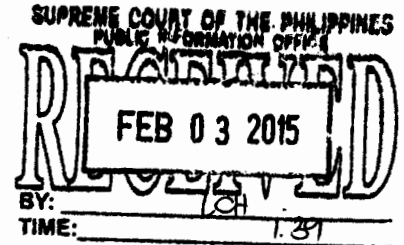




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated November 26, 2014 which reads as follows:*

**“G.R. No. 214113 (VIRGINIA E. MANUBAG, petitioner v. PEOPLE OF THE PHILIPPINES, respondent).-** The petitioner’s motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.

Before this Court is a Petition for Review on *Certiorari* under Rule 45 of the Rules of Court seeking to reverse the Resolution of the Court of Appeals affirming the ruling of conviction of the trial court which found petitioner Virginia E. Manubag (Manubag) guilty of grave oral defamation.

In her complaint, Jinky Orque Caballes (Caballes), a public school teacher, narrated that she filed a case for grave oral defamation against Manubag for uttering these words to her, *“Maestra man untaka, bigaon ka”* (You are a teacher and yet you are lustful), with the intent to bring her into disrepute.

She recalled that at around 12:00 o’clock in the afternoon of February 16, 2005, she was walking across the open ground towards the municipal hall building in Bogo City, Cebu when she saw Dexter Juanillo (Juanillo), the father of one of her students. While they were conversing, Atty. Manubag, the husband of the accused Manubag, joined their conversation. Juanillo left the municipal hall while Atty. Manubag and Caballes continued to converse. When accused Manubag showed up in the

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corridor where the two were talking, she reached for a pole and hit her husband at the back. Thereafter, Manubag reached for Caballes and hit her on her left buttock. At the same time, Manubag uttered the defamatory words to Caballes, prompting the latter to file a defamation case against her.

Caballes also presented Dr. Minerva Millor of the Bogo Rural Health Unit, who testified that Caballes indeed suffered an injury on the day of the altercation.

On her part, Manubag admitted that she did hit her husband but denied uttering defamatory words to Caballes.

Upon conclusion of the trial, the MTCC on May 14, 2009, found Manubag guilty of grave oral defamation and imposed upon her the penalty of imprisonment of four months and one day to one year and was ordered to pay moral, exemplary damages and attorney's fees.

On December 21, 2010, RTC Bogo City dismissed the appeal of Manubag and affirmed the MTCC Decision. The motion for reconsideration was denied on December 15, 2011.

On June 19, 2012, the Court of Appeals denied the petition for review of Manubag for being patently without merit and for raising unsubstantial issues. The motion for reconsideration was denied on August 1, 2014.

Before this Court is a mere reiteration of the arguments of the petitioner before the three lower courts denying publication of the allegedly defamatory words against Caballes. Putting it differently, the petitioner urges this Court to review the factual circumstances of the case and determine once again whether the element of publication was sufficiently established before the lower court to convict her of the crime of grave oral defamation.

In this case, absent any of the recognized exceptions to merit review, we upheld the long standing ruling that factual findings of the lower courts are final and conclusive and are not reviewable by this Court.<sup>1</sup>

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<sup>1</sup> *Lopez v. People*, G.R. No. 172203, 14 February 14, 2011, 642 SCRA 668, 677.

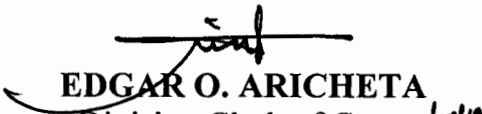
**WHEREFORE**, the petition is **DENIED**. Accordingly, the Resolutions of the Court of Appeals dated 19 June 2012 and 1 August 2014 are hereby **AFFIRMED**.

The entry of appearance of Atty. Glenn M. Jumao-as with address at Guadalupe, Bogo City, Cebu, as counsel for petitioner, praying that all orders, resolutions, decisions of the Court and pleadings of the other party relative to this case be sent to the given address is **NOTED** and **GRANTED**; and the petitioner is hereby required to **SUBMIT** within five (5) days from notice hereof, a soft copy in compact disc, USB or e-mail containing the PDF file of the signed motion for extension with notice of withdrawal of her counsel pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC.

The counsel for petitioner is likewise hereby directed to **COMPLY** within five (5) days from notice hereof with A.M. No. 07-6-5-SC dated July 10, 2007 re: statement of contact details (*e.g.*, telephone number, fax number, cellular phone number or e-mail address) of parties or their counsels in all papers and pleadings filed with the Supreme Court.

**SO ORDERED.** **PERLAS-BERNABE, J.**, on leave, **VILLARAMA, JR., J.**, Acting Member per Special Order No. 1885 dated 24 November 2014.

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court *pk/plm*

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Judgment Division (x)  
Supreme Court

Court of Appeals  
6000 Cebu City  
(CA-G.R. CR No. 01848)

The Solicitor General (x)  
Makati City

The Hon. Presiding Judge  
Regional Trial Court, Br. 61  
Dakit, Bogo City  
6010 Cebu  
(Crim. Case No. B-04481)

The Hon. Presiding Judge  
Municipal Trial Court in Cities  
Bogo City 6010 Cebu  
(Crim. Case No. 8234)

\*For this Resolution only.  
SR

Public Information Office (x)  
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No. 12-7-1-SC)

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