REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

# NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated* **03 January 2022** *which reads as follows:*

"**G.R. No. 256938 (Merlita U. Delos Santos *v.* Ultratech Printing Corporation and Karen Kho Li).** — After a judicious study of the case, the Court resolves to **DISMISS** outright the instant petition[1] for being filed out of time.

Pursuant to Section 2, Rule 45 of the Rules of Court, petitioner Merlita U. Delos Santos (petitioner) had fifteen (15) days from receipt of the Court of Appeals' (CA) Resolution[2] dated June 14, 2021 denying her Motion for Reconsideration to file a Petition for Review on *Certiorari*[3] before the Court. Records reveal that petitioner received the CA's Resolution denying her motion on June 28, 2021, and thus, had fifteen (15) days from such receipt, or until July 13, 2021, to file a petition for review on *certiorari* before the Court. On July 13, 2021, petitioner filed a Motion for Extension of Time to File Petition for Review on *Certiorari*,[4] praying for a thirty (30)-day extension from July 13, 2021, or until August 12, 2021, within which to file the instant petition, which was granted by the Court in a Resolution[5] dated July 28, 2021. However, the instant petition was filed only on August 26, 2021, which was beyond the extended period sought. Relevantly, petitioner cited Administrative Circular No. 56-2021, which ordered the physical closure of courts in the National Capital Region from August 2, 2021 to August 20, 2021, thereby declaring that the time for filing and service of pleadings and motions during the said period is suspended and shall resume after seven (7) calendar days, counted from the first day of the physical reopening of the relevant court. However, it should be noted that the said administrative circular applies only to all courts and judicial offices in the National Capital Region, except the Supreme Court, considering that the said issuance was intended only for 'ALL JUSTICES OF THE APPELLATE COLLEGIATE COURTS, JUDGES OF THE FIRST AND SECOND LEVEL COURTS, COURT PERSONNEL THEREOF, AND COURT USERS.'

In any event, the Court finds that the CA did not err in ruling that petitioner

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1 *Rollo*, pp. 12-35.
2 Id. at 46-47.
3 Id. at 3-7.
4 Id. at 3-4.
5 Id. at 10. Signed by Division Clerk of Court Teresita Aquino Tuazon.

was not illegally dismissed. It bears stressing that findings of fact of the labor tribunals, as affirmed by the CA, are generally binding and conclusive upon this Court,[6] and are not to be disturbed unless they fall under the recognized exceptions,[7] which are not present in this case.

**SO ORDERED.**"

By authority of the Court:

TERESITA AQUINO TUAZON
Division Clerk of Court
24 FEB 2022

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NLRC NCR Case No. 03-06128-19)

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Supreme Court, Manila

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***Please notify the Court of any change in your address.***
GR256938. 01/03/2022(104)URES

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6 See *Valencia v. Classique Vinyl Products Corporation*, 804 Phil. 492, 503-504 (2017).
7 *Cirtek Employees Labor Union Federation of Free Workers v. Cirtek Electronics*, 665 Phil. 784-789(2011).