

Taiwan Qiaotou District Court Civil Ruling

Case no:111-1003

2022/9/22

Sec: Li

Petitioner 蔡聖豐 No.19, Ln. 86, Shoumin Rd., Nanzi District, Kaohsiung City

Opposite Party	GUSTO RICHARD LLAMANDO	No. 93, Dexian Rd., Nanzi Dist., Kaohsiung City
	ARC ID No: S800138947	Passprot No: P5572890B
Opposite Party	ARCEGA DARLO MANTE	No. 93, Dexian Rd., Nanzi Dist., Kaohsiung City
	ARC ID No: S800024402	Passprot No: P4290834B
Opposite Party	BALLESTEROS HELEN TOLENTINO	2F., No. 133, Houchang Rd., Nanzi Dist., Kaohsiung City
	ARC ID No: S900087572	Passprot No: P3343703B
Opposite Party	DOMINGUEZ RICHELLE ORDINARIO	No. 77, Dexian Rd., Nanzi Dist., Kaohsiung City
	ARC ID No: S900189151	Passprot No: P4746659A

The parties petition to grant a decree for compulsory execution, the Court rules as following:

The Main Text

On 2022/8/22 together issued by the opposite parties an promissory note, expressing to pay the petitioner NT\$130,000 and the interest starting from 2022/9/1 till settlement date at the yearly rate of 6%, has been granted compulsory execution. The opposite parties shall bear the proceeding expenses NT1000 jointly and severally.

The Reason

1. Import of petition abbreviated: On 2022/8/22 together issued by the opposite parties an promissory note, with a face amount of NT\$130,000 , a maturity date on 2022/8/31 and a waiver of protest, has not been paid at presence after maturity. The petitioner submit the promissory note thereafter, and petition for a ruling granting compulsory execution.
2. In accordance with Article 123, and Item 2 Article 5 of Negotiable Instruments Act, the ruling is granted.
3. In according with Item 2 Article 21, Article 23, Item 1 Article 24 of Non Contentious Matters Law and with Item 2 Article 85 of Taiwan Code of Civil Procedure, the court rules as the Main Text.
4. Subject to review of the decision, the appeal must be filled within a period of 10 days after the ruling service and An appealing \$ 1000 fee is incurred.
5. Asserting that the promissory note is forged and altered, the drawer shall initiate a petition within a peremptory period of 20 days for a declaratory judgment that the creditors' rights do not exist. If a petition for a declaratory judgment that the

creditors' rights do not exist is initiated, the drawer may appeal to the court that the execution shall be stayed pending according to Article 195 of Non Contentious Matters Law.