



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SPECIAL SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Special Second Division, issued a Resolution dated **February 1, 2023** which reads as follows:*

**“G.R. No. 255459 (*Imelda Corpuz Dallo v. People of the Philippines and Pocholo Baquiran*).** – The Court NOTES the letter<sup>1</sup> dated September 28, 2022 of Atty. Giovanni Gio Baquiran, counsel for respondent Pocholo Baquiran, stating that, as of said date, he has not received any motion for reconsideration of the Resolution dated June 30, 2021, and requesting for certified true copies of the Resolution dated June 30, 2021 and the entry of judgment, if any, for purposes of the execution of the Municipal Trial Court in Cities (MTCC) decision.

This resolves private respondent Pocholo Baquiran’s *Motion for Leave of Court to File and Admit the Herein Incorporated Manifestation & Motion to Inform the Honorable Court that Petitioner is Engaged in Forum-Shopping*<sup>2</sup> dated May 6, 2021.

In his Motion, private respondent avers that aside from the present petition, petitioner Imelda Corpuz Dallo filed a petition for *certiorari* and prohibition before the Regional Trial Court (RTC) of Vigan City, Branch 21 which the RTC dismissed in its Decision dated February 23, 2021.<sup>3</sup> Both petitions allegedly involve the same facts, assail the same Decision of the MTCC of Vigan City, and similarly seek the annulment of the alleged excessive penalty imposed by the MTCC against petitioner, yet petitioner declared in her verification and certification on non-forum shopping<sup>4</sup> in the present petition that she has not commenced any other action or proceeding involving the same issues before this Court, the Court of Appeals, or any other tribunal or agency.<sup>5</sup> Accordingly, private respondent prays that the present petition be denied outright and that petitioner and her counsel be meted the penalties prescribed in Section 5, Rule 7 of the Rules of Court for willful and

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<sup>1</sup> *Rollo*, p. 296.

<sup>2</sup> *Id.* at. 285-289.

<sup>3</sup> *Id.* at 285-286.

<sup>4</sup> *Id.* at 26.

<sup>5</sup> *Id.* at 285 and 287.

deliberate forum shopping.<sup>6</sup>

While private respondent attached a copy of petitioner's Motion for Reconsideration<sup>7</sup> dated March 12, 2021 of the denial of her petition before RTC Vigan City, Branch 21, he did not attach a copy of the petition itself, which would have served as the basis for this Court to determine whether willful and deliberate forum shopping was committed and whether petitioner and her counsel should be sanctioned therefor.

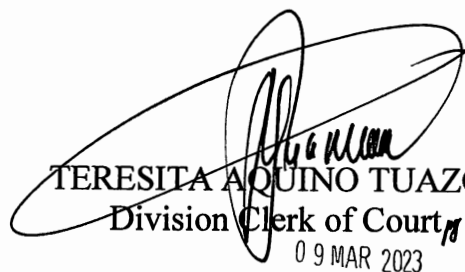
In any case, We have already denied the present petition in Our Resolution<sup>8</sup> dated June 30, 2021 and affirmed the Decision<sup>9</sup> dated September 15, 2020 and Resolution<sup>10</sup> dated January 26, 2021 of the Court of Appeals with modification only insofar as the penalty of fine is concerned.

**WHEREFORE**, private respondent Pocholo Baquiran's Motion for Leave of Court to File and Admit the Herein Incorporated Manifestation & Motion to Inform the Honorable Court that Petitioner is Engaged in Forum-Shopping, which essentially asks this Court to dismiss the petition for willful and deliberate forum shopping, is **DENIED**.

No further pleadings or motions shall be entertained in this case. Let entry of final judgment be issued immediately.

**SO ORDERED.**" (*Singh, J., designated additional member vice Perlas-Bernabe, J. (ret.) pursuant to Sec. 8, Rule 2 of the IRSC, as amended*).

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court  
09 MAR 2023

<sup>6</sup> Id. at 288.

<sup>7</sup> Id. at 290-294.

<sup>8</sup> Id. at 279-284.

<sup>9</sup> Id. at 254-259. Penned by Associate Justice Myra V. Garcia-Fernandez, with Associate Justices Ruben Reynaldo G. Roxas and Walter S. Ong, concurring.

<sup>10</sup> Id. at 269.

PALABASAN USITA & ASSOCIATES  
LAW OFFICES (reg)  
Counsel for Petitioner  
Unit 16 Don Graciano Building  
1180 E. Rodriguez Sr. Avenue  
New Manila, 1112 Quezon City

OFFICE OF THE SOLICITOR GENERAL (reg)  
134 Amorsolo Street  
1229 Legaspi Village  
Makati City

ATTY. GIOVANNI GIO BAQUIRAN (reg)  
Counsel for Private Respondent  
2<sup>nd</sup> Floor, No. 27 Crisologo Street  
2700 Vigan City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 20  
Vigan City, Ilocos Sur  
(Spl. Civil Action Case No. 7865-V)

HON. PRESIDING JUDGE (reg)  
Municipal Trial Court in Cities  
Vigan City, Ilocos Sur  
(Crim. Case No. 14086)

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Supreme Court, Manila

COURT OF APPEALS (x)  
Ma. Orosa Street  
Ermita, 1000 Manila  
CA-G.R. SP No. 161772

*Please notify the Court of any change in your address.*  
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