

SECOND DIVISION

[G.R. No. 200182, March 13, 2019]

ANACLETO ALDEN MENESES, [*] PETITIONER, V. JUNG SOON LINDA LEE-MENESES, RESPONDENT.

DECISION

CAGUIOA, J:

Is a spouse who considers money and material needs as the essence of marriage psychologically incapacitated to perform the essential marital obligations to warrant a declaration of nullity of marriage under Article 36 of the Family Code?

Before the Court is a Petition for Review on *Certiorari*^[1] (Petition) under Rule 45 of the Rules of Court (Rules) assailing the Decision^[2] dated July 19, 2011 (Assailed Decision) and Resolution^[3] dated January 12, 2012 (Assailed Resolution) of the Court of Appeals (CA) in CA-G.R. CV No. 95614.

The Assailed Decision and Resolution affirmed the Decision^[4] dated October 20, 2009 issued by the Regional Trial Court of Quezon City, Branch 107 (RTC) in Civil Case No. Q-05-58783 dismissing the Petition for Declaration of Nullity of Marriage filed by petitioner Anacleto Alden Meneses (Anacleto).

The Facts

The facts, as narrated by the CA, are as follows:

[Anacleto] and [respondent Jung Soon Linda Lee-Meneses (Linda)] met during their college years in the United States of America (USA). They became involved romantically after fifteen (15) months of courtship. A year after, they decided to get married.

On August 9, 1981, [Anacleto] and [Linda] were married at Santuario de San Jose, Greenhills, Mandaluyong City. On June 3, 1983, Linda Monique L. Meneses, their only child[,] was born.

During the first few years of married life, they lived with [Anacleto's] family in Houston[,] Texas, USA. [Linda] [would] always complain of not having enough money as she wanted to live on their own, away from her parents-in-law. She would always nag [Anacleto] to look for a higher paying job so that she could get ahead in life. [Linda] wanted a luxurious life and she only appreciate [d] her husband when he [bought] her expensive gifts and [took] her out to fancy expensive restaurants.

After ten (10) years of living in Houston[,] Texas, USA, they decided to relocate their business to Korea. For a couple of years, they lived with [Linda's] parents. When their business failed, they decided to return to the Philippines.

During their marriage, they always fought about not having enough money. The constant fighting and nagging caused [Anacleto] humiliation[;] [h]e lost self-esteem and suffered an erectile disorder. [Linda] even ridiculed [Anacleto's] inability to have an erection. She even accused him of having an extra-marital relationship.

In May 2005, after living together for almost [21] years, [Linda] left [Anacleto] to live in Korea. Later on, she lived in the USA with their daughter x x x. [Linda] informed [Anacleto] that she [would] x x x come back [only] if he [could] give her a better life financially.^[5]

On September 8, 2006, Anacleto filed a Petition for Declaration of Nullity of Marriage (RTC Petition) before the RTC.^[6]

Linda failed to file her responsive pleading Respite service of summons through publication. Thus, the RTC referred the case to the Office of the City Prosecutor to determine whether there was collusion between the parties.^[7] Finding that no such collusion exists, the Assistant City Prosecutor issued a Report recommending that the case proceed to trial.^[8]

Trial on the merits ensued.^[9]

Anacleto presented the testimony of Dr. Arnulfo V. Lopez (Dr. Lopez), a clinical psychiatrist. Based on interviews conducted with Anacleto, his office secretary Marife Davi (Marife) and the parties' family driver Ronilo Reol (Ronilo), Dr. Lopez concluded that Linda suffers from narcissistic personality disorder with borderline personality disorder features that render her incapable of fulfilling the essential marital obligations.^[10]

The RTC summarized Dr. Lopez's findings as follows:

Dr. Lopez testified that the root cause of [Linda's] personality disorder can be traced back to her dysfunctional familial pattern and psychological development. She was [7] years old when her parents separated and she was raised by her mother who was controlling, strict and disciplined. When [Linda] misbehaved, her mother abused her verbally and spanked her using her hand, a belt, or a golf iron rod. In fact, because of her meddling in the private lives of her daughters, [Linda's] sister also separated from her husband. Dr. Lopez alleges that [Linda's] stepfather also [abused] her physically. There were instances [when] [Linda's] stepfather dunk her head in the water because she was naughty. Because of the way [Linda] was treated by her parents, she became a rebel teenager and developed hatred towards her stepfather. In order to succeed in life, [Linda's] parents sacrifice[d] a lot[;] they [saw] money as the key to have a successful life. With this mindset, [Linda] grew up whose (sic) main concern

in life [was] to have all the material things she wanted. She became demanding and domineering towards the opposite sex and used the resentment and hatred she had towards her stepfather as her revenge towards him.

Dr. Lopez concluded that [Linda's] psychological incapacity is an integral part of her personality, which has its juridical antecedence having existed even prior to the marriage. It is grave, permanent and incurable and which incapacitated her from performing her essential marital obligations.^[11] (Emphasis supplied)

On the other hand, Dr. Lopez found that while Anacleto was emotionally affected and disturbed by the nature of his marital life with Linda, he showed no indication that he too suffers from psychological incapacity to comply with his essential marital obligations.^[12]

RTC Ruling

On October 20, 2009, the RTC issued a Decision the dispositive portion of which reads:

In sum, the totality of the evidence presented does not show psychological incapacity on the part of [Linda]. As discussed in [*Republic v. Court of Appeals and Molina*]^[13] x x x "the burden of proof to show the nullity of the marriage belongs to [Anacleto]. Any doubt should be resolved in favor of the existence and confirmation of the marriage and against its dissolution and nullity."

With the above findings, the Court does not find sufficient ground to declare the marriage null and void.

WHEREFORE the [RTC Petition] is denied. The above entitled case is DISMISSED.

SO ORDERED.^[14] (Emphasis supplied)

The RTC found the evidence on record insufficient for purposes of establishing the gravity and juridical antecedence of Linda's personality disorder.^[15]

Anacleto filed a motion for reconsideration, which the RTC denied for lack of merit in its Resolution^[16] dated July 6, 2010.

Aggrieved, Anacleto filed an appeal under Rule 41 of the Rules, assigning this lone error:

THE [RTC] ERRED IN TOTALLY DISREGARDING THE PSYCHOLOGICAL FINDINGS OF [DR. LOPEZ], [ANACLETO'S] EXPERT WITNESS, IN CONNECTION WITH THE PSYCHOLOGICAL INCAPACITY OF [LINDA] IN FULFILLING HER MARITAL OBLIGATIONS.^[17]

CA Ruling

The CA denied Anacleto's appeal through the Assailed Decision, the dispositive portion of which reads:

WHEREFORE, premises considered, the instant appeal is hereby **DENIED**. The [RTC Decision] in Civil Case No. Q-05-58783 for Declaration of Nullity of Marriage is **AFFIRMED**.

SO ORDERED.^[18]

The CA accorded weight and respect to the findings of fact of the RTC. The CA conceded that while the standards set forth in *Republic v. Court of Appeals and Molina*^[19] may be considered strict, they remain in line with the principle that any doubt should be resolved in favor of the validity of marriage and the indissolubility of marital ties.^[20]

Anacleto filed a motion for reconsideration, which was also denied by the CA in the Assailed Resolution.^[21]

Anacleto received a copy of the Assailed Resolution on January 19, 2012. Subsequently, he filed the present Rule 45 Petition on February 3, 2012.^[22]

On April 16, 2012, the Court issued a Minute Resolution^[23] denying the Petition. It reads in part:

x x x Considering the allegations, issues and arguments adduced in the [Petition] of the [Assailed Decision and Resolution] of the [CA] in CA G.R. CV No. 95614, the Court resolves to **DENY** the petition for failure of [Anacleto] to sufficiently show that the [CA] committed any reversible error in the [Assailed Decision and Resolution] as to warrant the exercise of this Court's discretionary appellate jurisdiction.^[24]

Thereafter, Anacleto filed a motion for reconsideration insisting on the weight and credibility of Dr. Lopez's findings.^[25]

In the Resolution^[26] dated August 13, 2012, the Court resolved to grant Anacleto's motion for reconsideration and reinstate the Petition. Accordingly, the Court required Linda to file her comment thereto within ten (10) days from notice.^[27] Since the Resolution was returned unserved, the Court directed Anacleto to disclose Linda's address within ten (10) days from notice. In his Manifestation^[28] dated March 19, 2013, Anacleto averred that he had lost communication with Linda when she left their conjugal home in May 2005, and that he no longer knows where she resides.

Upon the Court's directive, Anacleto later manifested his willingness to submit the Petition for resolution through his Compliance and Manifestation^[29] dated November 5, 2013.

The Issue

The Petition calls on the Court to determine whether the lower courts erred in dismissing Anacleto's petition for declaration of nullity on the ground of insufficient evidence.

The Court's Ruling

The Petition lacks merit.

Article 36 of the Family Code states:

A marriage contracted by any party who, at the time of the celebration, was psychologically incapacitated to comply with the essential marital obligations of marriage, shall likewise be void even if such incapacity becomes manifest only after its solemnization.

In a long line of cases, the Court has ruled that psychological incapacity under Article 36 must be characterized by gravity, juridical antecedence, and incurability.^[30]

To warrant a declaration of nullity on the basis of Article 36, the incapacity "must be grave or serious such that the party would be incapable of carrying out the ordinary duties required in marriage; it must be rooted in the history of the party antedating the marriage although the overt manifestations may emerge only after the marriage; and it must be incurable or even if it were otherwise, the cure would be beyond the means of the party involved."^[31]

Anacleto insists that Linda's psychological incapacity warrants the nullification of their marriage. His assertions remain hinged on the findings of Dr. Lopez who found Linda to be afflicted with "Narcissistic Personality Disorder with Borderline Personality Disorder Features," characterized by a "pervasive pattern of grandiosity and lack of empathy[,] x x x instability of interpersonal relationship[s] x x x and marked impulsivity."^[32] He also stresses that according to Dr. Lopez, Linda's disorder can be traced back to her "psychologically unhealthy childhood."^[33]

Hence, contrary to the lower courts' findings, Anacleto argues that Dr. Lopez's findings sufficiently show that Linda's incapacity is grave, permanent, incurable and has juridical antecedence.^[34]

The Court disagrees.

As stated, Anacleto's arguments stem from the findings of Dr. Lopez which, in turn, are based on interviews he conducted with Anacleto, his secretary Marife and the parties' family driver, Ronilo.^[35]

In turn, Dr. Lopez based his findings on the factors which purportedly confronted Linda during her childhood. As narrated in Dr. Lopez's Judicial Affidavit:

20. [Question]: You said that [Linda] is suffering from personality disorders. What were the root causes of these?

[Answer]: The root cause of such could be traced back to her psychologically unhealthy childhood due to her pathogenic family.

21. [Question]: What made you say that [Linda] has an unhealthy childhood due to her pathogenic family?

[Answer]: At the age of seven [7] years old, her parents separated. Her mother raised her and her sibling. It is known that her mother was loving, however, strict and had disciplined her inappropriately. For instance, when Linda has misbehaved or has committed a sin, her mother subjected her to verbal abuse [and] spanked her using her hand, a belt or a golf iron rod. Linda also suffered the same from her stepfather when he punished her. As a matter of fact, many times, her stepfather dunked her head in the water when she would misbehave. This has made Linda rebel against her parents when she became a teenager. She also developed hatred towards her stepfather because she felt that he was only a second father to her and did not have the right to punish her in that manner.

Moreover, Linda's parents struggled through life and made a lot of sacrifices to [attain] financial success. They saw money as the key to success in life and the answer to satisfy one's needs. This has made Linda prioritize the satisfaction she would derive from material things and would do anything to get what [she] wants. On the other hand, Linda's resentment and lack of love and attention from her father has resulted to her demanding and domineering ways towards the opposite sex x x x. All these has (sic) made her display narcissistic and borderline behaviors.

x x x x

24. [Question]: Based on your expert opinion, when did [Linda's] psychological disorders start to develop?

[Answer]: It x x x started to develop during her growing up years x x x and before her marriage.^[36] (Emphasis omitted)

While Dr. Lopez attributes the gravity of Linda's disorder to her alleged unhealthy childhood, none of the informants whom he interviewed claims to have known Linda since childhood. Moreover, neither Marife nor Ronilo appear to have known Linda prior to the marriage in question. This significantly impairs the weight of Dr. Lopez's findings, insofar as they are based on the informants' narration of Linda's childhood events and circumstances which they appear to have no personal knowledge of.

In any case, the Court