

SPECIAL SIXTEENTH DIVISION

[CV No. 91241, October 22, 2010]

**IN THE MATTER OF THE CORRECTION OF ENTRY IN THE
CERTIFICATE OF LIVE BIRTH OF MINOR ZACHARIAH CARAAN
EBRON, BABY DAPHNE CARAAN EBRON, PETITIONER-APPELLEE,
VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR-APPELLANT**

DECISION

Court of Appeals

The Case

On appeal by the Republic of the Philippines, through the Office of the Solicitor General ("OSG") is the **June 2, 2008**^[1] of the Regional Trial Court of Calamba City, Laguna^[2] in *Sp. Proc. No. 1077-08-C entitled "In the Matter of the Correction of Entry in the Certificate of Live Birth of Minor, Zachariah Caraan Ebron,"* the dispositive portion of which reads:

"WHEREFORE, finding the petition to be with merit, same is hereby granted.

Accordingly, the Local Civil Registrar of Los Baños, Laguna is hereby ordered to correct the entry in the Certificate of Live Birth of her son **Zachariah Ebron y Caraan** as to the citizenship of her husband Allan Ignacious P. Ebron from '**U.S. Citizen**' to '**Filipino citizen**.'

The '**Civil Registrar, Los Baños. Laguna**' and the National Statistics Office are hereby ordered to effect the correction in the Certificate of Live Birth of Zachariah Ebron y Caraan in their records.

SO ordered."^[3] (emphasis and underscoring supplied)

The Facts

This appeal proceeds from a **Petition for Correction of Entry in the Certificate of Live Birth**^[4] filed by **Baby Daphne Caraan Ebron** ("Baby Daphne") before the Regional Trial Court of Calamba City, Laguna^[5] ("**RTC**"), seeking the "correction of entry" in the certificate of live birth of her son, Zachariah Ebron y Caraan ("Zachariah"), as regards the citizenship of his father Allan Ignacious Poblete Ebron ("**Allan Ignacious**") from "US Citizen" to "Filipino citizen."⁶ The factual events which led to this case, as summarized by the RTC in its assailed Order, are as follows:

"In the initial hearing on May 19, 2008, the petitioner thru counsel, Atty. Macario Agocila presented evidence to comply with the **jurisdictional requirements**, [emphasis Ours] Thereafter, the Branch Clerk of Court was appointed to act as

Commissioner to receive evidence ex-parte.

At the **ex-parte hearing** [emphasis Ours] on June 2, 2008 at 2:00 in the afternoon, petitioner presented Baby Daphne Caraan Ebron, of legal age, Filipino citizen, married, College Graduate and with residence and postal address at No. 2564 Natures Ville, Anos, Los Banos, Laguna, testified:

That she is the petitioner in this case; That she is the lawful wife of **Allan Ignacio Ebron y Poblete** [emphasis Ours] and having married on February 19, 2005 in San Jose Del Monte, Bulacan marked as Exhibit 'F'; That she gave birth to her first child on November 29, 2006 in Los Baños, Laguna named as **Zachariah Ebron y Caraan** as shown in the Birth Certificate marked as Exhibit 'E'; That she indicated in the citizenship of her husband as US citizen in the birth certificate of their son which was erroneous since she discovered later that her husband is only a holder of a Resident Alien Certificate or Green Card Holder and not yet a **U.S. citizen** and still a **Filipino citizen** marked as Exhibit 'G'; That the correction of entry is not intended to evade from any obligation or lawful order but in order to straighten the birth record of her son **Zachariah Ebron y Caraan**.

Thereafter, the petitioner offered in evidence the following exhibits:

Exhibit 'A' - the Petition;

And its sub-
markings

Exhibit 'B' and
its

Sub-markings - the Order dated March 12, 2008;

Exhibit 'C' - Certificate of Posting

Exhibit 'D' - Affidavit of Publication

Exhibit 'D-1' - Issue of Amihan dated March 31 to April 6, 2008;

Exhibit 'D-1-A' - Clippings of the Order;

Exhibit 'D-2' - Issue of Amihan dated April 7 to April 13, 2008;

Exhibit 'D-2-A' - Clippings of the Order;

Exhibit 'D-3' - Issue of Amihan dated April 14 to April 20, 2008;

Exhibit 'D-3-A' - Clippings of the Order;

- Exhibit 'E' - Certificate of Live Birth of Zachariah Caraan Ebron;
- Exhibit 'F' - Certificate of Marriage;
- Exhibit 'G' - Resident Alien;
- Exhibit 'H' - Appearance from the Office of the Solicitor General;
- Exhibit 'H-1' - Deputization to the Office of the Provincial Prosecutor."^[7]

(emphasis Ours)

Thereafter, the trial court proceeded to conclude in the herein assailed Order^[8] that the petition is meritorious, hence its disposition of the case, viz.:

"WHEREFORE, finding the petition to be with merit, same is hereby granted.

Accordingly, the Local Civil Registrar of Los Baños, Laguna is hereby ordered to correct the entry in the Certificate of Live Birth of her son Zachariah Ebron y Caraan as to the citizenship of her husband Allan Ignacio P. Ebron from 'U.S. Citizen' to 'Filipino citizen.'

The 'Civil Registrar. Los Baños. Laguna' and the National Statistics Office are hereby ordered to effect the correction in the Certificate of Live Birth of Zachariah Ebron y Caraan in their records.

SO ORDERED."^[9] (emphasis and underscoring supplied)

Aggrieved, the Republic, through the OSG, interposed this appeal.

Issue:

The lone issue raised by the OSG for Our resolution is whether or not:

"THE TRIAL COURT ERRED IN GRANTING THE PETITION DESPITE THE FACT THAT THE REQUIREMENTS OF THE LAW HAVE NOT BEEN COMPLIED WITH."^[10]

OUR RULING

We grant the appeal.

We firstly have to stress that under **Section 14, Article VIM of the Constitution**, no decision shall be rendered by any court without expressing clearly and distinctly the **facts** and the **law on which it is based**.^[11] Due process demands that the parties to a litigation be informed of **how it was decided** with an explanation of the