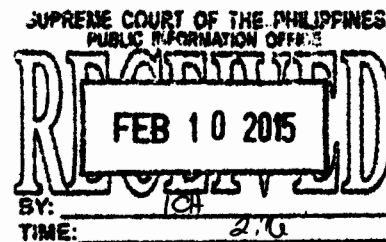




Republic of the Philippines  
Supreme Court  
Manila  
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **January 12, 2015** which reads as follows:*

**“G.R. No. 214338 (Ofir S. Pre, Samuel P. Dacanay, Roland N. Catolico, Roderick O. Nicolas, Jerald\* Aban, Dionisio Burias, Fabian S. Dialogo, Jr., Johnny Subere, Rodolfo O. Cabugawan, Randy S. Sumabong, Allan C. Bonifacio, Gingin T. Alvarez, Renato B. Bahillo, Percineples T. Magsulao, Jr., Eduard T. Magsulao, Ramir E. Destura, Renesito Kionisala, and Reynaldo Sadiwa v. Regent Foods Corporation/Ricky See/Regal Snack International Food Corp./Susan Chua/Best Friend Manpower Services, and Sesinando Luna a.k.a. “Nanding Luna”).-** The petitioners’ 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.

After a judicious perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the February 27, 2014 Decision<sup>1</sup> and September 16, 2014 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 123817 for failure to sufficiently show that the CA committed any reversible error in finding that petitioners were not dismissed by respondent Regent Foods Corporation.

As correctly held by the CA, a claim of illegal dismissal must be duly proved and it certainly cannot be sustained on bare allegations, let

- over – two (2) pages .....

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\* “Gerald” in some parts of the record.

<sup>1</sup> *Rollo*, pp. 63-73. Penned by Associate Justice Rodil V. Zalameda with Associate Justices Ramon M. Bato, Jr. and Manuel M. Barrios, concurring.

<sup>2</sup> *Id.* at 86-87.

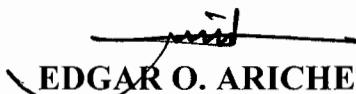
alone mere suspicion. Before an employer bears the burden of proving that the dismissal was legal, the employees must first establish by substantial evidence that they were dismissed,<sup>3</sup> which petitioners failed to do in this case.

Moreover, it is settled that factual findings of labor tribunals, when affirmed by the CA, are generally accorded not only respect, but even finality, and are binding on the Court,<sup>4</sup> as in this case.

The Court of Appeals and the National Labor Relations Commission are **DELETED** as party respondents in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended; and the petitioners' *ex-parte* motion to admit compact disc (cd) containing soft copy of the petition and its annexes is **NOTED**.

**SO ORDERED.”**

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court <sup>12/15</sup>

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COMMISSION  
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1100 Quezon City  
(NLRC NCR Case Nos. 01-00515-10,  
01-00509-10, 01-01094-10, 01-  
01281-10, 01-01078-10 & 01-  
00518-10; NLRC LAC No. 01-000288-  
11)

SR

<sup>3</sup> See *Exodus International Construction Corporation v. Biscocho*, G.R. No. 166109, February 23, 2011, 644 SCRA 76, 86.

<sup>4</sup> See *Ma. Consolacion M. Nahas, doing business under the name and style Personnel Employment and Technical Recruitment Agency v. Olarte*, G.R. No. 169247, June 2, 2014.