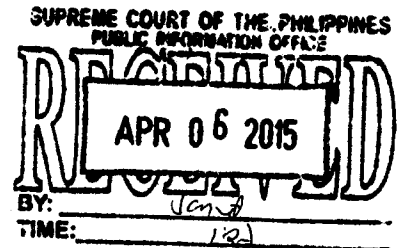




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 11, 2015** which reads as follows:*

“G.R. No. 215636 (Spouses Dalmacio C. Dayanghirang and Zenaida M. Dayanghirang v. Sonny Goron, Zocima Punzalan, Dolores Goles, and Gina Toledo). - The petitioners’ 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 August 19, 2014 Decision¹ and December 2, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 124942 as the CA’s Decision and Resolution had already attained finality.

As correctly ruled by the CA, Spouses Dalmacio C. Dayanghirang and Zenaida M. Dayanghirang (petitioners-spouses) received a copy of its Decision on September 4, 2014, hence, they had fifteen (15) days or until September 19, 2014 to file their motion for reconsideration. However, petitioners-spouses filed the same only on September 25, 2014, in violation of Section 1, Rule 52³ of the Rules of Court (Rules). It is well-settled that a judgment that has attained finality and immutability can no longer be modified to correct any erroneous conclusion of fact or law,⁴ as in this case.

- over - two (2) pages

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¹ *Rollo*, pp. 51-58. Penned by Associate Justice Ricardo R. Rosario with Associate Justices Rebecca de Guia-Salvador and Leoncia Real-Dimagiba, concurring.

² *Id.* at 60-61.

³ Section 1, Rule 52 of the Rules provides:

SEC. 1. *Period for filing.* – A party may file a motion for reconsideration of a judgment or final resolution within fifteen (15) days from notice thereof, with proof of service on the adverse party.

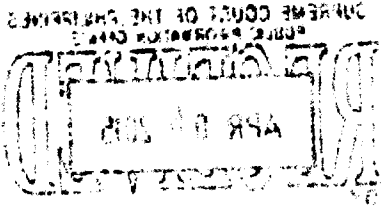
⁴ *Pinausukan Seafood House, Roxas Boulevard, Inc. v. Far East Bank and Trust Company (now Bank of the Philippine Islands)*, G.R. No. 159926, January 20, 2014.

SO ORDERED.”

Very truly yours,



LIBRADA C. BUENA
Deputy Division Clerk of Court
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Court of Appeals (x)
Manila
(CA-G.R. SP No. 124942)

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The Hon. Presiding Judge
Regional Trial Court, Br. 122
1400 Caloocan City
(Civil Case No. C-22928)

The Hon. Presiding Judge
Metropolitan Trial Court, Br. 52
1400 Caloocan City
(Civil Case No. 10-29768)

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