

FIRST DIVISION

[G.R. No. 162205, March 31, 2014]

**REVELINA LIMSON, PETITIONER, VS. EUGENIO JUAN GONZALEZ,
RESPONDENT.**

D E C I S I O N

BERSAMIN, J.:

Under review is the decision promulgated on July 31, 2003,^[1] whereby the Court of Appeals dismissed petitioner Revelina Limson's petition for *certiorari* assailing the denial by the Secretary of Justice of her petition for review vis-à-vis the adverse resolutions of the Office of the City Prosecutor of Mandaluyong City (OCP) of her charges for falsification and illegal use of aliases against respondent Eugenio Juan Gonzalez.

Antecedents

The antecedents as found by the CA are as follows:

On or about December 1, 1997, Limson filed a criminal charge against Gonzalez for falsification, before the Prosecutor's Office of Mandaluyong City.

The charge for [sic] falsification of [sic] Limson is based on Limson's assertion that in the records of the Professional Regulatory Commission (PRC), a certain 'EUGENIO GONZALEZ' is registered as an architect and that Gonzalez, who uses, among others, the name 'EUGENIO JUAN GONZALEZ', and who pretends to be said architect. Registered [sic] with the PRC, is an impostor and therefore, guilty [sic] of falsification x x x."

Gonzalez filed his Counter-Affidavit, wherein he explained in detail that his full name is EUGENIO (first given name) JUAN (second given name) GONZALEZ (father's family name) y REGALADO (mother's family name). He alleges that in his youth, while he was still in grade school and high school, he used the name EUGENIO GONZALEZ y REGALADO and/or EUGENIO GONZALEZ and that thereafter, he transferred to the University of Santo Tomas and therein took up architecture and that upon commencement of his professional practice in 1943, he made use of his second name, JUAN. Consequently, in his professional practice, he has identified himself as much as possible as Arch. Eugenio Juan Gonzalez, because the surname GONZALEZ was and is still, a very common surname throughout the Philippines and he wanted to distinguish himself with his second given name, JUAN, after his first given name, EUGENIO. Gonzalez supposed [sic] his allegations with various supporting documents x x x.

After receiving pertinent Affidavits and evidentiary documents from Limson and Gonzalez, respectively, the Prosecutor dismissed the criminal charge against Gonzalez, finding that indeed EUGENIO JUAN R. GONZALES [sic] is the architect registered in the PRC. Said Resolution was issued on March 30, 1998 x x x.

Limson elevated the Resolution of the Prosecutor x x x to the Secretary of Justice. Before the Secretary of Justice, she utilized the basic arguments she had raised before the Prosecutor's Office, with slight variations, in assailing said adverse Resolution of the Prosecutor.

After Opposition by Gonzalez, the Secretary of Justice dismissed the appeal of Limson. The Secretary of Justice affirmed and even expanded the findings of the Prosecutor x x x.

Not content with said Resolution of the Secretary of Justice, Limson filed a motion for reconsideration therefrom; which, after Opposition by Gonzalez, was dismissed by the Secretary of Justice, on September 15, 2000 x x x. Said dismissal was with finality.

Notwithstanding the foregoing, on or about September 25, 2000, Limson filed a new letter complaint against Gonzalez, with the Secretary of Justice. She alleged the same basic facts, evidence, and charges, as already resolved by the Prosecutor and affirmed with finality, by the Secretary of Justice; but adding the accusation that because Gonzalez used various combinations of his name, in different signature, on the [sic] different occasions, Gonzalez had also violated Republic Act No. 6085 (the Anti-Alias Law). Limson, in said letter complaint of September 25, 2000, suppressed from the Secretary of Justice, the extant before-mentioned Resolutions, already decreed and adverse to her.

The Secretary of Justice referred this letter complaint of Limson x x x to the Prosecutor's Office of Mandaluyong City for investigation.

This new investigation was docketed as I.S. No. 01-44001-B and assigned to Honorable Susante J. Tobias x x x.

After submission of Affidavits, Counter-Affidavits and other pertinent pleadings, and evidences [sic], by the respective parties, before the Prosecutor, the Prosecutor rendered a Resolution, dismissing the new complaint x x x which Resolution reads as follows:

'After a careful evaluation of the letter complaint of Revelina Limson dated September 25, 2000 addressed to the Secretary of Justice and endorsed to this Office x x x and the evidence adduced by the contending parties, we find the issues raised in the aforesaid letter to be a rehashed (sic) of a previous complaint filed by the same complainant which has already been long resolved with finality by this Office and the Department of Justice more particularly under I.S. No. 97-11929.

WHEREFORE, it is most respectfully recommended that the instant case be considered closed and dismissed.'

Not content with said Resolution x x x, Limson filed a motion for reconsideration; [sic]which was again opposed by Gonzalez and which was denied by the Prosecutor x x x.

Not agreeable to said Resolution x x x, Limson filed a Petition for Review with the Secretary of Justice x x x, to which x x x Gonzalez filed an Answer/Opposition x x x.

The Secretary of Justice denied said Petition for Review of Limson, on April 3, 2002 x x x as follows:

'Section 12, in relation to Section 7, of Department Circular No. 70 dated July 3, 2000, provides that the Secretary of Justice may, *motu proprio*, dismiss outright the petition if there is no showing of any reversible error in the assailed resolution or when issued [sic] raised therein are too unsubstantial to require consideration. We carefully examined the petition and its attachments and we found no such error committed by the prosecutor that would justify the reversal of the assailed resolution which is in accord with the evidence and law on the matter.

Moreover, there was no showing that a copy of the petition was furnished the Prosecution Office concerned pursuant to Section 5 of said Department Circular.^[2]

Although Limson sought the reconsideration of the adverse resolution of April 3, 2002, the Secretary of Justice denied her motion for reconsideration on October 15, 2002.

Decision of the CA

Limson assailed on *certiorari* the adverse resolutions of the Secretary of Justice in the CA, claiming that the Secretary of Justice had thereby committed grave abuse of discretion amounting to lack or excess of jurisdiction for misappreciating her evidence establishing her charges of falsification and violation of the Anti-Alias Law against respondent.

On July 31, 2003, the CA promulgated its assailed decision dismissing the petition for *certiorari*, disposing as follows:

WHEREFORE, in light of the foregoing discussions, the instant Petition is performe ***DENIED***. Accordingly, the Resolutions subject of this petition are ***AFFIRMED***.

SO ORDERED.^[3]

On January 30, 2004, the CA denied Limson's motion for reconsideration.

Issues

In her petition for review, Limson avers the following errors, namely:

I

THE FINDINGS OF FACT OF THE HONORABLE COURT OF APPEALS DO NOT CONFORM TO THE EVIDENCE ON RECORD. MOREOVER, THERE WAS A MISAPPRECIATION AND/OR MISAPPREHENSION OF FACTS AND THE HONORABLE COURT FAILED TO NOTICE CERTAIN RELEVANT POINTS WHICH IF CONSIDERED WOULD JUSTIFY A DIFFERENT CONCLUSION

II

THE CONCLUSION OF THE COURT OF APPEALS IS A FINDING BASED ON SPECULATION AND/OR SURMISE AND THE INFERENCES MADE WERE MANIFESTLY MISTAKEN.^[4]

Limson insists that the names "Eugenio Gonzalez" and "Eugenio Juan Gonzalez y Regalado" did not refer to one and the same individual; and that respondent was not a registered architect contrary to his claim. According to her, there were material discrepancies between the graduation photograph of respondent taken in 1941 when he earned his degree in Architecture from the University of Sto. Tomas, Manila,^[5] and another photograph of him taken for his driver's license in 1996,^[6] arguing that the person in the latter photograph was not the same individual depicted in the 1941 photograph. She submits documents showing that respondent used aliases from birth, and passed himself off as such persons when in fact he was not. She prays that the decision of the CA be set aside, and that the proper criminal cases for falsification of public document and illegal use of alias be filed against respondent

In his comment,^[7] respondent counters that the petition for review should be denied due course for presenting only factual issues; that the factual findings of the OCP, the Secretary of Justice, and the CA should remain undisturbed; that he did not commit any falsification; that he did not use any aliases; that his use of conflicting names was the product of erroneous entry, inadvertence, and innocent mistake on the part of other people; that Limson was motivated by malice and ill will, and her charges were the product of prevarication; and that he was a distinguished architect and a respected member of the community and society.

Ruling of the Court

The appeal has no merit.

To start with, the petition for review of Limson projects issues of fact. It urges the Court to undo the findings of fact of the OCP, the Secretary of Justice and the CA on the basis of the documents submitted with her petition. But the Court is not a trier of facts, and cannot analyze and weigh evidence. Indeed, Section 1 of Rule 45, *Rules of Court* explicitly requires the petition for review on *certiorari* to raise only questions of law, which must be distinctly set forth. Accordingly, the petition for review of Limson is outrightly rejected for this reason.