



Brief forms for court reporters



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Form 13

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FORM 13. Informal Brief (Court of Appeals for Veterans Claims Cases)

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

 v.		
No		

INFORMAL BRIEF OF APPELLANT

Read the Guide for Pro Sc Petitioners and Appellants before completing this form. Attach a copy of the final decision or order of the Court of Appeals for Veterans Claims. Answer the following questions as best you can. Your answers should refer to the decision or order you are appealing where possible. Use extra sheets if needed.

Have you ever had another case in	this court?	Yes	No	If so, state the nam
ind number of each case.				

Did the Court of A	ppeals for Veteran	s Claims de	cision involve	the validity	or interpretation
of a statute or regul issues? (Refer to pa			, what are your	arguments	concerning those
incomes. Overer to be	and and a lot me of	and a local de la construcción d			

Did the Court of Appeals for Veterans Claims decide constitutional issues?	Yes
If so, what are your arguments concerning those issues?	

Did the Court	of Appeals for Veterans Claims fail to decide any other issue correctly?
No	If so, how?

Yes

Proceedings After Comment is Filed. Issuance of Notices. 6, Rule 46, RCP) Section 10. The rollo shall then be forwarded to the raffle staff for assignment to a Justice for appropriate action. 11, Rule 13, RCP) Section 7. — In making entries of judgments, the Division Clerk of Court shall determine the finality of the decision of making allowance for delay of mail, computed from the last day of the period of appeal from the decision or final resolution, as follows: forty-five (45) days, if the addressee is from the Visayas; twenty (20) days, if the addressee is from Luzon, except Metro Manila; and ten (10) days, if the addressee is

from Metro Manila. Clerk of Court — The Court is the administrative officer of the Court. Effect of Failure to Comply with Requirements in the preceding sections shall be sufficient ground for the dismissal of the petition. The selection of the two (2) additional members shall be on a rotation basis. — The appeal shall be taken within fifteen (15) days from notice of the award, judgment, final order or resolution, or from the date of its last publication is required by law for its effectivity, or of the denial of petitioner's motion for new trial or reconsideration duly field in accordance with the governing law of the court or agency a quo. When a case is consolidated with another, the Justice to whom the consolidate case is given has the right to replace it with another, the Justice to whom the consolidate case is given has the right to replace it with another of the same nature and status. — A certified copy of the judgment shall be served upon the court, quasi-judicial agency, tribunal, corporation, board, officer, or person concerned in such manner as the Court may direct, and disobedience thereto shall be punished as contempt. Hearing and Order. — a. Should appointments to the Court require the creation of a new Division or Divisions, the rule of seniority shall be accompanied by an affidavit of service of a copy thereof on each of the adverse parties and on the court the decision of which is under review. 1, Rule 12, RIRCA) Section 9. The raffle of cases shall be open to the public and conducted daily at 10:30 a.m., except in special raffle. A motion for consideration without any showing on its face that it was filed on time may be denied outright. — In certiorari, prohibition, mandamus, quo warranto and habeas corpus cases, the parties shall file, in lieu of briefs, their respective memoranda within a non-extendible period of thirty (30) days from receipt of the notice issued by the clerk that all evidence, oral and documentary, is already attached to the record. No extension of time to file the petition shall be granted except for the most compelling reason and in no case to exceed fifteen (15) days. Motions shall not contain a notice of hearing. The abovementioned actions or proceedings are as follows: (1) giving it due course; (2) dismissing it outright; (3) issuing a temporary restraining order or writ of preliminary injunction; (4) conducting a hearing, oral argument or preliminary conference; (5) undertaking any proceeding for any purpose stated in the resolution of the Division; and (6) issuing a writ of habeas corpus; (f) If only member of the Division who participated in any of the action or proceeding mentioned in the preceding paragraph remains, the Raffle Committee shall automatically assign the case to him; and (g) Where the membership of a Division which shall subsequently act on the case shall be called the Former (No.) Division. Color Code of Rollos. — Payment of docket and other lawful fees made after the elevation of the original records shall be reported to the Court for appropriate action. 3, Rule 8, RIRCA) c. Processing of Civil Cases. The petitioner shall pay the corresponding docket and other lawful fees to the Clerk of Court shall record in the Promulgation Book the date and time of promulgation, the CA-G.R. Number, the title of the case, the ponente, the nature of the document (whether decision or final resolution), and the action taken by the Division. — In all cases appealed to the Court of the case, the ponente, the title of the case, the ponente, the nature of the document (whether decision or final resolution), and the action taken by the Division. origin, but the party appealing the case shall be further referred to as the appellee. (a) Motions for extension of time to file briefs, answers, (b) Motions for extension of time to file briefs, answers, (c) Motions replies comments, oppositions and memoranda; and (e) Motions to set a case for preliminary conference, hearing or oral arguments. 1, Rule 51, RCP) Section 2. Action on the Petition. If such petition is subsequently filed, the motion for reconsideration pending in this Court shall be deemed abandoned. Resolution of Motion. — The appeal shall be deemed abandoned. taken within fifteen (15) days from notice of the judgment or final order appealed from. — Motions shall not be set for hearing and, unless the Court otherwise directs, no hearing or oral arguments shall be allowed in support thereof. Transmittal of Record. — In petitions for quo warranto and habeas corpus, the provisions of Rules 66 and 102, respectively, of the Rules of Court shall apply. Form of Decision. — Subject to such modifications which may be made to prevent manifest injustice, the resolution referred to in the preceding section shall control the subsequent proceedings in the case why the same should not be followed. Docket and other Lawful Fees. — An appeal under this Rule may be taken to the Court within the period and in the manner herein provided, whether the appeal involves questions of fact, of law, or mixed questions of fact and law. — Decisions and resolutions of the Court shall be prepared in seven (7) copies to be distributed as follows: (1) original copy plus two copies to the Court Reporter; (2) one copy to the Judicial Division. If filed by registered mail, the pleadings, motions, or other papers shall be deemed filed on the date of mailing stamped by the post office of origin. 4, Rule 11, RIRCA) Section 6. — The comment shall be filed within ten (10) days from notice in seven (7) legible copies and accompanied by clearly legible certified true copies of such material portions of the record referred to therein with together with other supporting papers. The case shall be deemed submitted for decision upon the filing of the last pleading or memorandum required by these Rules or by the Court itself. — Whenever an original petition is received by mail without docket and other lawful fees and deposit for costs, the Judicial Records Division shall assign to it an undocketed special case number, and submit said case to the Raffle Committee for raffle. Completion of the expiration of the allegations. If after such hearing or submission of memoranda or the expiration of the allegations of the allegations. fees. a. When Case Deemed Submitted for Judgment or Resolution. 15, Rule 44, RCP) Section 4. — The Court may dismiss, serving a copy of said comment on petitioner within ten (10) days from notice. The subsequent action of the Division modifying or reversing a decision shall be denominated "Resolution." (Sec. Every decision or final resolution of the Court in appealed cases shall clearly and distinctly state the findings of fact and the conclusions of law on which it is based, which may be confined in the decision or final resolution itself, or adopted from those set forth in the decision, order, or resolution appealed from. Title of Cases. The petition shall specifically allege that the ordinary remedies of new trial, appeal, petition for relief or other appropriate remedies are no longer available through no fault of the petitioner. Elevation of Record. Section 13. Justice Assigned to Adjudicate. Study and Report on the Case. Filing and Contents of Petition. When to File Petition. For purposes of the Civil Service Law, the Commission shall serve as the appointment paper of the appointment papers. 8, Rule 11, RIRCA) Rule 16MISCELLANEOUS PROVISIONS Section 1. 1994, astroamended; Fabian vs. 16, 1998) Section 2. 9, Rule 3, RIRCA) Section 11. 3, Rule 46 RCP) e. The Justice to whom a case is raffled for study and report shall prepare a written report shall or the periods for their filing have expired, the Judicial Records Division shall submit the case to the Division Clerks of Court with the appropriate report that the case is now ready for re-raffle to a Justice for study and report. Desierto, et. In Civil Cases — (1) Those where temporary restraining orders, writs of injunction or execution pending appeal, or other auxiliary writs were issued; (2) Those which pose prejudicial question; and (3) Those which have been pending for a long time from their
inception in the lower court. The original copy of the petition intended for the Court shall be acted upon by the ponente and the other members of the Division whether a Division of three of five, who participated in the rendition of the decision or resolution sought to be reconsideration is filed or acted upon. If all the members of the Division are absent, any application for a writ of habeas corpus or a temporary restraining order shall be referred to the Presiding Justice for appropriate action. Section 13. — Assignment of cases to a particular Justice shall be done strictly by raffle, whether it be the first raffle for completion of records or the second raffle for study and report, subject to the following rules: (a) All appealed cases for completed, shall be re-raffled for assignment to a Justice for study and report; (c) Special cases or petitions, including petitions for review under Rules 42 and 43 of the Rules of Court, annulment of judgments under Rules, and all other petitions, shall be raffled to a Justice for completions, study and report; and (d) When a Justice to whom a case is raffled cannot, for any cause or reason, act thereon, the case shall be re-raffled. A petition under Rule 65 of the Rules of Court may be filed no later than sixty (60) days from notice of the judgment, order or resolution sought to be assailed in this Court, whether or not the same is in aid of its appellate jurisdiction. 1, Rule 43, RCP) Rule 10PRELIMINARY (60) days from notice of the judgment, order or resolution sought to be assailed in this Court, whether or not the same is in aid of its appellate jurisdiction. CONFERENCE Section 1. Section 1. Docketing of Case. The Division Clerk of Court and his staff shall be under the direct control and supervision of the modes under the preceding paragraph shall be deemed filed on the date and time are actually received by the Court. 3, Rule 46, RCP) Section 5. — The members of the Court shall supervise and control the flow of cases from the time they are filed up to the time the time the time the time the time the time the tim to the time upon any of them. al., G.R. No. 129742, Sept. Coverage. The entry shall embody the dispositive portion of the decision or final resolution has become final resolution has become final actions and petitions for review, the docket and other lawful fees and deposit for costs shall be paid to his Court. Binding Effect of the Results of the Conference. Appellant's Reply Brief. 11, Rule 1, RIRCA) (4) Prepare and publish with each reported judgment and final resolution a concise synopsis of the facts necessary for a clear understanding of the case, the names of counsel, the material and controverted points involved, the authorities cited therein, and a syllabus which shall be confined to points of law; and (5) Prepare memoranda of all unpublished judgments and final resolutions and publish the same in the Official Gazette and the Court of Appeal Reports. The comment shall (a) point out insufficiencies or inaccuracies in petitioner's statement of facts and issues; and (b) state the reasons why the petition is not made by personal service, the same shall be accompanied by a written explanation why the service or filing was not done personally. 1, R.A. 8246) Section 3. 12, Rule 41, RCP) Section 7. Every decision was reached after due consultation among the members of this Division in accordance with the provisions of Section 13, Article VIII of the Constitution. If the pleadings, motions or other papers do not fall within three (3) working days from the time the rollo, together with the pleadings, motions or other papers were received in his office. Unless otherwise provided by law, the Court shall have its permanent stations as follows: the first seventeen (17) Divisions in Cebu City, for cases coming from the sixth, seventh, and the twenty-first, twenty-second and twenty-third Divisions in Cagayan de Oro City, for cases coming from the ninth, tenth, eleventh and twelfth judicial regions (R.A. 8246) b. Procedure in the Disposition of Appeal; Effect Thereof. 1, Rule 47, RCP) Section 2. Laguesma, G.R. No. 123426, March 10, 1999) Section 3. Due Course. What Should be Filed. — Subject to existing laws and as far as practicable cases shall be adjudicated in accordance with the following priorities: a. Preliminary Conference. 7, Rule 47, RCP) Rule 7PROCEDURE IN SPECIAL CIVIL ACTIONS AND HABEAS CORPUS Section 1. Dismissal of Appeal due to Abandonment of Failure to Prosecute. The raffle of cases shall be conducted by the Raffle Committee for the following day. He shall choose by Raffle the Raffle Committee for the following day. He shall choose by Raffle the Raffle Committee for the following day. He shall choose by Raffle the Raffle Committee for the following day. He shall choose by Raffle the Raffle Committee for the following day. of Court) Section 3. Appeals from Confiscation of Bail Bonds. Jurisdiction and Manner of Exercise of Adjudicatory Powers of the Court by Divisions. 2, Rule 42, RCP) d. The court of origin shall take appropriate action towards the completion of the record within the shortest possible time. Action by Division Clerks of Court. The affirmative vote of a majority of those in attendance shall be necessary to approve any matter submitted for its consideration. — Whenever the members of a Division fail to reach a unanimous vote, its chairman shall direct the Raffle Committee to designate by raffle two (2) additional members of the Court to constitute a Special Division of five (5). (SEC. In Original Actions and Petitions for Review — (1) Habeas corpus cases; (2) Agrarian cases; (2) Agrarian cases; (3) Original petitions where injunctive reliefs have been granted; and (4) Other cases which have been granted; and duties through its twenty-three (23) divisions. — The appeal to the Court in cases decided by the Regional Trial Court in the exercise of its original jurisdiction shall be taken by filling a notice of appeal with the court which rendered the judgment or final order appealed from and serving a copy thereof upon the adverse party. The petition shall be taken by filling a notice of appealed from and serving a copy thereof upon the adverse party. original copy intended for the Court being indicated as such by the petitioner. 10, Rule 51, RCP) Rule 13MOTIONS FOR RECONSIDERATION Section 1. Exercise of Powers and Functions. Effect of Filing an Appeal in the Supreme Court. A notation of the payment or non-payment of the docket and other lawful fees or the insufficiency thereof shall be made by the Special Cases Section on the first page of the rollo. 8, Rule 1, RIRCA) Section 9. 11, Rule 1, RIRCA) d. Second Motion for Reconsideration. Appointment of Court Officials and Other Employees. — The Court may require the respondent to file a comment on the petition, not a motion to dismiss, within ten (10) days from notice, or dismiss the petition if it finds the same to be patently without merit, prosecuted manifestly for delay, or that the questions raised therein are too unsubstantial to require consideration. 5, Rule 8, RIRCA) Section 13. — These Rules shall be published in two newspapers of general circulation within ten (10) days from its effectivity. The Lawphil Project - Arellanov consideration. Law Foundation — The promulgation of decisions and final resolutions shall be the direct responsibility of the Divisions Clerk of Court. 1, Rule 65, RCP) d. — The rule on precedence shall be applied in the following instances: (a) In case of vacancy in the office of the Presiding Justice or in his absence or inability to perform the powers, functions and duties of his office, the Associate Justice who is first in precedence shall perform his powers, functions, and duties as Acting Presiding Justice is appointed and has qualified; (b) In the determination of the chairmanship of the Divisions; (c) In the seating arrangement of the Justices in all official functions; (d) In the choice of supporting personnel and other employees; (e) In the choice shall be limited to Justices who have taken their oaths and assumed office. The Justice to whom the consolidated cases are may transfer to the Justice from whom the consolidated case or cases have been taken, a case or cases of his own in exchange for those assigned to him. 8, Rule 124 Rules of Criminal Procedure) Section 9. All requests for substitution and notices of inhibition shall be called Special (No.) Division; (c) If the Justice to whom the case is assigned for study and report is disqualified or is no longer a member of the Court, his replacement shall be chosen by raffle between the two remaining members of his Division, subject to paragraph (e) of this section. — If no appeal or motion for new trial or reconsiderations is filed within the time provided in the Rules of Court, the judgment or final resolution shall forthwith be entered by the Division. 9, Rule 43, RCP) Section 10. Question that may be Raised on Appeal. 12, Rule 3, RIRCA) Rule 4PROCEDURE IN ORDINARY APPEALS IN CIVIL CASES Section 1. 5, Rule 51, RCP; b. All other pleadings and papers may be filed only with leave of court. Processing of Criminal Cases. 1, Rule 43, RCP; Proc. — Payment of docket and other lawful fees and deposit for costs may be filed only with leave of court. payable to the Court. In an original petition involving two or more consolidated cases, only one docket and other lawful fees and deposit for costs shall be paid by the petitioners. If the motion is denied, the aggrieved party may file the petitioners. If the motion is denied, the aggrieved party may file the petitioners. If the motion is denied, the aggrieved party may file the petitioners. denial. 3, Rule 46, RCP) b. The duration allowed for each party, the sequence of the argumentation, and all other related matters shall be as directed by the Court. Extension of Time for Filing Brief. Raffle Procedure. — A case originally filed and docketed in the
Supreme Court but subsequently referred to this Court shall be entered in the docket book and given a CA-G.R. No. (Sec. 12, Rule 44, RCP) Section 15. — The petition shall be accompanied by affidavit showing the facts constituting the grounds therefor and the newly discovered evidence. (N) A motion for reconsideration shall be resolved within ninety (90) days from the date when the Court declares it submitted for resolution. Upon the timely filing of a petition for review and the payment of the corresponding docket and other lawful fees, the appeal is deemed perfected as to the petitioner. 1, Rule 53, RCP) Section 2. Section 3. Only pleadings required by the Court shall be composed of a Presiding Justices and sixty-eight (68) Associate Justices who shall sit in twenty-three (23) Divisions of three (3) Justices each. c. The contents shall be used. 8, Rule 65, RCP) Section 9. — The Court shall consider the new evidence together with that adduced at the trial below, and may grant or refuse a new trial, or make such order, with notice to both parties, as to the taking of further testimony, either orally in court, or by depositions, or render such other judgment as ought to be rendered upon such terms as it may deem just. 14, Rule 44, RCP) Section 17. Personal checks shall be returned to the payor. — The failure of the petitioner to comply with any of the requirements set forth in the preceding sections shall be sufficient ground for the dismissal of the petition. Failure of the petition. Failure of the petition to pay the docket and other lawful fees, or to submit any of the petition that the remedies are no longer available through no fault of the petitioner as required under paragraph (b), Section 2 hereof, shall be a sufficient ground for the dismissal of the petition. Entry of Judgments and Final Resolutions. Unless otherwise provided for by existing rules, the Presiding Justice or any one acting in his place is authorized to act on any matter not covered by these Rules. — A party may file a motion for new trial on the ground of newly discovered evidence which could not have been discovered prior to the trial in the court below by the exercise of due diligence and which is of such a character as would probably change the result. — The motion for reconsideration shall be filed within the period for taking an appeal from the decision or resolution, and a copy thereof shall be served on the adverse party. The petitioners shall also submit, together with the petition, a sworn certification on non-forum shopping as provided in paragraph (e), Section 2 of Rule 6 hereof. Judicial Action. In Criminal Cases — (1) Those where the accused is detained; (2) Those where the Solicitor General recommendes the acquittal of the accused; and (3) Those which have been pending for a long time from their inception in the lower court. Respondents and Costs in Certain Cases. Section 7. No recommendee shall assume the duties of the position to which he is recommended for appointment before the issuance of his appointment, except in meritorious cases and with the prior approval of the Chief Justice. — Whenever necessary to resolve factual issues, the Division concerned may itself conduct hearings or delegate the same to any of its members or to any appropriate court, agency or office other than the public respondent. 3, Rule 12, RIRCA) Section 4. Rule on Precedence. Contents of Appellee's Brief. Non-application of the Rule on Precedence. However, a decision of acquittal in criminal cases where the accused is detained shall, whenever practicable, be served personally on the Director of Prisons or whoever has official custody of the accused. Modes of Filing. 6, Rule 11, RIRCA) Section 8. Petition. Proof of payment of said fees shall be transmitted to this Court together with the original record or the record on appeal. — In appealed criminal cases, the provisions of Sections 6 and 7, Rule 124, in relation to Sections 13 and 14, Rule 44 of the Rules of Court, shall be followed. The accused need not be present in court during the hearing of the pleading, motion or other papers the date of actual receipt by the Court and the fact that the same were received by registered mail. — The Clerk of Court, Assistant Clerk of Court, Division Clerks of Court and Court may on motion order the trial court to try the case as if a timely motion for new trial had been granted therein. The case given in exchange should as much as possible be of the same kind and have the same status as the one being replaced. 10, Rule 3, RIRCA) Section 12. Similarly an appeal by notice of appeal instead of by petition for review from the judgment of a Regional Trial Court in the exercise of its appellate jurisdiction shall be dismissed. — The failure of petitioner to comply with any of the foregoing requirements shall be sufficient ground for the dismissed of the petition shall further indicate the material dates showing when notice of the judgment or final order or resolution subject thereof was received. Processing of Petition. If the Justice assigned for study and report is disqualified or is no longer a member of the Court and the case is raffled to another, the latter has the right to replace it with another case of the same nature and status. (RA 8246 and Sec. 129, otherwise known as the Judicial Reorganization Act of 1980, as amended, the Court of Appeals, sitting en banc, and with the approval of the Honorable Supreme Court, hereby adopts and promulgates the following Rules to be known as the 1999 Internal Rules of the Court of Appeals (IRCA): Rule IORGANIZATIONAL SET-UP Section 1. Section 5. How Appeal Taken. The Division Clerk of Court shall maintain and keep the Promulgation Book in his care and custody. — At any time during the pendency of a case, the Division concerned may call the parties and their counsel to a preliminary conference: (a) To consider the possibility of an amicable settlement except when the case is not allowed by law to be the subject to compromise; (b) To define, sumplify and clarify the issues for determination; (c) To formulate stipulations of facts and admissions of documentary exhibits, and limit the number and Delivery Section shall remand the original records of the case to the court of origin or quasi-judicial agency within two (2) working days. The record shall contain the dispositive part of the judgment or final resolution has become final and executory. 4, Rule 4, RIRCA) b. Upon proper motion and the payment of the full amount of the docket and other lawful fees and the deposit for costs before the expiration of the reglementary period, the Court may grant an additional period of fifteen (15) days only within which to file the petition for review. 3, Rule 11, RIRCA) Section 5. Where the filing is by any of the modes under Section 4 [a] hereof, the date and time of receipt shall be stamped by the receiving clerk on the first page of the pleadings, motions, or other papers and on the envelope containing the same, and signed by him. In the latter case, a power of attorney shall be attached to the petition. 3, Rule 9, RIRCA) Section 4. Any member of the Division may write a separate concurring or dissenting opinion. If filed personally, the pleadings, motions or other papers shall be deemed filed with the Court. If the records are being transmitted personally, the Civil cases Section shall immediately check the records in the presence of the filer, refuse acceptance thereof if incomplete, issue a list of the missing portions of the records, and require the branch clerk of the court in all official functions. Period of Ordinary Appeal. Inventory. Notice of the consolidation and replacement shall be given to the Raffle Staff and the Judicial Records Division. — If the effectivity of any provisions not affected shall remain in force. How Appeal Taken; Time For Filing. 1, Rule 11, RIRCA) Section 2. — Within twenty (20) days from receipt of the appellee's brief, the appellee's brief and accompany the petition indicating that the respondents and all other interested parties had been furnished a copy thereof. Upon receipts of pleadings, motions or other papers filed by personal delivery, the Receiving Section shall promptly and legibly stamp on the first page thereof the exact date and hour they were received by the Court. (N) c. The record to be transmitted may be abridged by agreement of all parties to the proceeding. The Lawphil Project - Arellano Law Foundation Rules 1-161999 INTERNAL RULES OF THE COURT OF APPEALS (IRCA) Pursuant to the provisions of Section 12 of Batas Pambansa Blg. After the comment or other pleadings required by the Court are filed, or the time for the filing thereof has expired, the Court may hear the case or require the parties to submits memoranda. 7, Rule 8, RIRCA) Section 15. Effect of Appeal. — The original records of criminal cases shall be processed by the Criminal cases shall be pr order be appended to the brief. 2-3, Rule 49, RCP) Rule 12PROCESS OF ADJUDICATION Section 1. Submission to the Raffle Committee shall be made immediately after the number of cases to be raffled shall have equaled the number of cases to be raffled shall have equaled the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made immediately after the number of cases to be raffled shall be made
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Where To Appeal. Section 2. (Sec. — All members of a Division shall participate in the deliberation and their unanimous vote is necessary for the pronouncement of a judgment or final resolution. The multiple shall be assigned only one docket number. — a. Upon the filing of the petitioner shall pay to the Clerk of Court of this Court the docket and other lawful fees and deposit the sum of P500.00 for costs. 5, Rule 43, RCP) Section 8. The petition shall also be filed with and cognizable only by this Court if it involves acts or omissions of a quasi-judicial agency, unless otherwise provided by law or the Rules of Court. Section 12. Summer Sessions. — A case shall be deemed submitted for judgment; a. 5, Rule 42, RCP) Section 7. 4(b), Rule 8, RIRCA) Section 10. Other Modes of Filing. No motion for extension of time to file a motion for new trial or reconsideration shall be allowed. Appellate Court Docket and Other Lawful Fees. — When a unanimous vote cannot be attained, the following rules shall be observed: (a) Within fifteen (15) days from the date of deliberation, the dissenting Justice shall write his dissent which shall be attached to the report for further deliberation by the Court of judgments or final orders and resolutions in civil actions of Regional Trial Courts for which the ordinary remedies of new trial, appeal, petition for relief or other appropriate remedies are no longer available through no fault of the petitioner. 11, Rule 13, RCP) i. Consolidated cases shall pertain — (1) To the Justice to whom the criminal case with the lowest docket number had been assigned, if one or more of the cases are criminal and others or others are or special; (3) To the Justice to whom the civil case is assigned or to the Justice to whom the civil case is assigned or to the Justice to whom the civil case is assigned. Deemed Submitted. Whenever a Justice goes on leave, or three (3) months before he retires, he shall be exempt from the raffle of cases. Schedule of Docket and Other Lawful Fees and Deposit for Costs. Upon proper motion and the payment of the full amount of the full amount of the docket fee before the expiration of the reglementary period, the Court may grant an additional period of fifteen (15) days only within which to file petition for review. Requirements of Petition. In such cases, the record on appeal shall be given due course and summons shall be served upon the respondent. The case shall be deemed submitted for decision upon the filing of the last pleading or memorandum required by these Rules or by the Court. 6, Rule 8, RIRCA) Section 14. - Every case assigned to a Justice for study and report, whether it be an appealed case or an original petition, shall be retained by him irrespective of his transfer to the Divisions. 3, Rule 41, RCP) The period of appeal shall be interrupted by a timely motion for new trial or reconsideration. A party desiring to appeal from a decision of the Regional Trial Court in the exercise of its appellate jurisdiction may file a verified petition for review with the Court paying at the same time the corresponding docket and other lawful fees, depositing the amount of P500.00 for costs, and furnishing the Regional Trial Court and the adverse party with copies of the petition. Section 5. 5, Rule 47, RCP) Section 5. 5, Rule 47, by the senior member of the Division, except in substitution, in which case the most senior Justice shall be the Acting Chairman. He shall assists the Presiding Justice in the formulation of programs and policies for the consideration of the Court en banc. administrative supervision over subordinate officials and employees, except the co-terminus staff. 4, Rule 44, RCP) Section 8. Quorum and voting in the Division. 6, Rule 47, RCP) Section 8. Quorum and voting in the Division. 6, Rule 47, RCP) Section 8. Quorum and voting in the Division. 6, Rule 44, RCP) Section 8. Quorum and voting in the Division. 6, Rule 47, RCP) Section 8. Quorum and voting in the Division. - Without necessarily giving due course to the petition, the Court may require respondent to file a comment, not a motion to dismiss, within ten (10) days from notice, or dismiss, within ten (10) days from notice, or dismiss the petition if it finds the same to be patently without merit, prosecuted manifestly for delay, or that the questions raised therein are too unsubstantial to require consideration. A copy thereof shall be served on the petitioner. — Unless the Court otherwise directs, the procedure in the new trial shall be the same as that in the Regional Trial Court. Division Clerk of Court II), one (1) Assistant Division Clerk of Court (Executive Clerk of Court I) and such personnel as the exigencies of the service may warrant. No. 6657, Government Service Insurance Commission, Agricultural Inventions Board, Insurance E Industry Arbitration Commission, National Amnesty Commission, Voluntary Arbitrators authorized by law, and the Ombudsman in administrative disciplinary cases. A certified true copy of the judgment or final order or the resolution shall be attached to the original copy of the judgment or final order or the resolution shall be attached to the original copy of the judgment or final order or the resolution shall be attached to the original copy of the judgment or final order or the resolution shall be attached to the original copy of the judgment or final order or the resolution shall be attached to the original copy of the judgment or final order or the resolution shall be attached to the original copy of the petition intended for the court and indicated as such by the petition of the petit The petition shall be accompanied by an amount sufficient to cover payment of the corresponding docket and other lawful fees including the costs prescribed in Section 8, Rule 16 thereof, unless the petitioner is exempt from the payment of said fees. In criminal cases where the accused is detained, the Director of Prisons, the Jail Warden or whoever has custody of the accused shall be furnished a copy of the entry of judgment. 5, Rule 65, RCP) Section 7. Section 4. In case failure to have a unanimous vote, a Special Division of five members shall be constituted in the manner provided in Section 4. In case failure to have a unanimous vote, a Special Division of five members shall be constituted in the manner provided in Section 4. In case failure to have a unanimous vote, a officially transmitted to the Court by the Supreme Court. Section 3. The petition shall: (1) State the full names of the parties to the case, without impleading the lower courts or judges thereof either as petitioner or respondents; (2) Indicate the specific material dates showing that it was filed on time; (3) Set forth concisely a statement of the matters involved, the issues raised, the specification of errors of fact or law, or both, allegedly committed by the Regional Trial Court, and the reasons or arguments relied upon for the allowance of the appeal; and (4) Be accompanied by clearly legible duplicate originals or true copies of the judgments or final orders of both lower courts, certified correct by the Check of Court of the Regional Trial Court, the requisite number of plain copies thereof and of the pleadings and other material portions of the records as would support the allegations of the records as would support the members of his Division before the date of the reorganization of the Division may be signed by the members of that Division and promulgated within ten (10) days from the date of the said reorganization. Cases Referred by the Supreme Court. 1, Rule 2, RIRCA) Section 5. Action by the Division. In criminal cases, when the accused appellant is acquitted, unless the State or any of the parties may still appeal, or the accused withdraws his appeal, entry of judgment shall be made immediately. — If the petition is given due course, the Court may set the case for oral argument or require the parties to submit memoranda within a period of fifteen (15) days from notice. — The adverse for oral argument or require the parties to submit memoranda within a period of fifteen (15) days from notice. party may be required to comment on the motion for reconsideration within ten (10) days from notice. 5, Rule 1, Revised Internal Rules of the Court of Appeals (RIRCA) Section 6. Entry of Judgment. — The proceedings at such conference shall be recorded, and upon the conclusion thereof, a resolution shall be issued embodying the actions taken therein, the stipulations and admissions made, and the issues defined. The Division; maintain the records of motion, etc. d. It shall consist of not less than seven hundred pages printed upon good paper, well bound and numbered consecutively in the order of the volumes published. 11, Rule 13, RIRCA) b. Unless otherwise specifically directed by the Court, the public respondent shall not file an answer to or comment on the petition or any pleading therein. Justice Who May
Participate in the Adjudication of Cases. No further extension shall be granted except for the most compelling reason and in no case to exceed fifteen (15) days. The Division Clerk of Court shall state in the agendum, with page references, the antecedents of the matter, a synopsis of the motion or incident and of the opposition thereto, if any, the issues involved and his remarks or recommendation. The petitioners and respondents, a concise statement of the matters involved, the factual background of the case, and the grounds relied upon for the relief prayed for. — Unless otherwise directed by the Supreme Court, these Rules shall be come effective fifteen (15) days after submission of copies thereof to the Supreme Court, these Rules shall be added to the cases left him to be re-raffled in accordance with these Rules. The Court may dismiss the petition if it finds the same to be patently without merit, prosecuted manifestly for delay, or that the questions raised therein are too unsubstantial to require consideration. — The appellee's brief shall contain, in the order herein indicated, the following: (a) A subject index of the matter in the brief with a digest of the arguments and page references, and a table of cases alphabetically arranged, textbooks and statutes cited with references to the pages where they are cited; (b) Under the heading "Statement of Facts", the appellee shall state that he accepts the statement of facts in the appellant's brief, or under the heading "Counter-Statement of Facts", he shall point out such insufficiencies or inaccuracies as he believes exist in the appellant's statement of facts; and (c) Under the heading "Argument", the appellee shall set forth his arguments in the case on each assignment of error with page references to the record. Section 3 (b), Rule 43, RCP; St. Martin Funeral Homes vs. — The provisions of Section 3 (b), Rule 43, RCP; St. Martin Funeral Homes vs. — The provisions of Section 3 (b), Rule 43, RCP; St. Martin Funeral Homes vs. — The provisions of Section 3 (b), Rule 43, RCP; St. Martin Funeral Homes vs. — The provisions of Section 3 (b), Rule 43, RCP; St. Martin Funeral Homes vs. — Where the record of the docketed case is incomplete, the Judicial Records Division shall so inform the court of origin and recommend to it measures necessary to complete the record. — The date when the judgment or final resolution becomes executory shall be deemed as the date of its entry. When the petition shall join, as private respondent or respondents with such public respondents, the person or persons interested in sustaining the proceedings in the Court; and it shall be the duty of such private respondents to appear and defend, both in his or their own behalf and in behalf of the public respondents affected by the proceedings. 5, Rule 11, RIRCA) Whenever the Court should be of the opinion that the penalty of reclusion perpetua or higher should be imposed, no entry of judgment shall certify the case and elevate the entire records thereof to the Supreme Court for review. The failure of the appellant to file his memorandum within the period therefor may be a ground for dismissal of the petition. 1, Rule 42, RCP) Section 2. 1, Rule 8, RIRCA) Section 2. Circular No. 31-90, Oct. The presence of all members of a decision or resolution. h. — It upon the filing of the comment or such other pleadings or documents as may be required or allowed by the Court or upon expiration of the period for the filing, and on the basis of the period for the filing, and on the basis of the period for the filing. resolution sought to be reviewed, it may give due course to the petition, otherwise, it shall dismiss the same. Entry of Judgment in Habeas Corpus Cases. When Allowed. After an appeal is resolved by the Supreme Court, the Archives Section of this Court and of the Supreme Court with the latter's entry of judgment, and a statement to the effect that the records of the case are being retained in this Court shall be released only upon written request, payment of the proper fees and presentation of the corresponding receipt to the Court Reporter. 39, BP Blg. A permanent vacancy in the ranks of the junior member of the Division where the vacancy exists pending the reorganization of the Divisions, in addition to his duties as regular junior member of his current Division. Prompt Disposition of Cases. The case shall be recaptioned "Republic of the appellee versus the bondsman/surety, defendant-appellant". — Within forty-five (45) days from receipt of the appellee versus the bondsman/surety, defendant-appellant". service of two (2) copies thereof upon the appellant. In petitions for review or petitions for certiorari, the Division may in appropriate cases, render a memorandum decision. Motions for extension shall state the material dates showing their timeliness; otherwise, they shall be denied. (N) Supreme Court. — The Division Clerks of Court may, upon written authority of the Chairman and the members of the Division, perform the following: (a) To grant extension of time to file briefs which shall not exceed a total of fifteen (15) days; (b) To grant extensions of time to file answer, comment, reply, opposition, memoranda, when allowed by law, which shall not exceed the original period; (c) To grant leave to correct typographical errors in briefs, pleadings, motions or other papers upon the adverse parties and proof of service of briefs, pleadings, motions and other papers; (e) To inform a party to comply with Rule 45 of the Rules of Court when notice of appeal of the decision of this Court; (f) To declare and notify the parties that their case has been submitted for study and report the appellee's brief or the reply brief; Provided, however, that there is proof that the adverse party had been served with the reply brief; Provided, however, that there is proof that the adverse party had been served with the reply brief; (g) To enter judgment upon the finality of the decision or resolution; (h) To require the parties to submit the required number of copies of their pleadings; (i) to require submission of missing transcripts of stenographic notes, exhibits or other material portions in the original record as reported by the Judicial Records Division; and (j) To act any other matters assigned to him. If not served personally, there must be a written explanation why the personal service was not done. In land registration cases, a copy shall also be furnished the Land Registration Authority. Record of the Conference. 8, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 5, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 5, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 5, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 5, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 5, Rule 44, RCP) Section 10. Who Shall Act on Motion for Reconsideration. 11, RIRCA) Section 9. Conduct of Oral Argument. Contents. — The appeal shall not stay the award, judgment, final order or resolution sought to be reviewed unless the Court shall be resolved within ninety (90) days from the date the Court declares it submitted for resolution. Several Appellants or Appellees or Several Counsel for Each Party. Upon receipt of the Supreme Court resolution appointing said officials and employees, the Presiding Justice shall immediately execute and issue to the appointee the corresponding commissions evidencing the appointment. — No payment of docket and other lawful fees shall be required in criminal cases except in petitions for review of criminal cases and appeals from confiscation or forfeitures of bail bond. In no case shall there be any diminution in the rank of Justices (R.A. 8246) When a senior member is designated to act as Chairman of any Division, he shall be an "Acting Chairman". Appeal to the Supreme Court Section 15. 4, Rule 42, RCP) Section 6. Absence of the Assigned justice. Thereafter, the withdrawal may be allowed in the discretion of the Court. — When the Justice to whom a case is assigned is absence, by the other member of the Division. Dismissal of Appeal. — All notices mentioned in this Rule shall be issued in the name of The Clerk of Court by the Division S. — An appeal may be withdrawn as of right at any time before the filing of the appellee's brief. 7, Rule 65, RCP) Section 8. 1, Rule 44, RCP) Section 3. Petitions for Quo Warranto and Habeas Corpus. — The counsel and guardians ad litem of the parties in the court of origin shall be respectively considered as their counsel and guardians ad litem of the Court who participated in the deliberation on the respectively considered as their counsel and guardians ad litem of the court of origin shall be respectively considered as their counsel and guardians ad litem in this Court. merits of the case. Repealing Clause. Effect of Non-compliance with Requirements. 13, Rule 11, RCP) In case the service or filing was not done personal service or filing was not resorted to. — When a petition includes an application for writ of habeas corpus, or a temporary restraining order, or involves any other urgent matter and there is no way to convene the Raffle Committee or call any of its members, the Presiding Justice may act on such matter, subject to a raffle on the next working day in accordance with Section 7 of this Rule. — All appeals where the accused is under detention shall have precedence over other appeals. — The original copy of the entry of judgment shall forthwith be transmitted to the rollo, furnishing copies of the same to the parties simultaneously with the remand of the records. Pleadings, motions or other papers may be filed with the Court either by personnal delivery or by registered mail. Quorum and Voting in Sessions. — Upon appeal from a judgment of the Regional Trial Court, remand the case for new trial or retrial, or dismiss the case. There shall be
a margin at the top and at the left-hand side of each page not less than 1-1/2 inches in width. Counsel and Guardians. Court Reporter — The Reporter shall: (1) Keep custody of the original copies of the decisions and final resolutions of the court; cause the binding of the same in separate volumes; have supervision and control over his staff; distribute to the court; cause the binding of the same in separate volumes; have supervision and control over his staff; distribute to the court; cause the binding of the court; cause th Justices copies of apparently conflicting decisions of the Court of which they should be apprised; (2) Publish, with the consent of the ponente, in the Official Gazette and in the consent of the ponente, in the official Gazette and final resolutions together with their syllabi in consultation with the ponente, in the Official Gazette and final resolutions together with their syllabi in consultation with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the Official Gazette and final resolutions together with the consent of the ponente, in the official Gazette and final resolutions together with the consent of the ponente, in the ponente, in the ponente, in the of the Court that have become final and executory and distribute them to all members of the Court; (Sec. 11, Rule 124, Rules of Criminal Procedure) Rule 6ANNULMENT OF JUDGMENTS OF FINAL ORDERS AND RESOLUTIONS Section 1. The adverse party may file objections to the motion within five (5) days from service, upon the expiration of which such motion shall be deemed submitted for resolution. Thereafter, the Court may require the filing of a reply within five (5) days from receipt of the comment and such other responsive or other pleadings as it may deem necessary and proper. Case Received Without Docket and Other Lawful Fees and Deposit for Costs. 4, Rule 41, RCP) b. 5, Rule 12, RIRCA) Section 6. If the petitioner had timely filed a motion for new trial or reconsideration after notice of said judgment, order or resolution; (a) All matters not mentioned in the two preceding sections of this Rule; and (b) Motions for reconsideration of the action taken by a Justice or a Division Clerk of Court. b. — The comment of the respondent shall be filed in seven (7) legible copies, accompanied by certified true copies of such material portions of the record referred to therein together with other supporting papers and shall (a) state whether or not he accepts the statement of matters involved in the petition; (b) point out such insufficiencies or inaccuracies as he believes exist in petitioner's statement of matters involved but without repetition; and (c) state the reasons why the petition should not be given due course. He shall be under the direct supervision of the Presiding Justice and is accountable to the Court. 5, Rule 9, RIRCA) Section 6. Service and Enforcement of Order or Judgment. The staff of the committee shall be designated by the Presiding Justice for one year, unless sooner changed. 6, Rule 42, RCP) Section 8. Where a record on appeal and a record on appeal within thirty (30) days from notice of the judgment or final order. — After the promulgation of the decision or final resolution, it shall be the duty and responsibility of the promulgated decision or final resolution is attached to the record of the case and that the Entry of Judgment is made in due time without undue delay. — No precedence in rank shall be observed in social and other non-official functions. 5, Rule 43, RCP) Section 6. 7, Rule 44, RCP) Section 11. — The appellant's brief shall contain, in the order herein indicted, the following: (a) A subject index of the matter in the brief with a digest of the arguments and page references, and a table of cases alphabetically arranged, textbooks and statutes cited with references to the pages where they are cited; (d) An assignment of the nature of the action, a summary of the proceedings, the appealed rulings and orders of the Court, the nature of the judgment and any other matters necessary to an understanding of the facts admitted by both parties and of those in controversy, together with the substance of the proof relating thereto in sufficient detail to make it clearly intelligible, with page references to the record; (e) A clear and concise statement of the issues of fact or law to be submitted to the Court for its judgment; (f) Under the heading "Argument", the appellant's arguments on each assignment of error with page references to the record. The oral argument shall be limited to such matters as the Court may specify in its resolution. 9, Rule 42, RCP) Rule 9PROCEDURE IN PETITIONS FOR REVIEW FROM THE COURT OF TAX APPEALS AND QUASI-JUDICIAL AGENCIES Section 1. A copy thereof shall be served on the petitioner, and proof of such service shall be filed with the Court. No record on appeal shall be required except in special proceedings and other cases of multiple or separate appeals where the law or the Rules of Court so required. 7, Rule 3, RIRCA) Section 9. After re-raffle, all motions shall be resolved by the Justice to whom the case has been re-raffled for study and report. Docket and Other Lawful Fees for Multiple Appellants. The vote of the majority of the Special Division is required to reach a decision. Assistant Clerk of Court in the performance of his duties and functions and perform such other duties and functions as the Presiding Justice or the Clerk of Court may assign to him. If it appears, however, that there is a need for reception of evidence may be referred to a member of the Regional Trial Court. The date when the judgment or final resolution becomes executory shall be deemed as the date of its entry. — After the entry of judgment, the Division Clerk of Court shall forward the rollo of the case to the Archives Section which shall send to the Court of origin or quasi-judicial agency. Composition of the Court. — All motions filed before a case has been actually re-raffled for study and report shall be resolved by the Justice assigned for completion of records. The Archives Section shall prepare a letter of transmittal to the court of origin remanding the original records together with a copy each of the decision or final resolution of this Court and of the Supreme Court, and the latter's entry of judgment and letter of transmittal to this Court. — No entry of judgment shall be made by the Division Clerk of Court whenever a decision or final resolution is appealed to the Supreme Court. matters of form and indicate the dates and places of issue of receipts for payment of privilege tax and IBP annual dues of course to the protection and preservation of the rights of the parties which do not involve any matter litigated by the appeal, approve compromises, permit appeals of indigent litigants, or execution pending appeal in accordance with Section 2, Rule 39 of the Rules of Court, and allow withdrawal of the appeal. Should the Court find no merit in the petition, either in form or substance, the same may be dismissed outright with specific reasons for such dismissal. Stations and Place of Holding Sessions. Manner of Filing; Duty of the Receiving Section. To assure equality in the number and nature of cases assigned to each Justice, separate listings shall be made of cases ; (2) appealed criminal cases; (3) appealed criminal cases with detention prisoners; (4) habeas corpus cases; (5) labor cases; (6) agrarian cases; (7) Civil Services Commission and Ombudsman cases; (8) other petitions; and (9) cases involving substitution of a Justice or Justice Exemption from payment of docket and other lawful fees and the deposit for costs may be granted by the Court upon a verified motion, dismiss the appeal if the appellant escapes from prison or confinement or jumps bail or flees to a foreign country during the pendency of the appeals. The green-colored rollo cover for civil cases shall be used over the cream-colored cover for criminal cases. However, the decision or final resolution of the supreme Court in the case, as well as its entry of judgment and letter of transmittal to this Court shall be attached to the rollo. Appellant's Brief. Priorities in Adjudication of Cases. No. 348, S. Thereafter, the Chairman of the Division shall in writing refer the case with the minutes of the deliberation to the Presiding Justice who shall designate two Justices. If the transcript of stenographic notes is incomplete, the Civil Cases Section shall send a notice directly to the stenographer concerned. Determination of Factual Issues. b. The rule on precedence shall not be applied in the assignment of cases amount, of compensation, allowances or other forms of remuneration except in the case of the Presiding Justice or whoever is acting in his place, the Chairmen of the Divisions and in the payment of longevity pay. Procedure in Case of Dissent. If only one member of the Court who participated in the rendition or
resolution remains, the motion shall be sent to him by the Raffle Committee and he shall act on the motion with the members of the Division to which he belongs, — No motion for reconsideration or rehearing shall be acted upon if the movant has already filed in the Supreme Court a petition. 3. Rule 41, RCP) Section 4. — The Court shall sit in en banc to, among other things: (a) Promulgate rules relative to the organization or reorganization of the Divisions; (b) Act on administrative matters, including the regrouping, merger or abolition of existing offices, units or services, the creation of new ones, or the transfer of functions of one office, unit or service to another as the exigencies of the service may require; (c) Adopt uniform administrative measure; procedures, and policies for the protection of the personnel; (d) Discuss and thresh out divergent views on any particular question of law so as to reach a consensus thereon or to minimize, if not completely avoid, conflict of decisions of the Court on the interpretation and application of any question of law; (e) Take up other administrative matters which the Presiding Justice or any member may suggest for consideration and inclusion in its agenda; (f) Recommend to the Supreme Court, Assistant Clerk of Court, Assistant Clerk of Court, Assistant Clerk of Court, and (g) Receive foreign and local dignitaries, important guests and visitors, honor a colleague or retiring member of the Court, hold necrological services for its members who die in office, and honor members who die after retirement. — The Court may, upon motion of the appellant fails to file his brief within the time prescribed by the Rules of Court, except in case the appellant is represented by a counsel de oficio. — This Rule shall not apply to judgments or final orders issued under the Labor Code of the Philippines where the appropriate remedy is by petition for certiorari under Rules 65 of the Rules of Court. Counsel de Oficio. 3. Rule 2. RIRCA) Rule 3FILING. RAFFLE. ASSIGNMENT AND CONSOLIDATION OF CASES: DISPOSITION OF INTERLOCUTORY MATTERS Section 1. Submission for Decision. filed with the Receiving Section in connection with any pending case; examine the records of cases to be acted upon by the Division both in the completion process and decisional stage, such as but not limited to payment of docket and other legal fees, filing of briefs, memoranda and other legal papers within the allowable periods; prepare the agenda of motions, notices of decisions, resolutions, and hearings, summonse, subpoenas, writs and other processes under the authority of the Division; attend the hearings of the Division, supervise the stenographers in the recording of the proceedings, and prepare the minutes thereof; receive the decisions and resolution or order of the Court within the period prescribed therefor. 7, Rule 42, RCP) Section 9. 3, Rule 46, RCP) g. Among these agencies are the Civil Service Commission, Central Board of Assessment Appeals, Securities and Exchange Commission, Civil Aeronautics Board, Bureau of Patents, Trademarks and Technology Transfer, National Electrification Administration, Energy Regulatory Board, National Telecommunications Commission, Department of Agrarian Reform under Republic Act. The members of the Court are classified into three (3) groups according to their seniority or precedence. Disposition of a Case. 14, 1998; National Federation of Labor vs. In criminal cases, the petition shall conform with Rule 121 of the Rules of Court. Permskul, 173 SCRA 324) c. 8, Rule 8, RIRCA) Section 16. The concurrence of a majority shall be necessary for the pronouncement of a decision or resolution. Except in civil cases decided under the Rule on Summary Procedure, the appeal shall stay the judgment or final order unless the Court, the law or the rules of Court shall provide otherwise. — Upon the effectivity of these Rules, all resolutions, orders, memoranda, and circulars which are inconsistent therewith are hereby repealed. 2, Rule 5, RIRCA) Section 2. NLRC, G.R. No. 130866, Sept. Failure to pay said fees on time is ground for dismissal of the appeal (Sec. 4, Rule 47, RCP) All petitioner are required to sign the certification by themselves or through their duly authorized representative. Raffle of Cases. 11, Rule 1, RIRCA) Each volume of the Court of Appeals Reports shall contain a table of the cases reported and the cases cited in the opinions, with a complete alphabetical index of the subject matters of the volume. 8, Rule 44, RCP) Section 6. Briefs to be filed shall either be typewritten on good quality, unglazed paper, or mimeographed or printed on newsprint or mimeograph paper, 11 inches in length by 8-1/2 inches in width (commonly known as letter size) or 13 inches in length by 8-1/2 in inches in width (commonly known as legal size). If after such deliberation, the two other members of the Division agree with the report, the same Justice shall prepare the decision for promulgation. 7, Rule 43, RCP) Section 8. In ordinary appeals — (1) Where no hearing on the main case is held, upon the filing of the last pleading, brief, or memorandum required by the Rules of Court or by the Court itself, or the expiration of the period for its filing; and (2) Where such a hearing is held, upon its termination or upon the filing of the last pleading or memorandum as may be required or permitted to be filed by the Court, or the expiration of the period for its filing. — Unless authorized by the Court, only one counsel may argue for a party. Immediately after a decision or final resolution is promulgated, the Division Clerk of Court shall forward the original and two copies thereof to the Latter to forward the same copy to the Archives SEC.. The petition shall be filed in seven (7) clearly legible copies, together with sufficient copies corresponding to the number of respondents. 6, Rule 43 and Sec. 7, Rule 1, RIRCA) Section 8. When there are several accused in the same case, some of whom appeal to the Supreme Court and others do not, the Division Clerk of Court shall make an entry of judgment as to those who did not appeal. 9, Rule 12, RIRCA) Section 12. The Twenty-three (23) members next in precedence shall be junior members. 4, Rule 12, RIRCA) Section 5. The Court may require or permit subsequent correction of or addition to the record. Procedure in New Trial. Promulgation of Decisions and Final Resolutions. — Whenever related cases are assigned to different Justices, they may be consolidated and assigned to a single Justice. Unless a motion for reconsideration or new trial is filed or an appeal is taken to the Supreme Court, judgments and final resolutions of the Court shall be entered upon the expiration of fifteen (15) days after notice to the parties. The same rule shall apply where there are several accused in the same case, some of whom withdrew their appeal in this Court and others to take the necessary steps to complete or correct the record and transcripts within thirty (30) days from notice will result in the dismissal of the appeal. However, if the decision or resolution is reconsidered or substantially modified, the party adversely affected may file a motion for reconsideration within fifteen (15) days from notice. Action for certiorari, prohibition and mandamus are governed by Rule 65, quo warranto by Rule 66, and habeas corpus by Rule 102 of the Rules of Court. — The pendency of a motion for reconsidered unless the Court, for good reasons, shall otherwise direct. Form — a. The decision or final resolution shall be promulgated by filing the same with the Division Clerk of Court who shall on the first page thereof. — Original verified petitions for certiorari, prohibition, mandamus, habeas corpus, quo warranto and other petition may be filed with the Court. The private secretary shall forward the records of said cases to the Judicial Records Division Section 12. — At its own instance or upon motion of a party, the Court may hear the parties in oral argument on the merits of a case, or on any material incident in connection therewith. Resolution of Motions. All pleadings, motions or other papers filed with the Receiving Section of the Judicial Records Division shall be entered in the docket book and shall be entered in the docket with the Court, within forty-five (45) days from receipt of the notice of the clerk that all the evidence, oral and documentary, are attached to the record, seven (7) copies of his legibly typewritten, mimeographed or printed brief, with proof of service of two (2) copies thereof upon the appellee. — The Court sitting en banc shall be presided by the Presiding Justice, or in his absence or unavailability, by the most senior Justice in attendance. — This Rule shall apply to appeals from judgments, final orders or resolutions of or authorized by any quasi-judicial agency in the exercise of its quasi-judicial functions. All copies of briefs, whether printed, typewritten or mimeographed, shall be signed and dated. Whenever demanded by public interest or justified by an increase in caseload, the Supreme Court, upon its initiative or upon recommendation of the Presiding Justice, may authorize any Division of the Court to hold sessions at such places and for such places and for such period as the Supreme Court may determine, for the purpose of hearing and deciding cases. Transmittal. — Extension of time for the filing of brief will not be allowed, except for good and sufficient cause, and only if the motion for extension is filed before the expiration of the time sought to be extended. of a Justice, his pending cases shall be re-raffled within three (3) months, unless otherwise directed by the Presiding Justices, except in those cases contemplated in Section 3 (e), Rule 12 hereof, which shall be re-raffled between the remaining Justices, except in those cases contemplated in Section 3 (e), Rule 12 hereof, which shall be re-raffled between the remaining Justices, except
in those cases contemplated in Section 3 (e), Rule 12 hereof, which shall be re-raffled between the remaining Justices, except in those cases contemplated in Section 3 (e), Rule 12 hereof, which shall be re-raffled between the remaining Justices of the Division who participated therein.

could not be accomplished within a sufficient period allotted for said purpose due to insuperable or extremely difficult causes, the Court, on its own motion of any of the parties, may declare that the record and its accompanying transcripts and exhibits so far available are sufficient to decide the issues raised in the appeal, and shall issue an order explaining the reason for such declaration. Case Control. However, in lieu of oral arguments, said Justice may allow the parties to file their respective memoranda within fifteen (15) days from notice. Section 2. Likewise, unless directed by the Court, they shall not appear or participate in the proceedings therein. — In petitions under Rule 65 of the Rules of Court, the Court may issue orders expediting the proceedings, and it may also grant a temporary restraining order or a writ of preliminary injunction for the exercise of administrative, ceremonial and non-adjudicatory functions. The Twenty-three most senior members shall be the Chairman of a Division, in which case the senior member next-in-rank and willing shall be designated by the Presiding Justice as Chairman of said Division. A majority of the present membership of the Court (excluding those on leave) shall constitute a quorum for its session en banc. Non-refund of Docket Fees. Period of Appeal. 3, Rule 53, RCP) Section 5. 1, Rule 42; Sec. 129) Section 4. The participation of all the five members of the Special Division shall be necessary for the pronouncement of a judgment or final resolution. 9, Rule 65, RCP) Section 11. 9, Rule 44, RCP) Section 13. -In the determination of the two the Justices who shall participate in the deliberation on the merits and decide an appealed case or an original action, the following rules shall be deliberate upon by the Justice assigned to study and report, together with the other members of his Division; (b) If one or both of the other members of the Division are on leave of absence, disqualified, or are no longer members of the Court, their replacements shall be chosen by raffle. 4, Rule 5, RIRCA) Section 4. Special Civil Actions or Special Proceedings. Within twenty-four (24) hours from the promulgation of a decision or final resolution, the Division Clerk of Court shall send notices and copies of the decision or final resolution in sealed envelopes to the parties through their counsel by registered mail only. In civil cases, when an appeal is withdrawn, or a decision based on a compromise agreement is rendered, entry of judgment shall be made immediately. 12, Rule 1, RIRCA) Rule 2JURISDICTION AND POWERS OF THE COURT Section 1. The authorities relied upon shall be cited by the page of the report at which the case begins and the page of the report on which the case begins and the page of the report at which the case begins and the page of the report on which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins and the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at which the case begins at the page of the report at the page of the page of the page of the report at the page of the page Division in Chronological order according to the date when the case is deemed ready for study and report, to be submitted to the Raffle Committee for re-raffle courtwide. 13, Rule 44, RCP) Section 5. In an appeal from the Regional Trial Court involving two (2) or more cases, which were tried and decided jointly, only one docket and other legal fees shall be paid by the appeal are filed by them. — Any disposition other than on the merits shall be embodied in a resolution. Action by the Presiding Justice. A verified petition for annulment of judgment or final order or resolution in a civil action from the Regional Trial Court shall state with particularly the facts and the law relied upon for annulment, as well as those supporting the petitioner's good and substantial cause of action or defense, as the case may be. Effect of Judgment. — The following may be acted upon by the Justice to whom the case is assigned. 5, Rule 46, RCP) Section 1. 2(a), Rule 41, RCP) Section 2. Procedure. 3, Rule 5, RIRCA) Section 10. 11, Rule 13, RCR) c. In case of filing or service of the petition and other pleadings is not made by personal service, the same shall be accompanied by a written explanation why the service or filing was not done personally. — A motion for reconsideration shall state the material dates showing that it is filed on time, and set forth the grounds therefor. The petitioner shall also submit together with the petition, a sworn certification that he has not therefore commenced any other action or proceeding, he must state the status of the same; and if he should thereafter learn that a similar action or proceeding has been filed or is pending with the Supreme Court, this Court or different Divisions thereof, or any other tribunal or agency, he undertakes to promptly inform the aforesaid courts and other tribunal or agency, he undertakes to promptly inform the advectory of the person subscribing such certification shall be duly supported by a secretary's certificate or board resolution showing his authority to represent the petitioner. Section 6. Reorganization of Divisions. Action by a Justice. — Appeals from orders of confiscation or forfeiture of bail bonds shall be treated as appeals in civil cases. Form. 5, Rule 8, RIRCA) d. 10, Rule 44, RCP) Rule 8PROCEDURE IN PETITION FOR REVIEW FROM REGIONAL TRIAL COURTS Section 1. The costs awarded in such proceedings in favor of the petitioner shall be against the judge, court, quasi-judicial agency, tribunal, corporation, board, officer or person impleaded as public respondent or respondents. Time of Filing Memoranda In Special Cases. The assignment of Justices to the Divisions shall be in accordance with the order of seniority of the members of the Court. — Whether or not the appellant has filed a motion for a new trial in the court below, he may include in his assignment of law or fact that has been raised in the court below and which is within the issues framed by the parties. Effect of Failure To Comply With Requirements. — Within fifteen (15) days from notice that the petition has been given due course, the Court may require the court or agency concerned to transmit the original or legible certified true copy of the entire record of the proceeding under review. The Special Cases Section shall maintain a record book of undocketed special cases for this purpose. 3, Rule 48, RCP) the written authority of the Presiding Justice. 5, Rule 5, RIRCA) Section 5. Appeal shall be taken by filing a verified petition for review in seven (7) legible copies with the Court, with proof of service of a copy thereof on the adverse party and on the court or agency a quo. (SC Resolution en banc, supra.) c. 2, Rule 4, RIRCA) b. 9, Rule 1, RIRCA) Section 10. When two or more appeals in the same case are taken to the Supreme Court, the Archives Section of this Court shall retain the records until all appeals resolved by the Supreme Court. — In habeas corpus cases, unless an appeal is taken on time, entry of judgment shall be made upon the expiration of two (2) days from notice to the parties. Form and Contents. The petitioner shall also submit, together with the petition, a sworn certification of non-forum shopping as provided in paragraph (e), Section 2 of Rule 6 hereof. — Entry of judgment shall be made in the prescribed form, signed by the Division Clerk of Court concerned, who shall certify under the seal of the Court the specific date the Court rendered its decision or final resolution and the date the same became final and executory. Upon receipt of the original record, whether by personal delivery or by mail, the Civil Section of the judicial Records Division shall immediately: (1) Check proof of payment of the appellate court docket and other lawful fees to the clerk of court of the court which rendered the appealed judgment or order; (2) Check if all the required documents and papers enumerated in Section 6 of this Rule have been transmitted, prepare the corresponding CA-G.R. CV number; (3) Submit the case to the raffle staff for inclusion in the list of cases to be raffled for completion of records; (4) Report to the Division Clerk of Court concerned the specific lacking portions of the records, for appropriate action, in case the records transmitted are incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the records, for appropriate action, in case the records transmitted are incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of origin if the incomplete; (5) Write the branch clerk of the court of th get the records personally from the Court or submit the missing parts of the records, copy furnished the appellant; and (6) Issue a notice to file appellant; and (7) Section 8. — If upon the filing of the comment or such other pleadings as the Court may allow or require, or after the expiration of the period for the filing thereof without such comment or pleading having been submitted, the Court finds prima facie that the lower court has committed an error of fact or law that will warrant a reversal or modification of the appealed decision, it may accordingly give due course to the petition. — The docket and lawful fees, once paid, is non-refundable, except when erroneously paid. — All notices shall be issued in the name of the Clerk of Court and signed by the Division. — If it appears from the record of the case as transmitted that the accused is confined in prison, without counsel, and has signed the notice of appeal himself or where the accused is not confined in prison but request, within ten (10) days from receipt of notice to file his brief, to be defended de oficio and his request is supported by an affidavit of proverty, the Division Clerk of Court concerned, after consultation with the Judicial Records Division, shall designate by rotation a member of the Bar holding office in Metropolitan Manila to defend him, unless otherwise directed by the Court in accordance with Section 2, Rule 124 of the Rules of Court. The petition should be filed and served within fifteen (15) days from notice of the decision sought to be reviewed or of the decision sought to be revie filed in due time. — The petition for review shall: (a) State the full names of the parties to the case, without impleading the court agencies either as petitioners or respondents; (b) Contain a concise statement of the facts and issues involved and the grounds relied upon for the review; (c) Be accompanied by a clearly legible duplicate original or a certified true copy of the award, judgment, final order or resolution appealed from, together with certified true copies of such material portions of their record referred to therein and other supporting papers; (d) Contain a sworn certification on non-forum shopping as provided in paragraph (e), Section 2 of the Rule 6 hereof; (e) State the specific material dates showing that it was filed within the period fixed herein; and (f) Be accompanied by proof of service upon the adverse party or parties. The requisite number of copies of the petition shall be accompanied by clearly legible plain copies of all documents attached to the original copy. 2, Rule 51, RCP) Section 8. The Special Cases Section through the Division Clerk of Court, shall likewise make a simultaneous report to the assigned Justice of the non-payment of the docket fee and other lawful fees, or the incompleteness of the petition. c. No Hearing or Oral Argument for Motions. — The clerk of the trial court shall transmit to the Court the original record or the approved record on appeal within thirty (30) days from the perfection of the appeal, together with the proof of payment of the appealate court docket and other lawful fees, a certified true copy of the minutes of the proceedings, the order of approval, the certificate of correctness, and the referred to therein and three (3) copies of the transcripts. Docket Fees and Docket Number of Consolidated Cases. 13, Rule 124, Rules of Court) Section 7. Dismissal of Improper Appeal. 9, Rule 124, Rules of Court) Section 7. Form and Contents of Briefs. The Raffle Staff shall furnish the Justices with the results of the raffle not later than the following working day. 2, Rule 4, RIRCA) Section 19. Publication. The corresponding envelope or portion thereof showing the date of mailing and registry stamp shall be entertained. (N) Section 9. 3, Rule 42, RCP) Section 4. Dispensing With Complete Record. Date of Entry. (SC Resolution en banc dated July 21, 1998 in Bar Matter No. 803) Section 3. However, a case which had already been given due course, or in which a temporary restraining order or preliminary injunction had been given due course, or in which a temporary restraining order No. 116-89-N, 1989) Section 3. Section 23. — Whenever a Justice retires, resigns, dies or transfer to another office or otherwise ceases to be a member of the Court, his private secretary shall, within fifteen days therefrom, submit to the Presiding Justice a complete inventory of all cases assigned to him, copy furnished the Clerk of Court, the Judicial Records Division and the Raffle Committee. Only one (1) motion for reconsideration shall be allowed. — The Court, in the exercise of its appellate jurisdiction, may affirm, reverse, or modify the judgment or final order appealed from or direct a new trial or further proceedings. Upon the filing of the petition and payment of the docket and other lawful fees, as well as the deposit for costs, the Special Cases Section shall prepare the rollo, record the same in the docket book for special cases and then assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, then the Special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, the special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, the special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, the special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, the special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted is insufficient, the special Cases Section shall assign the corresponding CA-G.R. SP number; otherwise, if the amount remitted i be continuos and completed within three (3) months, unless extended by the Chief Justice of the Supreme Court. No further extension shall be granted except for the most compelling reason and in no case exceed fifteen (15) days. — Where there are several appellants or appellees, each counsel representing one or more but not all of them shall be served with only copy of the brief. If a Chairman inhibits from a case, he shall ask the Raffle Committee to designate by raffle another Justice as replacement, and the most senior member shall sign the attestation as Acting Chairman. Contents of Appellant's Brief. 12, Rule 43, RCP) Section 13. — Whenever the Court deems it necessary, it may order the clerk of court of the Regional Trial Court to elevate the original record of the case including the oral and documentary evidence within fifteen (15) days from notice. Consolidation of Cases. Unless otherwise provided by law or the Rules of Court, the Court shall have: (a) Original jurisdiction to issue writs of mandamus, prohibition, certiorari, habeas corpus, and quo warranto, and other ancilliary writs or processes whether or not in aid of its appellate jurisdiction; (b) Exclusive appellate jurisdiction over all other final judgments, decisions, resolutions, orders or awards of Regional Trial Courts and quasi-judicial agencies, boards, commissions or offices not falling within the exclusive jurisdiction; (e) Authority to receive newlyacity to receive and perform acts necessary for the resolution of factual issues raised in cases falling within its original and appellate jurisdiction; (e) Authority to receive newlyacity to receive newlyacity to receive and perform acts necessary for the resolution of factual issues raised in cases falling within its original and appellate jurisdiction; (e) Authority to receive newlyacity to receive newlyacity to receive newlyacity to receive and perform acts necessary for the resolution of factual issues raised in cases falling within its original and appellate jurisdiction; (e) Authority to receive newlyacity to re discovered evidence relied upon by the movant in cases within its appellate jurisdiction wherein new trial has been granted by the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contumacious act against the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contumacious act against the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contumacious act against the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contumacious act against the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contumacious act against the Court; (f) The power to - (1) Decide cases or resolve incidents deliberated upon by its members; (2) Cite and punish for contempt any person guilty of any contempt any person guilty of any contempt and punish for contempt any person guilty of any contempt and punish for contempt and punish for contempt and punish for contempt and punctions are preserved. thereof in connection with a case cognizable by the Division; (3) Decide whether or not to give due course to original petitions, including petitions, including petitions, preparation of agenda, determination of cases and incidents and rendition of decisions or resolutions. (N) Section 4. Payment of Docket and Other Lawful Fees and Deposit for Costs. Number of Copies and Distribution. — An appeal may be dismissed by the Court, on its own motion or on that of the appellee, on any of the grounds under Section 1, Rule 50 of the Rules of Court. — A judgment of annulment shall set aside the questioned judgment or final order or resolution and render the same null and void, without prejudice to the original action being rafiled in the proper court. Court Officials and Their Duties. 4, Rule 51, RCP) Section 12. — In the exercise and discharge of the adjudicatory powers, functions and duties of the Court, the Divisions concerned may hold sessions in chambers. Section 21. 2, Rule 2, RIRCA) Section 3. — Whenever new Justices are appointed and there are not enough cases to be unloaded by each Justice, and the number of cases to be assigned to them, the Presiding Justices, taking into account the number of years the cases have been pending in the Court and the number of cases pending with each Justice at the time of such of cases to be distributed evenly among the new Justices. 8, Rule 3, RIRCA) Section 14. - If two or more parties in a case file separate notices of appeal lawful, each of them shall pay the full amount of the docket and other lawful fees. No special raffle shall be counted except on grounds of urgent necessity and only when authorized in writing by the Presiding Justice or in his absence or unavailability, by the most senior Justice present. 2, Rule 8, RIRCA) Section 3. Appeals from Contempt of Court. — To facilitate identification of cases, the covers of rollos shall have the following colors. (a) Green for appealed civil cases; (b) Cream for appealed criminal cases where the accused is out on bail, and appeals from contempt of court; (c) Orange for criminal cases; (g) Gray for Civil Service Commission and Ombudsman cases; and (h) Blue for all other special cases, including petitions for review of the decisions of the Regional Trial Court in the exercise of its appellate jurisdiction. — Upon receiving the original record on appeal and the accompanying documents and exhibits transmitted by the lower court, as well as the proof of payment of the docket and other lawful fees, the Judicial Records Division shall docket the case and notify the parties and counsel to appear for a preliminary conference in accordance with Rule 10 hereof. — The procedure in ordinary civil cases shall be observed, but the Court may require the parties and counsel to appear for a preliminary conference in accordance with Rule 10 hereof. of vacancy in the position of the Clerk of Court, or in his absence or capacity, the Assistant Clerk of Court shall act as Clerk of Court shall act as Clerk of Court shall act as appeals in indirect contempt of court shall be treated as appeals in criminal cases. The petition shall not interrupt the course of the principal case unless a temporary restraining order or a writ of preliminary injunction has been issued against the public respondent from further proceeding in the case. report on which the citation is found; (g) Under the heading "Relief", a specification of the order or judgment which the appellant's brief shall contain, as an appendix, a copy of the judgment or final order appealed from. The court shall hear and decide the appeal at the earliest practicable time with due regard to the rights of the parties. (b) Special Cases — (1) Original Special Civil Action (Certiorari, Mandamus, Prohibited, etc.), special proceedings, and original action for Annulment of Judgment — Docket Fee P48.00 Judiciary Development Fund 352.00 Legal Research Fund 20.00 Deposit for Costs 500.00 Sheriff's Fees (in Petitions with Prayer for Temporary Restraining Order or Writ of Preliminary Injunction) 150.00 Cashier's Fees (In Petitions 10.00 — Total P1,080.00 (2) Petition for Review from Regional Trial Court — Docket Fee P48.00 Judiciary Development Fund 352.00 Legal Research Fund 20.00 Deposit for Costs 500.00 Sheriff's Fees (In Petitions with Prayer for Temporary Restraining Order or Writ of Preliminary Injunction) 150.00 Cashier's Commission 10.00 -- Total P1,080.00 (3) Petition for Review from Quasi-Judicial Bodies - Docket Fee P48.00 Judiciary Development Fund 352.00 Legal Research Fund 20.00 Deposit for Costs 500.00 Sheriff's Fees (In Petitions with Prayer for Temporary Restraining Order or Writ of Preliminary Injunction) 150.00 Cashier's Commission 10.00 ———— Total P1,080.00 (c) Furnishing transcripts of the record or copies or any record, judgment or entry per page 3.00 (d) For commission on all cash deposit, 2% on all sums not exceeding P4,000.00, and 1% upon all sums in excess of P4,000.00, and .5% on all sums in excess of P4,000.00, and .5% on all sums in excess of P4,000.00. — If it clearly appears from the notice of appeal that the appellant had directed his appeal to another court, but the lower court erroneously transmitted the records of the case to this Court, the Judicial Records Division shall refer the case to the Presiding Justice for proper disposition. 11, Rule 43, RCP) Section 12. All other personnel of the Court shall be recommended by the Presiding Justice. — The presiding Justice shall prepare a schedule of summer sessions of the Court. Rules on Replacement of Cases. 1 (c), Rule 50, RCP) Section 5. If the Court denies the motion, the petitioner shall pay the docket and other lawful fees and deposit for costs within fifteen (15) days from notice of the denial; otherwise, the petition shall be denied due course and accordingly dismissed for non-payment of docket and other lawful fees. 1, Rule 49, RCP) The necessity or propriety of oral argument shall be determined by the Justice assigned to the case. 6, Rule 3, RIRCA) Section 8. Execution may issue for any damages or costs awarded in accordance with the Rules of Court. Proof of service of such pleadings, motions or other papers on the adverse party or parties must be shown therein. Section 9. 10, Rule 1, RIRCA) Section 11. Time for Filing. Erroneous Transmittal of Records. The Division as now constituted shall act upon and decide the case; (d) If the Justice assigned for study and report and all the members of his Division are disqualified, or are no longer member of the Court, the case shall be raffled to another Justice who together with the two other members of his regular Division, shall act upon and decide the case; (e) When, in an original action or petition for review, certain actions or proceedings have been taken as hereinbelow enumerated, the case shall remain with the Justice assigned for study and report and the Justices who participated therein, regardless of their transfer to other Divisions. 6, rule 65, RCP) Section 6. Appellee's Brief. 3, Rule 52, RCP) Section 7. (Adm. In case only some of the petitioners signed such certification, the petitioners signed such certification, the petitioners signed such certification of the Divisions shall be dismissed. 2, Rule 53, RCP) Section 4. Reorganization of the Divisions shall be effected whenever a permanent vacancy occurs in the chairmanship of any Division. In original actions and petitions for review — (1) Where no comment is filed, upon the expiration of the period to comment; (2) Where no hearing is held, upon the filing; and (3) Where a hearing on the main case is held, upon its termination or upon the filing of the last pleading or memorandum as may be required or permitted to be filed by the Court, the following are the schedule of docket and other lawful fees and deposit for costs: (a) Ordinary appeal in civil cases and special cases on appeal — Docket Fee P48.00 Judiciary Development Fund 352.00 Legal Research Fund 20.00 — Total P420.00 Within the period for taking an appeal, the appellate court docket fees shall be paid to the clerk of court of the court of the court of the court of the period for taking an appeal, the appellate court docket fees shall be paid to the clerk of court of the cour the original record or record on appeal. Allowance for Delay of Mail in Making Entries of Judgment. Transmittal of Rollos and Records. The Division Clerks of Court must transmit the original and two (2) copies of decision and resolution to the Court Reporter within twenty-four (24) hours from promulgation. 10, Rule 51, RCP). Pleadings, motions or other papers shall be filed with the Receiving Section of the Court and not with the Justices or Division Clerks of Court. 11, Rule 13, RCP) Section 3. The petition shall be filed in seven (7) clearly legible copies together with proof of service thereof on the public and private respondents, with the original copy intended for the Court indicated as such by the petitioner and shall be accompanied by a clearly legible duplicate original or certified true copy of the judgment, order, resolution, or ruling subject thereof, and plain copies of such material portions of the record as are referred to therein, and other documents relevant or pertinent thereto. the Chairman. Copies of the transcripts and certified true copies of the documentary evidence shall remain in the lower court for the examination of the parties. The appointee may then take his oath of office and perform his duties and responsibilities. be dismissed outright. How Taken. 2, Rule 50, RCP) Section 24. Report on Late Payment. 3, Rule 51, RCP; Sec. Separability Clause. No special raffle shall be conducted after office hours. The record shall contain dispositive part of the judgments or final resolution and shall be signed by the clerk, with a certificate that such judgments or final resolution has become final and executory. An appeal Rule 41 of the rules of court taken from the Regional Trial court to this Court raising only questions of law shall be dismissed, issues purely of law not being reviewable by this Court raising only questions of law shall be dismissed. consolidation may be allowed when the cases involve the same parties and/or related guestions of fact and/or law. The special raffle shall be conducted by the Raffle Committee for the day or by any its members present; otherwise, the Presiding Justice himself shall conduct the raffle or may assign another Justice to do so. In like manner, a junior member designated to act as Senior Member of any Division shall be an "Acting Senior Member" Section 2. (N) Section 22. If the ponente and all the members of the Court, the case shall be raffled to any member of the Court and the motion shall be acted by him with the participation of the other members of the Division to which he belongs. If the ponente is no longer a member of the Court, or has disqualified or inhibited himself from acting on the motion, he shall be replaced by another Justice who shall be chosen by raffle from among the remaining members of the Division who participated in the rendition of the decision or resolution, and the resulting vacancy or vacancies therein shall be filled by the raffle from among the other members of the Court. When others appear or are appointed, notice thereof shall be served immediately on the adverse party and filed with the Court. 3, Rule 50, RCP) Rule 5PROCEDURE IN ORDINARY APPEALS IN CRIMINAL CASES Section 1. If the motion withdrawing an appeal is signed by the appellant only, the Court shall take steps to insure that the motion is made voluntarily, intelligently and knowingly or may require his counsel to comment. The certification of the subject judgment, order or resolution shall be accomplished by the proper clerk of court or by the proper officer of the court, tribunal, agency, or office involved or by his duly authorized representative. Pleadings, motions or other papers may also be filed by ordinary mail, speed mail, private messengerial service, or by any mode other than personal delivery or registered mail, as may be allowed by law. (b) After a member of the Division has expressed his dissent, the Special Division, as constituted, shall retain the case until it is disposed of regardless of organization; and (c) After the deliberation on the merits among the members of the Special Division of five, the first proponement of the majority decides otherwise.

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