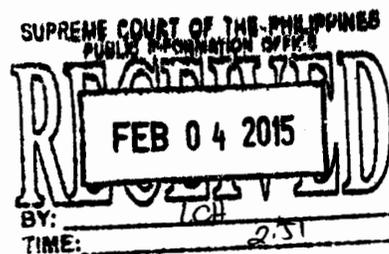




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **December 3, 2014** which reads as follows:*

“G.R. No. 213930 (Jimzen S. Madrigalejos v. Spouses Nestor and Melinda Divina, National Housing Authority [NHA], and Registry of Deeds of Laguna). – The petitioner’s motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the October 30, 2013 Decision¹ and August 11, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 100187 for failure of Jimzen S. Madrigalejos (petitioner) to show that the CA committed any reversible error in upholding the dismissal of his complaint for cancellation of Transfer Certificate of Title No. T-74708 issued in the name of Nestor Divina (respondent), married to Melinda Divina, over Lot 21, Block 12, Estrella, San Pedro, Laguna (subject lot).

As correctly ruled by the CA, petitioner failed to sufficiently establish that Anacorita Quinali, his predecessor-in-interest, was the rightful awardee of the subject lot which had already been registered in the name of respondent, married to Melinda Divina on February 3, 1981, or more than ten (10) years prior to Quinali’s purported acquisition thereof in

- over – two (2) pages

302

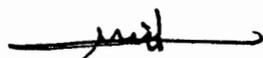
¹ *Rollo*, pp. 35-41. Penned by Associate Justice Hakim S. Abdulwahid with Associate Justices Marlene Gonzales-Sison and Edwin D. Sorongon, concurring.

² *Id.* at 43-44.

1991 from the National Housing Authority. Settled is the rule that conclusions of fact of the trial court when affirmed by the CA, are deemed final and conclusive and can no longer be reviewed on appeal by this Court,³ except in certain instances,⁴ that do not obtain in this case. In any event, the Court has carefully reviewed the factual findings of the Regional Trial Court and the CA found the same to be sufficiently anchored on the evidence on record.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court
302

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Supreme Court

National Housing Authority
Gen. Mariano Alvarez
Bulihan Sites and Services
GMA, Cavite 4117

The Register of Deeds
Province of Laguna

Court of Appeals (x)
Manila
(CA-G.R. CV No. 100187)

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The Hon. Presiding Judge
Regional Trial Court, Br. 31
San Pedro 4023 Laguna
(Civil Case No. SPL-1130)

Public Information Office (x)
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No. 12-7-1-SC)

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³ *Vda. De Gualberto v. Go*, 502 Phil. 250, 263 (2005); citations omitted.

⁴ “(1) when the findings are grounded entirely on speculation, surmises or conjectures; (2) when the inference made is manifestly mistaken, absurd or impossible; (3) when there is grave abuse of discretion; (4) when the judgment is based on a misapprehension of facts; (5) when the findings of facts are conflicting; (6) when in making its findings the CA went beyond the issues of the case, or its findings are contrary to the admissions of both the appellant and the appellee; (7) when the findings are contrary to the trial court; (8) when the findings are conclusions without citation of specific evidence on which they are based; (9) when the facts set forth in the petition as well as in the petitioner’s main and reply briefs are not disputed by the respondent; (10) when the findings of fact are premised on the supposed absence of evidence and contradicted by the evidence on record; and (11) when the CA manifestly overlooked certain relevant facts not disputed by the parties, which, if properly considered, could justify a different conclusion.” (*Heirs of Dicman v. Cariño*, 523 Phil. 630, 653 [2006]; citations omitted.)