



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated March 15, 2023, which reads as follows:

G.R. No. 219302 – ROBERTO RUALES AND ELENA RUALES, Petitioners, v. DOMINGO DULFO AND CATALINA DULFO, Respondents.

This is a Petition for Review on *Certiorari* (**Petition**),¹ dated July 9, 2015, filed by Roberto Ruales and Elena Ruales (collectively, the **petitioners**) assailing the Decision,² dated July 31, 2014, and the Resolution,³ dated May 25, 2015, of the Court of Appeals (CA), in CA-G.R. SP. No. 05725, which reversed and set aside the Decision,⁴ dated May 24, 2010, of the Regional Trial Court, Branch 39, Sogod Southern Leyte (RTC) in Civil Case No. R-295-C. The RTC reversed the Decision,⁵ dated January 5, 2010, of the Third Municipal Circuit Trial Court of Sogod-Libagon-Bontoc, Sogod, Southern Leyte (MCTC) which declared Domingo Dulfo and Catalina Dulfo (collectively, the **respondents**) as lawful possessors of the disputed property and ordered the petitioners to vacate the same.

Well settled is the rule that questions of fact are proscribed in Rule 45 petitions.⁶ The Rules of Court further require that only questions of law should be raised in petitions filed under Rule 45 since factual questions are not the proper subject of an appeal by *certiorari*. It is not the Court's function to once again analyze or weigh evidence that has already been considered in the lower courts⁷ as this Court is not a trier of facts.⁸ When supported by

¹ *Rollo*, pp. 4-19.

² *Id.* at 22-36. Penned by Associate Justice Gabriel T. Ingles and concurred in by Associate Justices Pamela Ann Abella Maxino and Renato C. Francisco.

³ *Id.* at 57-58.

⁴ *Id.* at 37-49. Penned by Executive Judge Rolando L. Gonzalez.

⁵ *Id.* at 50-56. Penned by Presiding Judge Patrick M. Espere.

⁶ *Philippine National Police-Criminal Investigation and Detection Group v. P/Supt. Villafuerte*, 840 Phil. 243, 253 (2018).

⁷ *Sps. Miano, Jr. v. Manila Electric Company*, 800 Phil. 118, 122 (2016).

⁸ *Microsoft Corporation v. Farajallah*, 742 Phil. 775, 785 (2014).

substantial evidence, the findings of fact of the CA are conclusive and binding on the parties and are not reviewable by the Court.⁹

A question of law exists when doubt or difference arises as to what is the applicable law given a certain set of facts. On the other hand, there is a question of fact when doubt arises as to the truth or falsity of the alleged facts.¹⁰

Questions of fact, which would require a re-evaluation of the evidence, are inappropriate under Rule 45 of the Rules of Court.¹¹ The jurisdiction of the Court under Rule 45, Section 1 is limited only to errors of law. While Rule 45, Section 1 is not absolute, none of the recognized exceptions, which allow the Court to review factual issues, is present in this case.¹²

The main issue presented by the petitioners is whether they had prior physical possession of the disputed property. Clearly, this is a question of fact which is proscribed in Rule 45 petitions.

In view of the foregoing, the present Petition must fail.

WHEREFORE, the Petition for Review on *Certiorari* filed by petitioners Roberto Ruales and Elena Ruales is **DENIED** for lack of merit. The Decision, dated July 31, 2014, and the Resolution, dated May 25, 2015, of the Court of Appeals, in CA-G.R. SP. No. 05725, are **AFFIRMED**.

SO ORDERED.

By authority of the Court:

Misael DCB-It
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
r/b/a

⁹ *Siasat v. Court of Appeals*, 425 Phil. 139 (2002).

¹⁰ *Reyes v. Court of Appeals*, 328 Phil. 171, 179 (1996).

¹¹ *Gatan v. Vinarao*, 820 Phil. 257, 265 (2017).

¹² *Lopez v. Saludo, Jr.*, G.R. No. 233775, September 15, 2021.

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The Presiding Judge
REGIONAL TRIAL COURT
Branch 39, Sogod
6606 Southern Leyte
(Civil Case No. R-295-C)

The Presiding Judge
3rd MUNICIPAL CIRCUIT TRIAL COURT
Sogod-Libangon-Bontoc, Sogod
6606 Southern Leyte
(Civil Case No. R-348)

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