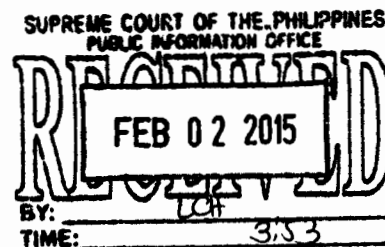




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated November 10, 2014 which reads as follows:

“G.R. No. 214545 (Spouses Nemesio and Geronima Paclauna, Spouses Rodolfo and Leonila Garcia, Spouses Marlon and Nina Visagas, Spouses Rodolfo and Alicia Publico, Julia Bongcaras, and Genodrita Tabaloc v. Spouses Galileo Lozada and Concepcion Villaflor). - After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the February 12, 2014 Decision¹ and August 28, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 02844 for failure of Spouses Nemesio and Geronima Paclauna, Spouses Rodolfo and Leonila Garcia, Spouses Marlon and Nina Visagas, Spouses Rodolfo and Alicia Publico, Julia Bongcaras, and Genodrita Tabaloc (petitioners) to show that the CA committed any reversible error in upholding their ejectment from Lot No. 2846-G.

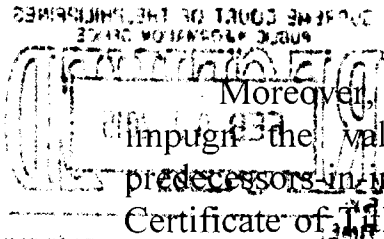
As correctly ruled by the CA, Spouses Galileo Lozada and Concepcion Villaflor (respondents-spouses), through the documents entitled Heirship and Sale executed by one Galicano L. Sibala and a Deed of Extrajudicial Settlement and Confirmation of Sale executed by the heirs of Pilar Lozada, have proven their possessory right over the said lot. It is well-settled that factual findings of the Regional Trial Court, when affirmed by the CA, are entitled to great weight by the court and are deemed final and conclusive when supported by the evidence on record.³ Absent any exceptions to this rule – such as when it is established

¹ Rollo, pp. 39-48A. Penned by Associate Justice Ramon Paul L. Hernando with Associate Justices Carmelita Salandanan-Manahan and Ma. Luisa C. Quijano-Padilla, concurring.

² *Id.* at 49-50. Penned by Associate Justice Ramon Paul L. Hernando with Associate Justices Ma. Luisa C. Quijano-Padilla and Renato C. Francisco, concurring.

³ Rodolfo Guevarra and Joey Guevarra v. People of the Philippines, G.R. No. 170462, February 5, 2014, citations omitted.


that the trial court ignored, overlooked, misconstrued, or misinterpreted cogent facts and circumstances that, if considered, would change the outcome of the case⁴ – such findings must stand, as in this case.



Moreover, the CA was also correct in ruling that petitioners cannot impugn the validity of the title of respondents-spouses and their predecessors-in-interest over Lot No. 2846-G described in Transfer Certificate of Title No. 18941, since it is tantamount to a collateral attack on such title, which is not allowed.⁵

SO ORDERED.” SERENO, C.J., on official travel; **DEL CASTILLO, J.**, acting member per S.O. No. 1862 dated November 4, 2014. **BERSAMIN, J.**, on official travel; **VELASCO, JR., J.**, acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court
0197

Atty. Gloria G. Futralan
Counsel for Petitioners
Rm. 104, Ground Floor, CBA Bldg.
Silliman University
6200 Dumaguete City

The Hon. Presiding Judge
Municipal Trial Court in
Cities
Tanjay City 6204
(Civil Case No. 837)

Judgment Division (x)
Supreme Court

Court of Appeals
6000 Cebu City
(CA-G.R. SP No. 02844)

Atty. Nilo Ruperto
Counsel for Respondents
Rm. 413, Portal West Bldg.
Cor. Silliman and Hibbard Avenues
6200 Dumaguete City

The Hon. Presiding Judge
Regional Trial Court, Br. 43
Tanjay City 6204 Negros Oriental
Stationed at Dumaguete City
(Civil Case No. 837)

Public Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to A.M.
No. 12-I-7-SC)

SR

⁴ *People v. Anod*, 613 Phil. 565, 572 (2009).

⁵ See *Esmaguel v. Coprada*, G.R. No. 152423, December 15, 2010, 638 SCRA 428.