



Republic of the Philippines  
**Supreme Court**  
Manila

**THIRD DIVISION**

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Third Division, issued a Resolution dated August 31, 2022, which reads as follows:*

**G.R. No. 231497 – CARLOS R. CRUZ, Petitioner, v. APOLLO PLUS DISTRIBUTION, INC. and JAYSON PATRICK YAMBAO, Respondents.**

The Court:

- (1) **NOTES** the Manifestation in Lieu of Compliance dated December 24, 2021, filed by Atty. Marivy P. Tomboc of the Public Attorney's Office (PAO), counsel for petitioner, informing the Court that on June 10, 2021, they personally served upon respondents' last known postal address a letter informing them of this Court's Resolution dated February 15, 2021 (requiring the PAO to further comply with the Resolution dated September 2, 2020 as to the present and correct address of respondents), however, upon inquiry with the security personnel therein, they learned that respondents have already transferred their address and changed their business name, thus, the PAO submits to the sound discretion of this Court that despite their earnest efforts, they are still unable to locate respondents; and
- (2) **DISPENSES** with the filing of respondents' comment.

This Court resolves to affirm the Decision<sup>1</sup> of the Court of Appeals (CA), dated 12 October 2016, and Resolution,<sup>2</sup> dated 25 April 2017, in CA-G.R. SP No. 142455, which up held the Decision<sup>3</sup> of the National Labor Relations Commission (NLRC), dated 30 June 2015, and Resolution,<sup>4</sup> dated

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<sup>1</sup> *Rollo*, pp. 34-40. Penned by Associate Justice Ma. Luisa C. Quijano-Padilla, with the concurrence of Associate Justices Normandie B. Pizarro and Ramon Paul L. Hernando (now a Member of this Court).

<sup>2</sup> *Id.* at 42-43.

<sup>3</sup> *Id.* at 99-105.

<sup>4</sup> See CA Decision dated 12 October 2016, *id.* at 37.

Relations Commission (NLRC), dated 30 June 2015, and Resolution,<sup>4</sup> dated 31 July 2015, in NLRC LAC No. 06-001-597-15, which sustained the Decision<sup>5</sup> of the Labor Arbiter (LA), dated 21 May 2015, in NLRC-NCR 00-07-08979-14, dismissing the illegal dismissal complaint with claims for reinstatement and full backwages, payment of benefits, moral and exemplary damages, and attorney's fees filed by petitioner Carlos R. Cruz (Cruz) against respondents Apollo Plus Distribution, Inc. (Apollo) and Jayson Patrick Yambao.

The issue in this case is the validity of the quitclaim signed by petitioner Cruz, which, in turn, would determine if he was illegally dismissed by respondent Apollo. However, it is established that questions of fact cannot be raised before this Court. In any case, the factual findings of the LA, NLRC, and CA, are uniform and consistent. All these tribunals found that Cruz admitted to voluntarily signing a waiver and quitclaim in favor of Apollo. Absent any proof to show that he was forced to sign the same, or that the quitclaim is contrary to law or public policy, then it is valid and binding between the parties.

On the issue of Cruz's claims for reinstatement and full backwages, payment of benefits, moral and exemplary damages, and attorney's fees, the Court also affirms their denial.

In sum, the Court finds that the CA did not commit any reversible error in upholding the validity of the waiver and quitclaim signed by Cruz, and in determining that he failed to prove his illegal dismissal by substantial evidence.

**WHEREFORE**, the Petition for Review on *Certiorari* filed by Carlos R. Cruz is **DENIED**. The Decision, dated 12 October 2016, and Resolution, dated 25 April 2017, of the Court of Appeals, in CA-G.R. SP No. 142445, are **AFFIRMED**.

**SO ORDERED.**

By authority of the Court:

*Misael C. Batt*  
**MISAELO DOMINGO C. BATTUNG III**  
Division Clerk of Court  
*M 2/8/23*

<sup>4</sup> See CA Decision dated 12 October 2016, *id.* at 37.

<sup>5</sup> *Id.* at 85-88.

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[NLRC LAC No. 06-001-597-15  
NLRC NCR 00-07-08979-14]

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**G.R. No. 231497**

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