

## SECOND DIVISION

[ G.R. No. 205250, March 18, 2013 ]

**LORRAINE D. BARRA, PETITIONER, VS. CIVIL SERVICE  
COMMISSION, RESPONDENT.**

### R E S O L U T I O N

**BRION, J.:**

Before the Court is the petition for review on *certiorari*,<sup>[1]</sup> filed by petitioner Lorraine D. Barra, assailing the July 11, 2012<sup>[2]</sup> and the December 7, 2012<sup>[3]</sup> resolutions of the Court of Appeals (CA) in CA G.R. SP No. 125421, dismissing outright the petitioner's Rule 43 petition for review for procedural defects.

On March 2, 2001, Bureau of Fisheries and Aquatic Resources (BFAR) Director Malcolm I. Sarmiento, Jr. appointed the petitioner as Supply Officer II in the BFAR, Region XIL An anonymous letter sent via e-mail questioned the appointments of the petitioner and several individuals, for violation of the prohibition on nepotism under Section 79, Book V of the Revised Administrative Code of 1987.

In a January 6, 2006 letter, Civil Service Commission (CSC) Director Macybel Alfaro-Sahi requested BFAR Director Sani D. Macabalang to give her copies of the appointment papers of the petitioner and her colleagues. In Resolution No. 08-0539 dated April 10, 2008, the CSC directed the conduct of further investigation on the appointments of the petitioner and her colleagues, and to file the appropriate disciplinary cases against them.

In a June 15, 2010 order, CSC Director Grace R. Belgado-Saqueton recalled the appointments of the petitioner and Huzaifah D. Disomimba for violation of the prohibition on nepotism. On August 6, 2010, the petitioner and Disomimba filed with the CSC regional office a motion for reconsideration and prayed for the conduct of a preliminary investigation, claiming that they were denied due process. In a September 20, 2010 order, the CSC Regional Director denied the motion for reconsideration.

The petitioner and Disomimba appealed to the CSC *en banc*. In Decision No. 110581 dated October 10, 2011, the CSC *en banc* affirmed the orders of the CSC Regional Director. When the CSC denied the motion for reconsideration that followed, the petitioner filed a Rule 43 petition for review with the CA.

In its July 11, 2012 resolution,<sup>[4]</sup> the CA dismissed the petition outright for: (a) failure to state the date of receipt of the copy of the October 10, 2011 CSC decision; and (b) failure to indicate the notary public's office address in the notarial certificates in the verification and certification of non-forum shopping and in the affidavit of service.