not even shown by respondent the manner by which her alleged tenant cultivated the land. Verily, no evidence was presented to prove that respondent or her relatives have been continuously cultivating the land because the sole tenant of respondent and her family died several years ago. This was even corroborated by the evidence presented by respondent, specifically, the MARO Certification¹⁹ showing that the subject lots are idle and uncultivated, with no signs of agricultural activity.

In *Wee v. Republic*,²⁰ the Court stated that mere casual cultivation of the land does not amount to exclusive and notorious possession that would give rise to ownership. To qualify as open, continuous, exclusive, and notorious possession and occupation, they must be of the following character:

Possession is open when it is patent, visible, apparent, notorious and not clandestine. It is continuous when uninterrupted, unbroken, and not intermittent or occasional; exclusive when the adverse possessor can show exclusive dominion over the land and an appropriation of it to his own use and benefit; and notorious when it is so conspicuous that it is generally known and talked of by the public or the people in the neighborhood.²¹

Further, in *Republic v. Lualhati*,²² the Court emphasized that testimony regarding mere casual cultivation, without any specific detail regarding the manner of cultivating or grazing the land, cannot establish the *bona fide* claim of ownership, viz:

¹⁸ *Rollo*, pp. 305-306.

¹⁹ *Id.* at 276.

²⁰ 622 Phil. 944 (2009).

²¹ *Canlas v. Republic*, 746 Phil. 358, 375-376 (2014).

²² 757 Phil. 119 (2015).

A mere casual cultivation of portions of the land by the claimant, and the raising thereon of cattle, do not constitute possession under claim of ownership. In that sense, possession is not exclusive and notorious as to give rise to a presumptive grant from the State. While grazing livestock over land is of course to be considered with other acts of dominion to show possession, the mere occupancy of land by grazing livestock upon it, without substantial enclosures, or other permanent improvements, is not sufficient to support a claim of title thru acquisitive prescription. xxx.²³

Likewise, as properly opined by the Republic, there was no evidence presented, whether testimonial or documentary, would show that the subject lands actually contained permanent structures or were fenced. Thus, the said lands remain uncultivated, unoccupied and unfenced.

The sporadic tax declarations cannot establish possession.

Further, the tax declarations presented in support of respondent's application dates back to 1965 only. The CA gave weight to the slew of tax declarations that respondent offered as evidence in affirming the decision of the RTC. Although a tax declaration by itself is not adequate to prove ownership, it may serve as sufficient basis for inferring possession.²⁴ However, the Court cannot abide by respondent's assertion that she had been in open, continuous, exclusive and notorious possession of the properties for more than forty (40) years, when the same tax declarations presented depict declarations for tax purposes for only 6 (six) to 7 (seven) years per lot:

Lot 1

Tax Declaration No. 2823 registered on August 31, 1965
Tax Declaration No. 5021 registered on October 31, 1973
Tax Declaration No. 11-0460 registered on May 14, 1979
Tax Declaration No. 11-0324 registered on June 25, 1984
Tax Declaration No. P-011-0159 registered on October 4, 1993
Tax Declaration No. 00-R-011-0439 registered on July 26, 1999

Lot 2

Tax Declaration No. 2824 registered on August 31, 1965
Tax Declaration No. 5022 registered on October 31, 1973
Tax Declaration No. 11-0462 registered on May 14, 1979
Tax Declaration No. 11-0325 registered on June 25, 1984
Tax Declaration No. R-011-0160 registered on October 4, 1993
Tax Declaration No. 00-R-0110485 registered on July 26, 1999

²³ Id. at 134, citing *Republic v. Bacas, et al.*, 721 Phil. 808, 833-834 (2013).

²⁴ See *Republic v Court of Appeals, et al.*, 328 Phil. 238, 248 (1996).

Lot 3

Tax Declaration No. 2825 registered on August 31, 1965
Tax Declaration No. 5024 registered October 31, 1973
Tax Declaration No. 11-0463 registered on May 14, 1979
Tax Declaration No. 11-0326 registered on June 25, 1984
Tax Declaration No. R-011-0161 registered on October 4, 1993
Tax Declaration No. 00-R-011-0136 registered on July 26, 1999
Tax Declaration No. 00-R-011-6083 registered on November 21, 2008

Lot 5

Tax Declaration No. 2829 registered on August 31, 1965
Tax Declaration No. 5027 registered on October 31, 1973
Tax Declaration No. 11-0465 registered on May 14, 1979
Tax Declaration No. 11-0328 registered on June 25, 1984
Tax Declaration No. R-011-0163 registered on October 4, 1993
Tax Declaration No. 00-R-011-0138 registered on July 25, 1999
Tax Declaration No. 00-R0114207 registered on October 27, 2004

As can be gleaned above, respondent did not religiously pay the taxes on the subject lots annually. There are merely 6 or 7 instances that she declared the subject lots for tax purposes on an alleged possession of more than 40 years and these are not sufficient proofs of possession and occupation contemplated by law. This type of intermittent and sporadic assertion of alleged ownership does not prove open, continuous, exclusive and notorious possession and occupation.²⁵

As correctly opined by the Republic, respondent did not provide any explanation why it was only in 1965 that the said properties were declared for tax purposes if she and her predecessors-in-interest were indeed in possession of the subject lots from 1945 or earlier.

Respondent should have presented other credible pieces of evidence to establish her and her family's possession and occupation of the property since June 12, 1945. She should not have relied on mere tax declarations as these are incomplete and only date back to 1965. She could have presented other testimonies or documentary evidence to substantiate the alleged possession and occupation of her family over the subject lot. However, respondent failed to do so, thus, she did not discharge the *onus* under the land registration application.

In *Republic v. Estate of Santos*,²⁶ aside from the fact that the respondent therein only had casual cultivation over the land, the Court denied its application for registration under Section 14(1) of P.D. No. 1529 because the respondent therein presented incomplete tax declarations. In that case, it was

²⁵ Supra note 20 at 956.

²⁶ G.R. No. 218345, December 7, 2016.

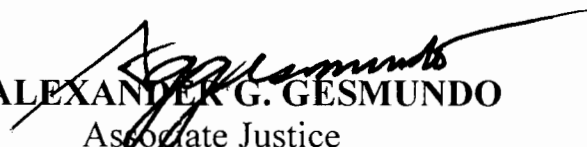
underscored that the earliest of these tax declarations dated back to 1949 only, short of the requirement that possession and occupation under a *bona fide* claim of ownership should be from June 12, 1945 or even earlier.

In fine, respondent failed to prove that she and her predecessors-in-interest have been in open, continuous, exclusive, and notorious possession and occupation thereof under a *bona fide* claim of ownership since June 12, 1945 or earlier. Evidently, she failed to comply with the second and third requisites under Section 14(1) of P.D. 1529, thus, the subject lots could not be registered. Respondent's application for registration of title of the subject lots under P.D. No. 1529 should be denied.


Accordingly, there is no more need to discuss the other issues raised by the Republic.

WHEREFORE, the petition is **GRANTED**. The Decision dated March 15, 2016, and Resolution dated September 20, 2016, of the Court of Appeals in CA-G.R. CV No. 99962 are **REVERSED** and **SET ASIDE**. The application for registration filed by Maria Theresa Manahan-Jazmines before the Regional Trial Court of San Mateo, Rizal, Branch 75 in LRC Case No. N-330 09 SM is hereby **DENIED**.

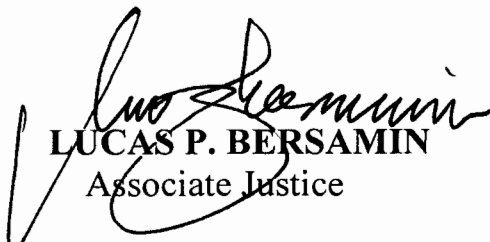
SO ORDERED.


ALEXANDER G. GESMUNDO
Associate Justice

WE CONCUR:



PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson



LUCAS P. BERSAMIN
Associate Justice



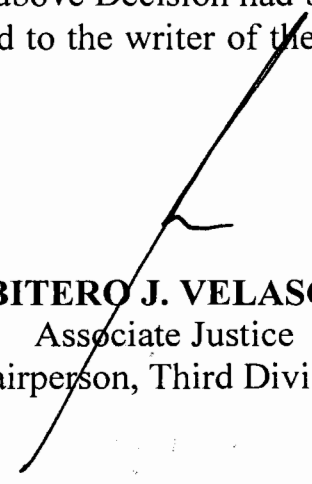
MARVIC M.V.F. LEONEN
Associate Justice



SAMUEL R. MARTIRES
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

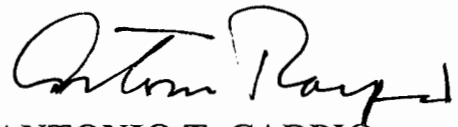


PRESBITERO J. VELASCO, JR.
Associate Justice
Chairperson, Third Division



CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



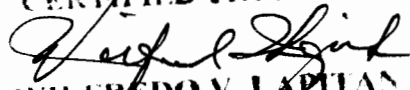
ANTONIO T. CARPIO

Senior Associate Justice

(Per Section 12, R.A. 296)

The Judiciary Act of 1948, as amended

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WILFREDO V. LAPID
Division Clerk of Court
Third Division

SEP 15 2018

