

Republic of the Philippines  
SUPREME COURT  
REGIONAL TRIAL COURT

Eighth Judicial Region  
Branch 11  
Calubian, Leyte  
email address: rtc2cub011@judiciary.gov.ph  
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MAUREEN MULVANEY,  
Petitioner

- versus -

SPS. DAVID CHARLES OLESEN  
and ILYN OCANG OLESEN,  
Respondents.

Civil Case No. SP-CN-179-SP  
For: Petition for Recognition of  
Foreign Judgment

x-----/

**RESOLUTION**

Questioned by the petitioner, through counsel, in her MOTION FOR RECONSIDERATION<sup>1</sup> is the court's January 30, 2026 Decision which denied her petition for lack of merit. Despite the time given them to submit their comments through the court's February 18, 2026 Order, respondents did not submit any.

A perusal of the grounds relied upon by the petitioner in seeking reconsideration shows that no novel issues have been raised which were not tackled in the rather exhaustive discussion by the court of why the petition should be denied.

As to the citations made by the petitioner of the cases where the Supreme Court supposedly upheld the grant of a relief not specifically prayed for, suffice it to say that these cases she cited are *ordinary* civil cases which seeks the enforcement of a specific right against another. The instant petition is a special proceeding where the petitioner seeks the establishment of a *particular* fact,<sup>2</sup> i.e., the existence of the Agreement and Order RE Visitation issued by the Superior Court of Arizona, Maricopa County under Case No. FC2019-098271. To the court, the use by the rules of the word "particular" to describe the fact that can be recognized in a special proceeding indicates that the fact must be specific and explicit, and there is no way to attain that if the court recognizes a fact not specifically prayed for. To sustain the petitioner by allowing the recognition of an order not prayed in the petition would create a dangerous precedent as it will mean that the court can recognize *any* order issued by a foreign tribunal just as long as it relates to the order sought to be recognized.

<sup>1</sup> Filed through electronic mail on February 16, 2026.


<sup>2</sup> See Section 3 of Rule 1 of the Rules of Court.



**WHEREFORE**, premises considered, petitioner's MOTION FOR RECONSIDERATION is **DENIED** for lack of merit.

**SO RESOLVED.**

March 30, 2026. Calubian, Leyte, Philippines.



**FRANZ RAYMOND P. ASPA**  
Presiding Judge