



Republic of the Philippines  
**Supreme Court**  
 Manila

**THIRD DIVISION**

**JESUS CABALLES,**

*Petitioner,*

- versus -

**COURT OF APPEALS, CORAZON  
 ADOLFO CALDERON, ROBERTO  
 ADOLFO CALDERON, RICARDO  
 ADOLFO CALDERON, MA. FE  
 ADOLFO CALDERON, ANALIZA  
 ADOLFO CALDERON, MARIA  
 DOLORES CALDERON, MA.  
 GERTRUDES CALDERON, AND  
 ROMY CARAS,**

*Respondents.*

**G.R. No. 263481**

Present:

**CAGUIOA,**  
*Chairperson,*  
**INTING,  
 GAERLAN,  
 DIMAAMPAO, and  
 SINGH, JJ.**

Promulgated:

**February 8, 2023**

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**DECISION**

**GAERLAN, J.:**

For resolution is the Petition for *Certiorari*<sup>1</sup> under Rule 65 of the Rules of Court assailing the Minute Resolution<sup>2</sup> dated March 25, 2021 and the Resolution<sup>3</sup> dated June 24, 2022 of the Court of Appeals (CA) in CA-G.R. SP No. 10226-MIN, which dismissed outright Jesus Caballes' (petitioner) petition for review due to procedural defects.

This case stemmed from a complaint filed by petitioner against private respondents Corazon Adolfo Calderon (Corazon), Roberto Adolfo Calderon, Ricardo Adolfo Calderon, Ma. Fe Adolfo Calderon, Analiza Adolfo Calderon, Maria Dolores Calderon, Ma. Gertrudes Calderon, and Romy Caras (collectively, private respondents) before the Regional Agrarian Reform Adjudicator (RARAD) of Tagum City. The RARAD eventually ruled in petitioner's favor, hence, private respondent Corazon filed an appeal

<sup>1</sup> *Rollo*, pp. 3-16.

<sup>2</sup> *Id.* at 20-21. Issued by Division Clerk of Court Atty. Joy Marie Badal-Pamisa.

<sup>3</sup> *Id.* at 51-53. Penned by Associate Justice Lily V. Biton, with Associate Justices Oscar V. Badelles and Anisah B. Amanodin-Umpa, concurring.

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before the Department of Agrarian Reform Adjudication Board (DARAB), which was docketed as DARAB Case No. 19654.

In its Decision dated December 26, 2019, the DARAB reversed the RARAD's decision. Petitioner filed a motion for reconsideration, which the DARAB denied in its Resolution dated December 14, 2020.<sup>4</sup>

Petitioner received a copy of the DARAB resolution on February 11, 2021. On February 26, 2021, petitioner filed *via* registered mail a petition for review under Rule 43 with the CA.

In the assailed Minute Resolution,<sup>5</sup> the CA outrightly dismissed petitioner's appeal on procedural grounds, *viz.*:

Pursuant to Sec. 7, Rule 43 of the Rules of Court, the Court DISMISSES the petition outright in view of the following defects:

1. The Petition was filed (3) days late disregarding Sec. 4, Rule 43 of the Rules of Court;
2. The attached copies of the assailed December 26, 2019 Decision and December 14, 2020 Resolution are plain photocopies violating Sec. 6(c), Rule 43, *supra*;
3. The date of receipt of the assailed December 26, 2019 Decision and of the filing of MR thereto are not indicated disregarding Sec. 6(d), Rule 43, *supra*;
4. The petitioner failed to show competent evidence of identity (photocopy of ID No. VIN 23150148A-F1541JK10000-9) as affiant to the Verification and Certification of Non-Forum Shopping violating Sec. 12, Rule II of the 2004 Rules on Notarial Practice as amended by A.M. No. 02-8-13-SC dated February 19, 2008;
5. The counsel's IBP Official Receipt No. is outdated violating Bar Matter No. 287; and
6. The addresses of the respondents themselves are not indicated.<sup>6</sup>

Dismayed, petitioner filed a Motion for Reconsideration with Attached Amended Petition for Review<sup>7</sup> dated April 27, 2021, correcting the above procedural defects. Nonetheless, in its Resolution<sup>8</sup> dated June 24,

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<sup>4</sup> Id. at 52.

<sup>5</sup> Id. at 20-21.

<sup>6</sup> Id. at 20.

<sup>7</sup> Id. at 22-29.

<sup>8</sup> Id. at 51-53.

2022, the CA denied petitioners' motion for reconsideration, insisting that he filed his petition three days beyond the reglementary period. The CA did not consider at all petitioner's effort to correct the procedural errors, since it hinged its resolution only on the supposedly belated filing of the appeal. Hence, the present petition.

Without awaiting this Court's action on the petition, private respondents filed a Comment/Opposition to Petition for *Certiorari* under Rule 65 of the Revised Rules of Court dated September 8, 2022,<sup>9</sup> which was dated October 7, 2022. Private respondents argue that petitioner availed the wrong remedy by filing a petition for *certiorari*, hence, it should be dismissed outright.<sup>10</sup> Private respondents further assert that the CA correctly dismissed the petition for review considering that it suffered from, not just one, but six procedural defects.<sup>11</sup> Hence, the DARAB Decision has become final and executory.<sup>12</sup>

### Issues

Petitioner raises the following issues for the Court's resolution:

I. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN RULING THAT PETITIONER'S PETITION FOR REVIEW WAS BELATEDLY FILED;

II. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DISMISSING THE PETITION FOR REVIEW FOR FAILURE TO ATTACH THE CERTIFIED TRUE COPIES OF THE ASSAILED DECISIONS;

III. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DISMISSING THE PETITION FOR REVIEW FOR FAILURE TO INDICATE THE DATE OF RECEIPT OF THE ASSAILED DECISION AND FILING OF THE MOTION FOR RECONSIDERATION THERETO;

IV. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR

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<sup>9</sup> Id. at 63-71.

<sup>10</sup> Id. at 64-66.

<sup>11</sup> Id. at 66-68.

<sup>12</sup> Id. at 68-69.

EXCESS OF JURISDICTION IN DISMISSING THE PETITION FOR REVIEW FOR FAILURE TO SHOW COMPETENT EVIDENCE OF IDENTITY BY ATTACHING THE PHOTOCOPY OF THE VOTER'S ID;

V. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DISMISSING THE PETITION FOR REVIEW FOR INDICATING AN OUTDATED INTEGRATED BAR OF THE PHILIPPINES [IBP] OFFICIAL RECEIPT OF THE COUNSEL;

VI. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DISMISSING THE PETITION FOR REVIEW FOR FAILURE TO STATE THE ADDRESSES OF PRIVATE RESPONDENTS;

VII. WHETHER THE COURT OF APPEALS COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DENYING, AFTER THE LAPSE OF MORE THAN A YEAR, PETITIONER'S MOTION FOR RECONSIDERATION WITH ATTACHED AMENDED PETITION FOR REVIEW.<sup>13</sup>

Essentially, petitioner asks this Court to determine whether the CA committed grave abuse of discretion when it dismissed outright his Petition for Review on the basis of the above procedural defects.

### **Ruling of the Court**

The petition is granted.

Grave abuse of discretion under Rule 65 has a specific meaning. It is the arbitrary or despotic exercise of power due to passion, prejudice or personal hostility; *or the whimsical, arbitrary, or capricious exercise of power that amounts to an evasion or refusal to perform a positive duty enjoined by law* or to act at all in contemplation of law. For an act to be struck down as having been done with grave abuse of discretion, the abuse of the discretion must be patent and gross.<sup>14</sup>

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<sup>13</sup> Id. at 6-7.

<sup>14</sup> *Fajardo v. Court of Appeals*, 591 Phil. 146, 153 (2008).

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In this case, the CA certainly committed grave abuse of discretion when it ruled that petitioner belatedly filed his petition for review.

***Re: Failure to File the Petition within the Reglementary Period***

In the Resolution<sup>15</sup> dated June 24, 2022, the CA noted that petitioner received a copy of the DARAB's resolution denying his motion for reconsideration on February 11, 2021, and that petitioner had 15 days therefrom, or until February 26, 2021, within which to file his petition for review.<sup>16</sup> Significantly, petitioner submitted copies of the registry receipts<sup>17</sup> showing that said petition was mailed to the CA on "26 February 2021," or on the last day of the reglementary period.

Section 3, Rule 13 of the Rules of Court categorically provide that "the **date of the mailing** of motions, pleadings, and other court submissions, and payments or deposits, as shown by the post office stamp on the envelope or the registry receipt, **shall be considered as the date of their filing**, payment, or deposit in court."

Having mailed his petition on February 26, 2021, petitioner's appeal was undoubtedly filed on time. The CA's inability to properly determine the date of filing, which displays its failure to know and observe so basic and elemental a rule, is a clear and undeniable grave abuse of discretion.

The CA's grave abuse of discretion is even further highlighted by the fact that it was given an opportunity to correct said error when petitioner attached copies of the registry receipts in his Motion for Reconsideration with Attached Amended Petition for Review.<sup>18</sup> Assuming that the CA committed an honest mistake in disregarding or not taking notice of the post office stamp bearing the date of mailing, being confronted with the registry receipts should have caused the CA to review the rules and its records to reassess whether its initial findings were correct.

Distressingly, the CA confirmed its grave abuse of discretion when it insisted on its stand that petitioner filed his petition only on March 1, 2021,<sup>19</sup> and even blamed petitioner for failing to "[move] for an additional fifteen (15) days within which to file the petition for review x x x instead of pushing forward with the filing of the petition beyond the reglementary period."<sup>20</sup>

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<sup>15</sup> *Rollo*, pp. 51-53.

<sup>16</sup> *Id.* at 52.

<sup>17</sup> *Id.* at 35.

<sup>18</sup> *Id.* at 22-29.

<sup>19</sup> *Id.* at 52.

<sup>20</sup> *Id.*

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As to the other procedural defects, in the interest of justice, We find that these do not justify the outright dismissal of the petition, especially considering that petitioner: (a) timely filed his petition for review; and (b) attached an amended petition to his motion for reconsideration, which corrects the procedural defects.

***Re: Failure to State Material Dates***

In the Minute Resolution, the CA noted that petitioner failed to indicate the date he received a copy of the DARAB's Decision dated December 26, 2019 and the date he filed his motion for reconsideration thereto, allegedly in violation of Section 6(d), Rule 43.

Section 6, Rule 43 reads:

Section 6. *Contents of the petition.* – The petition for review shall (a) state the full names of the parties to the case, without impleading the court or 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 the record referred to therein and other supporting papers; and (d) contain a sworn certification against forum shopping as provided in the last paragraph of section 2, Rule 42. The petition shall state the specific material dates showing that it was filed within the period fixed herein.

The last sentence clearly provides that the petition shall state the specific material dates showing that it was filed within the period fixed therein, which is 15 days. Pursuant to Section 4 of the same Rule, said 15-day period starts to run from the date petitioner received a copy of the resolution denying his motion for reconsideration.

In *Victoriano v. Dominguez*,<sup>21</sup> We ruled that petitioner's failure to indicate the date when the assailed decision was received is not fatal, since the important date that must be alleged in the petition is the date when the petitioner received the resolution denying his motion for reconsideration, thus:

Significantly, Section 6 of Rule 43 of the Revised Rules of Court mandates that the petitioner must state the specific material dates showing that his/her petition was filed within the period fixed. Remarkably, the inclusion of a complete statement of material dates in a petition for review is essential to allow the Court to determine whether the petition was indeed filed

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<sup>21</sup> 836 Phil. 573 (2018).

within the period fixed in the rules. The absence of such a statement will leave the Court at a quandary on whether the petition was in fact filed on time.

However, in *Capin-Cadiz v. Brent Hospital and Colleges, Inc.*, the Court excused therein petitioner's failure to indicate the date when the assailed decision was received. **The Court ruled that the said error is not fatal, since the important date that must be alleged in the petition is the date when the petitioner received the resolution denying his/her motion for reconsideration.** Over the years, the Court extended the same modicum of leniency, as shown in a long line of cases, ranging from *Great Southern Maritime Services Corporation v. Acuña*; *Acaýlar, Jr. v. Harayo*; *Barra v. Civil Service Commission*; and *Sara Lee Philippines, Inc. v. Macatlang, et al.* In these cases, the Court emphasized that **the "material date" for purposes of an appeal to the CA is the date of receipt of the lower court's order denying the motion for reconsideration. All other material dates may be gleaned from the records of the case, if reasonably evident.**<sup>22</sup> (Emphases supplied; citations omitted)

Here, petitioner categorically indicated in his petition the date he received the resolution denying his motion for reconsideration. Considering further that he filed his petition by registered mail on the 15th day of the reglementary period, petitioner should be deemed to have substantially complied with the rules. His failure to indicate the date when he received the DARAB Decision as well as the date he filed his motion for reconsideration thereto may be dispensed with in the interest of justice.

***Re: Failure to Attach Certified True Copies  
of the Assailed Decision***

Anent petitioner's failure to attach duplicate originals or certified true copies of the assailed Decision and Resolution of the DARAB, it appears that petitioner immediately rectified this error when he filed his Motion for Reconsideration with Attached Amended Petition for Review.

In line with Our ruling in *Duremdes v. Jorilla*,<sup>23</sup> which applies analogously herein, We find that this constitutes substantial compliance with Section 6(c), Rule 43, thus:

Here, the copy of the RTC Decision dated July 21, 2016 with the notation "ORIGINAL SIGNED" attached to the petition for certiorari was not a duplicate copy; thus not compliant with the requirement under Section 3, Rule 46 in relation to Section 1, Rule 65. However, after the denial of his petition for certiorari, petitioner filed a Motion for Reconsideration with a certified true copy of the RTC Decision dated July 21, 2016. Hence, the Court

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<sup>22</sup> Id. at 585-586.

<sup>23</sup> G.R. No. 234491, February 26, 2020.

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considers it as substantial compliance with the requirement under Section 3, Rule 46 in relation to Section 1, Rule 65.

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In fine, the CA should not have been too rigid in applying the rules to dismiss the petition based on mere technicalities. Applying our pronouncements in *Jaro v. Court of Appeals* and *Air Philippines Corp. v. Zamora*, the CA should have considered petitioner's submissions attached to the motion for reconsideration as substantial compliance to the formal requirements under Section 1 of Rule 65.<sup>24</sup> (Citations omitted)

***Re: Failure to Attach Photocopy of  
Petitioner's Identification Card***

In its Minute Resolution, the CA further faulted petitioner for "fail[ing] to show competent evidence of identity"<sup>25</sup> by attaching thereto a photocopy of his valid identification card (ID), supposedly in violation of Section 12, Rule II of the 2004 Rules on Notarial Practice, as amended by A.M. No. 02-8-13-SC.

On this note, Section 12, Rule II of the 2004 Rules on Notarial Practice, as amended, provides:

SEC. 12. *Competent Evidence of Identity.* - The phrase "competent evidence of identity" refers to the identification of an individual based on:

- (a) at least one current identification document issued by an official agency bearing the photograph and signature of the individual, such as but not limited to, passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance, postal ID, **voter's ID**, Barangay certification, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, Philhealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, OFW ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disable Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification; or
- (b) the oath or affirmation of one credible witness not privy to the instrument, document or transaction who is personally known to the notary public and who personally knows the individual, or of two credible witnesses neither of whom is privy to the instrument, document or transaction who each personally

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<sup>24</sup> Id.

<sup>25</sup> *Rollo*, p. 20.



knows the individual and shows to the notary public documentary identification. (Emphasis supplied)

The above provision merely enumerates what are considered “competent evidence of identity” that may be presented to the notary public to confirm the identity of the affiant. In this case, petitioner’s voter’s ID No. VIN 23150148A-F1541JK10000-9 was indicated in the Verification/Certification of Non Forum Shopping as proof that he presented the same to the notary public, and that the latter deemed it sufficient proof of petitioner’s identity. To be sure, a voter’s ID is expressly included in the above enumeration of “competent evidence of identity.”<sup>26</sup>

It should be emphasized that there is nothing in the 2004 Rules on Notarial Practice or in Rule 43 that requires a photocopy of the ID presented to the notary to be attached to the petition. More importantly, there is nothing in the 2004 Rules on Notarial Practice or in Rule 43 that renders a petition dismissible for failure to attach a photocopy of the ID presented to the notary.

Our ruling in *Heirs of Amada Zaulda v. Zaulda*<sup>27</sup> is *apropos*, viz.:

It is clear from the foregoing provisions that a **senior citizen card** is one of the competent identification cards recognized in the 2004 Rules on Notarial Practice. For said reason, there was compliance with the requirement. Contrary to the perception of the CA, attachment of a photocopy of the identification card in the document is not required by the 2004 Rules on Notarial Practice. Even A.M. No. 02-8-13-SC, amending Section 12 thereof, is silent on it. Thus, the CA’s dismissal of the petition for lack of competent evidence on the affiant’s identity on the attached verification and certification against forum shopping was without clear basis.

Even assuming that a photocopy of competent evidence of identity was indeed required, non-attachment thereof would not render the petition fatally defective. It has been consistently held that verification is merely a formal, not jurisdictional, requirement, affecting merely the form of the pleading such that non-compliance therewith does not render the pleading fatally defective. It is simply intended to provide an assurance that the allegations are true and correct and not a product of the imagination or a matter of speculation, and that the pleading is filed in good faith. The court may in fact order the correction of the pleading if verification is lacking or it may act on the pleading although it may not have been verified, where it is made evident that strict compliance with the rules may be dispensed so that the ends of justice may be served. x x x<sup>28</sup> (Emphasis in the original; citation omitted)

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<sup>26</sup> 2004 Rules on Notarial Practice, Rule II, Section 12.

<sup>27</sup> 729 Phil. 639 (2014).

<sup>28</sup> Id. at 649-650.

***Re: Failure of Petitioner's Counsel to Indicate an Updated IBP Official Receipt Number***

Anent the outdated IBP official receipt number of petitioner's counsel, suffice it to say that We have excused said inadvertent omission in the past once the counsel has rectified said mistake. In *Go v. Sunbanun*,<sup>29</sup> We noted that although petitioner's former counsel omitted to indicate the numbers on petitioner's CA petition, the same numbers were nevertheless stated on his notice of change of address, around two months before the appellate court issued its resolution. Moreover, said numbers were always updated and indicated in his pleadings filed with the RTC. Hence, We declared that said failure to indicate the Professional Tax Receipt and IBP Official Receipt Numbers were not fatal.

Thereafter, in *Victoriano v. Dominguez*,<sup>30</sup> We ruled that the counsel's inadvertence shall not prejudice his client, provided that he immediately rectifies such minor defect.<sup>31</sup> In said case, We honored petitioner's substantial compliance considering that, in his motion for reconsideration, his counsel subsequently indicated the date and place of the issuance of his IBP number, which was shown to be updated.

Similarly, in this case, petitioner's former counsel immediately rectified said mistake when she filed petitioner's Motion for Reconsideration with Attached Amended Petition for Review. Both the motion for reconsideration and amended petition reflect counsel's updated IBP number. Hence, said error is not fatal.

***Re: Failure to Indicate Respondents' Addresses***

The final procedural defect noted by the CA is petitioner's failure to indicate the addresses of private respondents themselves. Significantly, unlike the other grounds, the CA did not cite a provision or rule that requires private respondents' addresses to be indicated, or that failure to do so would render the petition dismissible. To be sure, Section 6, Rule 43 requires the respondents to be named, without similarly requiring that their addresses be indicated as well.

Nonetheless, the requirement to declare private respondents' addresses is founded on justice and fair play. On this point, We observe that

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<sup>29</sup> 657 Phil. 373 (2011).

<sup>30</sup> Supra note 23.

<sup>31</sup> Id. at 594.

petitioner's failure to indicate the addresses of private respondents themselves was by mere inadvertence considering that the name and address of their counsel were clearly stated. In fact, petitioner sent a copy of his petition,<sup>32</sup> and the CA sent a copy of the assailed Resolution, to respondents' counsel<sup>33</sup> to the latter's address indicated in the petition. Moreover, as with the other procedural defects, petitioner immediately rectified this mistake when he filed his Motion for Reconsideration with Attached Amended Petition for Review.<sup>34</sup> Considering that private respondents were not prejudiced by petitioner's inadvertence, petitioner should be considered to have substantially complied with the above requirement.

***Re: Delay in Resolving the Motion for Reconsideration***

Petitioner also claims that the CA committed grave abuse of discretion in denying his motion for reconsideration only after the lapse of almost one year.

Considering, however, Our ruling to grant the instant petition, We find it unnecessary to further rule on this last issue. Petitioner already attained its objective to have his case remanded to the CA to be resolved on the merits. Hence, a discussion on this issue, which was clearly raised as a last ditch effort to attribute grave abuse of discretion on the part of the CA, is a mere superfluity.

All told, the facts show that petitioner substantially complied with the Rules of Court. With this, the strict and rigid application of the rules shall give way to the promotion of substantial justice. Courts are reminded to temper their propensity to dismiss cases on sheer technical errors. After all, it must be remembered that a "litigation is not a game of technicalities."<sup>35</sup> "Lawsuits unlike duels are not to be won by a rapier's thrust. Technicality, when it deserts its proper office as an aid to justice and becomes its great hindrance and chief enemy, deserves scant consideration from courts."<sup>36</sup>

**WHEREFORE**, the petition is **GRANTED**. The Minute Resolution dated March 25, 2021 and the Resolution dated June 24, 2022 of the Court of Appeals in CA-G.R. SP No. 10226-MIN are **REVERSED** and **SET ASIDE**. The case is **REMANDED** to the Court of Appeals for the resolution of petitioner Jesus Caballes' petition for review.

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<sup>32</sup> *Rollo*, p. 56.

<sup>33</sup> *Id.* at 21.

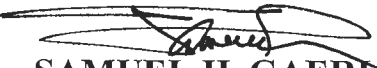
<sup>34</sup> *Id.* at 38.

<sup>35</sup> *Victoriano v. Dominguez*, supra note 24 at 595, citing *Peñoso v. Dona*, 549 Phil. 39 (2007).

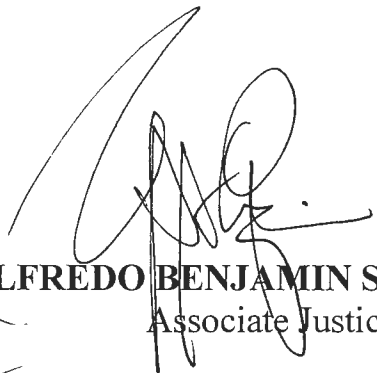
<sup>36</sup> *Id.*, citing *Curammeng v. People*, 799 Phil. 575 and *Heirs of Zaulda v. Zaulda*, supra note 31.

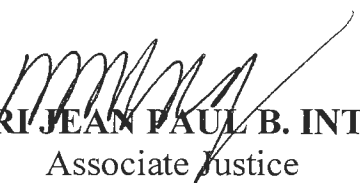
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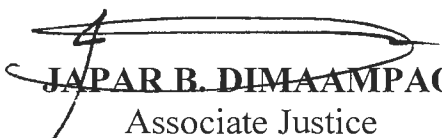
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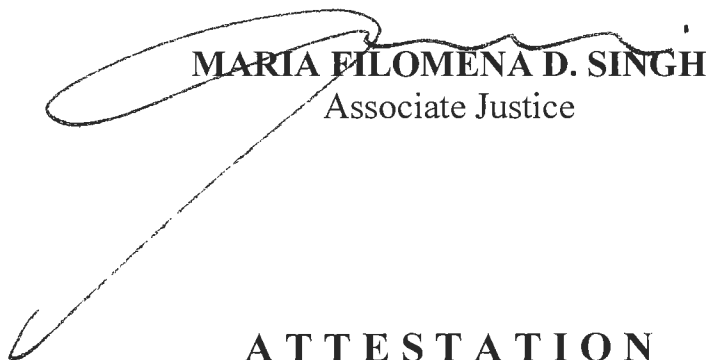
  
**SAMUEL H. GAERLAN**  
Associate Justice

WE CONCUR:

  
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice

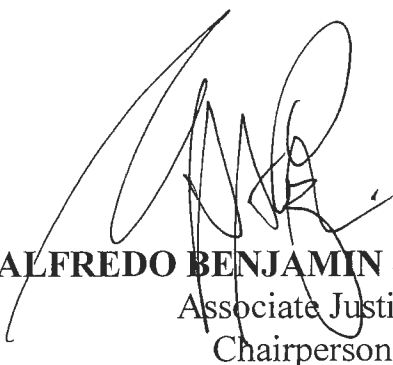
  
**HENRI JEAN PAUL B. INTING**  
Associate Justice

  
**JAPAR B. DIMAAMPAO**  
Associate Justice

  
**MARIA FILOMENA D. SINGH**  
Associate Justice


**ATTESTATION**

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice  
Chairperson

## CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
ALEXANDER G. GESMUNDO  
Chief Justice

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