



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated 14 March 2022 which reads as follows:*

“**G.R. No. 257933 (Renante Rodriguez y Cabangon v. People of the Philippines)**. — The Court **NOTES** the compliance dated February 15, 2022 by counsel for petitioner Renante Rodriguez y Cabangon (petitioner) with Resolution<sup>1</sup> dated January 3, 2022, submitting the official receipt as the proof of payment of the sheriff’s trust fund fee.

After a judicious study of the case, the Court resolves to **DENY** the present petition<sup>2</sup> and **AFFIRM** the Resolutions dated September 28, 2020<sup>3</sup> and July 14, 2021<sup>4</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 165669 for failure of petitioner to show that the CA committed any reversible error in dismissing his petition outright for being filed out of time.

As correctly ruled by the CA, petitioner’s petition for review before the CA must be dismissed for being filed out of time, considering that: (a) his counsel received a copy of the assailed ruling of the Regional Trial Court of Catanauan, Quezon, Branch 96 on January 16, 2020; (b) pursuant to Section 1, Rule 42 of the Rules of Court, petitioner only had fifteen (15) days therefrom, or until January 31, 2020, within which to file a petition for review before the CA; and (c) such petition was only filed on July 1, 2020, or more than five (5) months beyond the reglementary period, without any justifiable reason therefor. It is settled that ‘the right to appeal is not a natural right or a part of due process; it is merely a statutory privilege, and may be exercised only in the matter and in accordance with the provisions of law. A party who seeks to avail of the right must, therefore, comply with the requirements of the rules, failing which the right to appeal is invariably lost,’<sup>5</sup> as in this case.

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<sup>1</sup> *Rollo*, pp. 11-12.

<sup>2</sup> *Id.* at 20-45.

<sup>3</sup> *Id.* 53-55. Penned by Associate Justice Walter S. Ong with Associate Justices Japar B. Dimaampao (now a member of this Court) and Victoria Isabel A. Paredes, concurring.

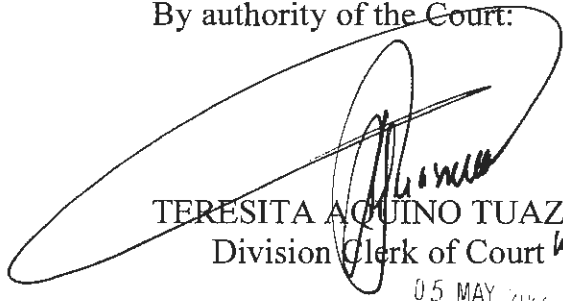
<sup>4</sup> *Id.* 57-59.

<sup>5</sup> *Curammeng v. People*, 799 Phil. 575, 581 (2016); citations omitted.

March 14, 2022

**SO ORDERED.”**

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court *by s/s*  
05 MAY 2022

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HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 96  
Catanauan, Quezon  
(Crim. Case No. 19-0261-CAT)

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Supreme Court, Manila

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*Please notify the Court of any change in your address.*  
GR257933. 03/14/2022(59)URES