



Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU

Visayas, Avenue, Diliman, 1100 Quezon City
Tel. No.: (632) 8925-2141 / (632) 8927-4788

E-mail Address: fmb@denr.gov.ph Website: <https://www.forestry.denr.gov.ph>

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA
1515 L&S Building, Roxas Boulevard,
Ermita, Manila

FROM : The Director

SUBJECT : FOLLOW-UP ON PENDING APPLICATION FOR FLAGT
THAT HAS BEEN FILED SINCE 2019 LOCATED IN SITIO
SABANG, BRGY. GALUC, CULION, PALAWAN

DATE : JUN 08 2022

This pertains to the letter dated 20 April 2022 addressed to DENR Acting Secretary from FLAgT Applicant, Eduardo Ma. R. Santos, requesting for an update regarding on his application for FLAgT that he filed in 2019.

Accordingly, the requested area will be developed by Mr. Santos as Upland Agro-Forestry Project that covers 138 hectares, however the area has been the subject of disputes by several people / claimants.

In view hereof, we are referring this matter to the DENR MIMAROPA Region for appropriate action. Kindly update the proponent on the action taken on the matter, copy furnished this Office.

FOR INFORMATION AND APPROPRIATE ACTION, PLEASE.

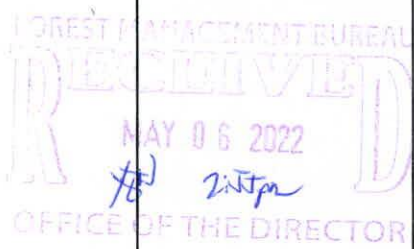
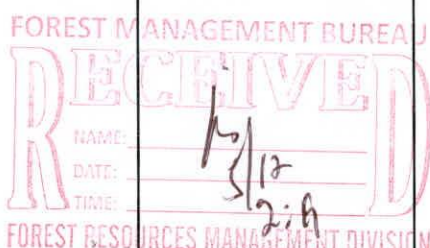
for: [Signature]
TIRSO P. PARIAN, JR., CESO IV

Copy Furnished:

The Undersecretary for Field Operations – Luzon, Visayas and Environment, DENR Central Office

Document N 2147556990 | 0-22492
 Sender V/A EDUARDO MA. R. SANTOS
 Address :
 subject Letter dtd. April 20, 2022 re: Follow-Up on Pending Application for FLAg has been filed since 2019 located at the Municipality of Culion Palawan. (w/encls.)

Addressee (s) Office of the Director
 cc Addressee FMB D

ROUTING SLIP				
FROM	DATE/TIME RECEIVE	FOR/TO	TIME RELEASE	ACCEPTANCE REMARKS/ACTION REMARKS
Records	5/5/2022 11:07 AM	OD		For your evaluation and further action. <div>   </div>
		FMB Chief CIFS FMB Manager		For evaluation & further action. Please refer this to concerned Region. Thank. in 5/13 5/11 Rene S-12

FOREST MANAGEMENT BUREAU
RECEIVED
 NAME: _____
 DATE: MAY 13 2022
 TIME: _____
 FOREST LAND-USE & ALLOCATION SECTION



Republic of the Philippines
Department of Environment and Natural Resources
Document Action Tracking System
Document Routing Slip

Document No: DENRCO - AS RMD-2022-010271 Print Date: Tuesday, April 26, 2022
Sender: EDUARDO MA. R. SANTOS
Address: 38 B CV FRANCISCO ST. POOK AMORSOLO UP DILIMAN, Q.C
Subject: LETTER DTD 04/20/2022 FOLLOW UP LETTER RE FLAG T APPLICATION OF MR. EDUARDO MA. R. SANTOS W/ ENCLS.
Addressee(s): Office of the Secretary (DENRCO - OSEC)
CC Addressee(s):
Date/Time Received: 04/26/2022 12:12:00 PM

ROUTING AND ACTION INFORMATION				
FROM	DATE/TIME RECEIVED	FOR/TO	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	04/26/2022 12:19:52 PM	DENRCO - AS RMD		
DENRCO - AS RMD		DENRCO - OSEC	04/26/2022 12:19:55 PM	

NA 4/26/22 w/ attached RR ✓

DUFO -

Luzon &
Visayas

4/27/22

Respectfully request for your inspection and appropriate action please.

Thank you.
OSEC...

FMB



For URMTC, for Resolution/Comments, please. Thank you.
Ramon A. Bata

fre 358/372 APR 27 2022

Fmb - 146



Republic of the Philippines
Department of Environment and Natural Resources
Document Action Tracking System
Document Routing Information

Document No: DENRCO - AS RMD-2022-008326 **Print Date:** Tuesday, April 26, 2022

Sender: ATTY. MARY ANN LUCILLE L. SERING

Address: 38 B CV FRANCISCO ST. POOK AMORSOLO U.P. DILIMAN, QC.

Subject: LETTER DTD 03/17/2022 FOLLOW UP ON PENDING APPLICATION FOR FlagT HAS BEEN FILED SINCE 2009
LOCATED AT SITIO SABANG, BRGY. GALOC, CULION, PALAWAN

Addressee(s): Office of the Secretary (DENRCO - OSEC)

CC Addressee(s):

Date/Time Received: 03/31/2022 04:03:00 PM

ROUTING AND ACTION INFORMATION			
FROM	DATE/TIME RECEIVED	DATE/TIME RELEASED	ACCEPTANCE REMARKS/ACTION REQUIRED/TAKEN REMARKS/STATUS
	03/31/2022 04:10:33 PM		
DENRCO - AS RMD	04/01/2022 11:53:12 AM	03/31/2022 04:10:35 PM	NA/FORE Date: 04/01/2022 02:42:42 PM To: From: Maderazo, Carol A. Message: NA TO OUFOE
DENRCO - OSEC		04/01/2022 02:42:53 PM	

819



April 20, 2022

HON. JIM O. SAMPULNA

Secretary, Department of Environment and
Natural Resources
Visayas Avenue,
Diliman, Quezon City

Dear Sir:

I write to follow-up on my Flag T Application filed since 2019, the particulars thereof are contained in my lawyer's letter conformed by me to the Office of the Secretary, DENR dated March 17, 2022 (copy of the letter dated March 17, 2022 is hereto attached as Annex "A" to form integral part hereof).

Moreover, on October 3, 2017, I also wrote the Honorable Secretary Roy Cimatu, your predecessor, regarding the delay on my SLUP Application (copy of my letter dated October 3, 2017 is hereto attached as Annex "B" to form integral part hereof).

In fact, in the proceedings at the Regional level in my SLUP Application, particularly in my Verified Position Paper dated September 14, 2014, I already explained my possessory rights over the property in question which is now converted into a Flag T Application (copy of the Verified Position Paper dated September 11, 2014 is hereto attached as Annex "C" to form integral part hereof).

It is also worthy to mention that in my Upland Agro Forestry Project Proposition, the area applied for is classified as unclassified Public Forest per LC Map No. 3634, Project No. 16-A for the Municipality of Culion Palawan (copy of my Proposition for Upland Agro Forestry Project is hereto to attached as Annex "D" to form integral part hereof).

In fact on September 14, 2009, the Forest Ranger Team recommended to the Regional Executive Director IV-B (MIMAROPA) thru the CENRO, approval of the Upland Agro-Forestry Proposal (copy of the Recommendation thru a Memorandum dated September 14, 2009 is hereto to attached as Annex "E" to form integral part hereof).

However, while peacefully possessing said property and installing Security Guards therefor, Spouses Ricardo and Felicidad De Leon-Nacachi forcibly and with threats,

intimidation and violence, took possession of the property and in fact, installing their own guards and building structures thereon despite the Decision of the Regional Office dismissing their protest against me (Copy of the Decision of the MIMAROPA Regional Office dismissing the protest of illegal occupants Sps. Nacachi is hereto to attached as Annex "F" to form integral part hereof).

Consequently, I filed a Motion for Partial Reconsideration of the said Decision dated September 13, 2018 as to the rights of Ms. Aida Marasigan but respecting the Decision as regards the conduct of a Relocation Survey and Convention of the Flag T Bids and Awards Committee for the proper receipt, record and evaluation of the qualification and bid proposals of the parties relative to Sabang Cove, Brgy. Galuc, Culion, Palawan (Copy of my Motion for Partial Reconsideration dated September 13, 2018 is hereto to attached as Annex "G" to form integral part hereof).

Finally, I filed a case for violation of R.A. 3019 Sec. 3 (e),(f), Sec. 5 (a), Sec. 11, par. 1b against Mayor Virginia Nacachi De Vera (daughter of Sps. Nacachi) of Culion Palawan at the Ombudsman on September 25, 2019 since she even facilitated the forcible entry into my lawfully possessed property (copy of my Complaint-Affidavit at the Office of the Ombudsman is hereto attached as Annex "H" to form integral part hereof).

The Office of the Ombudsman recently asked both parties (me and Mayor De Vera) to file our respective Position Papers in an Order dated April 11, 2022 (copy of the Ombudsman Order dated April 11, 2022 is hereto attached as Annex "I" to form integral part thereof).

I humbly submit to your Honorable Office that my indignation will be given preferential attention. This predicament is still unsettled and I am not getting any younger.

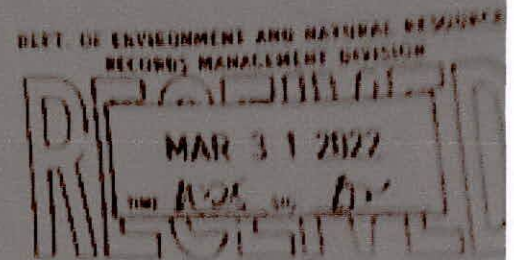
Very truly yours,


V/A EDUARDO MA. R. SANTOS (Ret.)
Flag T Applicant

38-B CV Francisco St. Pook
Amorsolo U.P Dil. QC

ANNEX "A"

17 March 2022



The Secretary
Department of Environment and Natural Resources
Elliptical Road, Visayas Avenue,
Diliman, Quezon City

ATTENTION: FlagT Processing Group

Dear Sir/Ma'am:

This is to follow up on our pending application for FlagT that has been filed since 2009. May we request a more expeditious action on this matter. The particular of which are as follows:

Type of Forest Land Use:	Tourism
Approximate Area:	33.5 ha.
Location:	Province Palawan
	Municipality Culion
	Barangay Galoc
	Sitio Sabang

Thank you.

Very truly yours,

ATTY. MARY ANN LUCILLE L. SERING

Conforme:

V/ADM. EDUARDO M. S. SANCOS (RM)

ANNEX "B"

October 3, 2017

Hon. ROY CIMATU
Secretary, DENR
Elliptical Rd., cor. Visayas Avenue
Quezon City

Dear Sir:

I write to inform your good office of the undue and unnecessary delaying my Special Land Use Permit Application (SLUP) which had remain pending at your Regional Office (MIMAROPA IV-B), as follows:

Sometime on December 18, 2006, I purchased for valuable consideration the ownership and possessorial rights of the government grantee, Placido Noel C. Matta, over a certain parcel of land, with an aggregate area of **one hundred thirty eight (138) hectares**, located at **Sitio Sabang, Galoc in Culion, Palawan**, as evidenced by a Deed of Transfer (Photocopy of which is hereto attached as **Annex "A"** and made an integral part hereof).

The area is the subject of my pending application for Upland Agro Forestry Project pursuant to DAO-2004-59. (Copy of said application is hereto attached as **Annex "B"** to form integral part hereof). A portion of same area is also being claimed by Felicidad Nacachi of Poblacion I, Coron, Palawan and is within the Unclassified Public Forest per LC Map No. 3634 for Coron, Palawan. Nacachi has not presented any proof of her alleged possessorial rights. The basis of the alleged rights of Henri Blaskiewicz is unsubstantiated and unclear. In fact, a Survey and Sketch plan was undertaken as regards said Upland Agro-Forestry Project (Copy of the Survey/Sketch Plan is hereto attached as **Annex "C"** to form integral part hereof).

My rights emanated from a Notarized Deed of Transfer of Rights Executed in my favor by the government grantee Placido Noel C. Matta. Since it was notarized, it is a public instrument which is "admissible in evidence without further proof of its due execution, is conclusive as to the truthfulness of its contents, and has its favor the presumption of regularity." Furthermore, a confirmation of the genuineness and due execution of my possessorial rights over the subject property can be shown from the following documents:

1. Certification of then Chief of Sanitarium Dr. Paul A. Evangelista issued on April 11, 1997 (**Annex "E"**);

2. Request for Area Expansion (First Endorsement) by Chief of Sanitarium Dr. Paul Evangelista after inspection by Clarito L. Batuigas and Florafe Alulor dated July 29, 1997 (**Annex "F"**);
3. Payment of Real Property taxes for the years covered (**Annexes "G" to "G-5"**).

As a natural-born Filipino citizen, I am rightfully entitled to apply for the area to develop the same as Upland Agro Forestry Project pursuant to pertinent regulations of the DENR. In fact, on February 13, 2012, in order to protect my interest and rights, I wrote Hon. Secretary Ramon Paje to facilitate my application for Special Land Use Permit (SLUP) dated August 2009 (Copy of Letter to Sec. Paje is hereto attached as **Annex "H"** to form integral part hereof.

It is therefore respectfully prayed that I be declared the rightful possessor of the disputed area and that my Special Land Use Permit/ Upland Agro Forestry Project application be approved.

Very truly yours,

V/ADM. EDUARDO MA. R. SANTOS (Ret.)

28th April 2009

Hon Veronica J Cantimbuhan
Mayor
Municipality of Culion
Palawan

KNT
ANNEX D

Dear Madam:

I would like to register my complaint, in the strongest terms, against **Henri Blaszkiewicz**, a French national presently residing in Coral Bay, Popototan Island who is flagrantly trespassing in my property in Sabang Beach, Galoc Island, Culion.

I acquired this property from Mr Placido Noel Matta in 2006. In 1997, Mr Matta bought this land from Mr **Francisco Glemao**. This acquisition was noted by the Culion Sanitarium and a Certificate attesting to the ownership of Mr Matta was issued by Dr Paul A. EVANGELISTA, Chief of Sanitarium III, Culion Sanitarium, on 20 April 1997.

This property has been boarded up with a sign of "No trespassing, Private Property". A caretaker represented Mr. Matta's occupancy since 1997.

Mr. and Mrs. Evan delos Santos has been in charge of checking the premises from time to time while at the moment another caretaker and her family resides in my property.

According to Mrs. Floram delos Santos, my caretaker, Mr. Blaszkiewicz is claiming ownership of my property, accompanied by the Culion legal officer, **Mr. Teddy Sablada**. Mr. Blaszkiewicz visits Sabang beach almost everyday and has done the following :

1. Trespassing in my private property
2. Threatened and instructed my stay-in caretakers that he is the new owner, pushing his weight around and offered to pay a monthly salary of 3,000.00 pesos.

Handwritten signature
Received by *[Signature]*
5-08-09
FNP-Culion

September 11, 2014

THE REGIONAL EXECUTIVE DIRECTOR

MIMAROPA IV-B

Department of Environment & Natural Resources
Roxas Blvd., Manila

Attention: Legal Division

DENR - R - IV - B	
OFFICE OF THE	
REGIONAL EXECUTIVE DIRECTOR	
DOC. NO.	
RECEIVED	RELEASE
BY: <i>[Signature]</i>	BY
DATE: 9/11/14	DATE
TIME:	TIME

Gentlemen:

To better appreciate my rights over the disputed forested area located at Sitio Sabang, Bgy. Galoc, Culion, Palawan, which is also being claimed by Henri Blaskiewicz and Felicidad Nacachi and/or Mrs. Marasigan, I hereby submit this Position Paper on the subject of controversy.

POSITION PAPER

The Antecedent Facts

Sometime on December 18, 2006, I purchased for valuable consideration the ownership and possessorial rights of the government grantee, Placido Noel C. Matta, over a certain parcel of land, with an aggregate area of one hundred thirty eight (138) hectares, located at Sitio Sabang, Galoc, in Culion, Palawan, as evidenced by a Deed of Transfer (Photocopy of which is hereto attached as **ANNEX "A"** and made an integral part hereof).

The area is the subject of my pending application for Upland

Agro Forestry Project pursuant to DAO-2004-59. (Copy of said application is hereto attached as **ANNEX "B"** to form integral part hereof). A portion of same area is also being claimed by Felicidad Nacachi of Poblacion I, Coron, Palawan and is within the Unclassified Public Forest per LC Map NO. 3634 for Coron, Palawan. Nacachi has not presented any proof of her alleged possessorial rights. The basis of the alleged rights of Henri Blaskiewicz is unsubstantiated and unclear. In fact, a Survey and Sketch plan was undertaken as regards said Upland Agro-Forestry Project (Copy of the Survey/Sketch Plan is hereto attached as **ANNEX "C"** to form integral part hereof).

In order to safeguard my property in Sabang and prevent the unlawful entry of intruders, squatters or illegal occupants, I contracted with a security agency named DMerger Security Agency, Inc. based in Coron, Palawan, to provide security guards to guard the premises of my property.

Sometime on January 24, 2011, I received a written report from the DMerger Security Agency that around 11:00 a.m. of that day, a tourist sailboat arrived on Sabang island bearing Henri Blaskiewicz, Vincent Pontillar, a certain "Mam Rose," two (2) alleged NBI agents, one of whom identified himself as Rodrigo M. Mapoy, and two (2) security guards from Millgos Security Agency in the persons of Johnnie Monteves and Zaldy Sesura who were both armed with shotguns.

Approaching my two (2) security guards, Edward Regalado and Mikel O. Comedia, alleged NBI agent Rodrigo M. Mapoy demanded from my guard copies of documents evidencing my rights on the island, to which my hired security guards replied that the

documents were in the possession/custody of Mam Floram (i.e. Floram B. delos Santos, representative of mine);

Thereupon, alleged NBI agent Mapoy, in an intimidating posture, shouted back that the documents in the possession of Mam Floram are supposedly fake and that the true owner of the Sabang island is Blazkiewicz who will surely win if the case goes to court. They insisted that their two (2) security guards, who were both armed with shotguns, should be the ones to guard the premises of the Sabang island. To avoid any untoward incident, my hired security guards were constrained to leave the premises to report the incident to their superiors in DMerger Security Agency;

Blaskiewicz never showed a single piece of paper or document evidencing his right of ownership or possession over the Sabang island. Neither did he show any court order or other order from competent authority to justify his unlawful intrusion into the subject area.

Since then, Blazkiewicz, assisted by others, has unlawfully restrained and prevented me from exercising my rights of possession over the Sabang island and from repairing the guardhouse. Worse, Blazkiewicz, with the assistance of others, removed the signboard of my hired security guards and has engaged in illegal logging by continuously cutting trees in the island without any authority or licensing agreement in violation of Section 78 of the Revised Forestry Code (P.D. 705) in relation to Articles 309 and 310 of the Revised Penal Code. (Copy of my letter to then Mayor of Culion Veronica J. Cantimbuhan, reporting the above incidents is hereto attached as **ANNEX "D"** to form integral part hereof).

Discussion

It is humbly submitted that I have better or preferential rights over the area as against the purported claim of Henry Blaskiewicz, as well as that of Felicidad Nacachi and/or Mrs. Marasigan. My rights emanated from a Notarized Deed of Transfer of Rights Executed in my favor by the government grantee Placido Noel C. Matta. Since it was notarized, it is a public instrument which is "admissible in evidence without further proof of its due execution, is conclusive as to the truthfulness of its contents, and has its favor the presumption of regularity". Furthermore, a confirmation of the genuineness and due execution of my possessorial rights over the subject property can be shown from the following documents:

1. Certification of then Chief of Sanitarium Dr. Paul A. Evangelista issued on April 11, 1997
ANNEX "E"

2. Request for Area Expansion (First Endorsement) by Chief of Sanitarium Dr. Paul Evangelista after inspection by Clarito L. Batuigas and Florafe Alulor dated July 29, 1997 **ANNEX "F"**

3. Payment of Real Property taxes for the years covered **ANNEX "G" to "G-5"**


Aside from the fact that Blaskiewicz is an alien who is prohibited from acquiring any rights over forest lands under the Constitution, he has nothing to show by way of proof that he has rights of possession over the disputed area. Worse, he has taken the

law into his own hands by forcibly and illegally taking possession of the disputed area sans any proof of his rights or any valid court order. The same may be said with Felicidad Nacachi who has shown no proof of her rights over the subject area except a purported "Grazing Land Permit" which does not transgress my property. Her purported transfer to Mrs. Marasigan is of no moment since Mrs. Marasigan's rights coming from a polluted source can not bear any rights or interests, whatsoever;

As a natural-born Filipino citizen, I am rightfully entitled to apply for the area to develop the same as Upland Agro Forestry Project pursuant to pertinent regulations of the DENR. Neither Blaskiewicz nor Nacachi has applied with the DENR for the development of the project. In fact, on February 13, 2012, in order to protect my interest and rights, I wrote Hon. Secretary Ramon Paje to facilitate my application for Special Land Use Permit (SLUP) dated August 2009 (Copy of Letter to Sec. Paje is hereto attached as **ANNEX "H"** to form integral part hereof.

It is therefore respectfully prayed that I be declared the rightful possessor of the disputed area and that my Special Land Use Permit/ Upland Agro Forestry Project application be approved.

Very truly yours,


V/ADM. EDUARDO MA. R. SANTOS (Ret.)

ANNEX A

DEED OF TRANSFER

ANNEX "A"

KNOW ALL MEN BY THESE PRESENTS:

This DEED, made and executed in the City of Pasig, Philippines, by and between:

PLACIDO NOEL C. MATTA, Filipino, of legal age, and with postal address at 4912 Coral Bay, Maglambay, Busuanga, Palawan, representing PMF Trading Corporation, a corporation duly formed and existing under the laws of the Philippines, and in his own capacity, hereinafter called the VENDOR,

-and-

EDUARDO MA. R. SANTOS, Filipino, of legal age, and with residence and postal address at 28 Forest Hill Str., New Manila, Quezon City, hereinafter called the VENDEE,

WITNESSETH: THAT -

WHEREAS, the Vendor is the National Government/Department of Health grantee of ownership and possessorial rights over a parcel of land situated in Galoc, Sabang, Culion, Palawan, with a total area of ONE HUNDRED THIRTY EIGHT HECTARES, more particularly indicated in the attached map hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, the Vendee has offered to purchase the rights of the Vendor in accordance with pertinent laws and the Vendor has accepted the said offer;

NOW THEREFORE, the parties hereto agree to the following terms and conditions of the transfer:

A. The Purchase Price of Php 2,000,000.00 shall be paid by the VENDEE in the full, upon the signing of this Deed, the VENDOR hereto acknowledges receipt of the said payment.

B. The rights being transferred to the Vendee are certified and approved by virtue of the following documents:


1. Certification- approving the ownership rights of the Vendor, issued by Chief of Sanitarium, Culion Sanitarium, Department of Health, dated April 20, 1997, hereto attached as Annex "B" and made an integral part hereof;

2. Area Expansion Approval - dated July 31, 1997, issued by Chief of Sanitarium, Culion Sanitarium, Department of Health, expanding the rights of the Vendor to a total of 20 Hectares, hereto attached as Annex "C" and made an integral part hereof;

3. 1st Indorsement dated July 10, 1998 -extension of land area to PMF Trading Corporation represented by the Vendor for an extension of the area granted hereto attached as Annex "D" and made an integral part hereof.


C. The VENDOR hereby warrants that he has clean rights over the Property free from any and all liens and encumbrances except those imposed by law and by the legal nature of the Property, and hereby sells, transfers, cedes, and disposes in favor of the VENDEE his ownership and all rights pertaining to ownership, over the Property.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands at the place first above-written, on this 18th day of December, 2006.


PLACIDO NOEL C. MATTA
Vendor
T.I.N. No. _____


EDUARDO MA. R. SANTOS
Endee
T.I.N. No. _____

Signed In The Presence Of:





ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
MARATI CITY) S.S.

BEFORE ME, a Notary Public in and for MARATI CITY this 18th day of DEC 2006 2006, personally appeared the following:


Name	C.T.C. No./Passport	Date & Place of Issue
Placido Noel C. Matta	10033885	1/13/76 - Crrn, Palawan
Eduardo Ma. R. Santos	12558979	1/13/06 - Ruyon City

known to me and to me known to be the same persons who executed the foregoing Agreement to Sell, and who acknowledged to me that the same is their free and voluntary act and deed.

The foregoing Deed of Absolute Sale consists of two (2) pages, including this page on which the Acknowledgment is written, and the same has been signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL this 18th day of DEC 2006 in MARATI CITY

Doc. No: 239
Page No: 48
Book No: LXI
Series of 2006.


FRANCISCO S. SERRANO
Notary Public
Until December 31, 2006
PTR No. 4186107; 01/05/06 Mktl
LEP No. 634281 TIN 104024-001

Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Diliman, Quezon City

BFD FORM
No. 24-1

Dist. File No. _____
Station File No. _____

A. No. _____

APPLICATION FOR Agro-Forestry Project
New, Renewal or Change of Area New 33.5 hectares
(Write legibly with ink or typewritten. Use additional sheets if blank space not enough. Submit in triplicate.)

Com. Bat. Sept. 5, 1989
(Place and Date)

The Director
Forest Management Bureau
FMB Complex, Visayas Avenue
Diliman, Quezon City

Sir:

1. In accordance with the laws and regulations governing the use and occupations of public forest lands with which I shall familiarize myself and to which strict compliance is hereby promised.

I, EdUARdo MR. R. Santos

_____ have the honor to apply for lease (1) to occupy and use approval thereof a parcel of public forest land containing _____ hectares, are as follows:

Province of _____
Municipality of _____
Barrio (s) of _____
Sitio (s) of _____

Palawan
Culion
Santol
Sabang

N. Mountain Ridge
E. Area Applied for
S. dr
W. dr

(If application is a corporation or partnership, attach hereto a copy of Articles of Incorporation or Partnership duly registered with and certified as true and correct copy thereof by the Securities and Exchange Commission).

2. This area will be planted with (Fill up if application is for free farm, industrial free from and other plantation permit or lease).

N/A

3. I have NO had this land examined / inventoried and found it with _____ ("NO" or given the number of squatters or claimants). In case some claims come up later. I agree to have my area, if approved to me be amended to exclude meritorious claims either before or after, I am granted permit or lease. I have conspicuously marked on the ground the corners of

this land, posting signboard thereon, and cause the blazing (at least 2 meters wide) of the boundaries thereof. Within this area the following improvements and signs of occupation are found:

Claimed by: _____

PO Address: _____

4. I am _____ years of age, citizen of the Philippines by birth, Nationalization/treaty.

5. I am single/married and the name of my wife/husband who should state why this application and the permit applied for should be in his name.

Nearest other relative: _____

Address: _____

6. I am retired government employee. My occupancy/position (1) is N/A (II government employees and this application is not pasture permit or lease. Applicant must attach to this application a written permission of his Department Head to lease for lands under the Forest Laws.)

7. My available working capital which I will immediately invest for the operation of the permit/lease the moment it is granted to me is _____ in cash on hand, on deposit with _____ under Savings Account No. _____. Real and other property registered or recorded in my name are (Enumeration giving tax number and assessed value of each. If land, give area in hectares). Please see attached.

8. I am not a dummy of, or in collusion with, any person, association partnership or corporation. If this application is approved. I will submit affidavits to this effect a permit or lease is granted me.

9. The animals I now own which will be placed in this area immediately after I get the permit/lease are (kind and number): N/A

10. Other forestry application submitted by me, my wife/husband or father/mother (give names) are: Special Land Use Permit (SLUP)

11. Special use permits and lease and/or application in which I am financially interested. (give kind, number or permittee or lease and location by Municipality and Province) Taus (2) in SLUP & in Agro-forestry Project.

12. My relationship with Forest Officer Mr. N/A

13. I understand that anything I have said in the application that is not according to facts, or any commission of facts thereof, shall ipsofacto cause that rejection of this application and/or cancellation of any permit or lease that

Part

Re

the enclosures required hereunder are received by the Director, Forest Management Bureau, if not originally filed with this application.

14. I understand that the filling of this application conveys no right to enter, occupy or clear the land until a permit or lease is issued to me by the Director, Forest Management Bureau or the Secretary of Environment and Natural Resources.

15. I understand that the cutting, collecting and removing of forest products or the felling of trees existing in the land is not included in the application and that in case it is necessary, I shall obtain a license or permit for it, or I shall respect those granted to other persons by the Director of the Forest Management Bureau.

16. Application fee of P 100.00 and oath fee of P 75.00 payable to the Director of Forest Management, Quezon City, is herewith enclosed. (See schedule of application fees, rentals or consult any local forest officer) I agree that this fee shall NOT be refundable anymore.

Postal Address

Signature of Applicant

REPUBLIC OF THE PHILIPPINES)
S.S.

SUBSCRIBED AND SWORN TO before me this 14th day
of November 1982 affiant exhibited to me his/her Community
Tax Certificate No. 01534809 issued
at Marikina City on March 10, 1982

DE NO. 245
SEE NO. 74
BOOK NO. 1007
SERIES OF 1007

HELIZARDO B. CAYATOC
OIC-CENRO

ATTY. TOMAS F. DELA CRUZ
NOTARY PUBLIC

UNTIL DECEMBER 31, 2013

PTR NO. 9042183 Q.C.

IDP NO. 921-10-86 Q.C.

ROLL NO. 1658/63/13 1961

MCLE EXEMPTED NO. 000838

LINE	BEARING	DISTANCE	TECHNICAL DESCRIPTION
1	S 12° 00' W	277.00	
2	S 12° 00' W	132.00	
3	S 12° 00' W	132.00	
4	S 12° 00' W	45.00	
5	S 12° 00' W	45.00	
6	S 12° 00' W	45.00	
7	S 12° 00' W	211.00	
8	S 12° 00' W	102.00	
9	S 12° 00' W	116.00	
10	S 12° 00' W	14.00	
11	S 12° 00' W	32.00	
12	S 12° 00' W	5.50	
13	S 12° 00' W	187.00	
14	S 12° 00' W	184.00	
15	S 12° 00' W	37.00	
16	S 12° 00' W	148.00	
17	S 12° 00' W	180.00	
18	S 12° 00' W	172.00	
19	S 12° 00' W	223.00	
20	S 12° 00' W	170.00	
21	S 12° 00' W	255.00	
22	S 12° 00' W	210.00	
23	S 12° 00' W	416.00	



SKETCH PLAN OF LAND

SHOWING THE AREA APPLIED FOR
UPLAND AGRO-FORESTRY PROJECT

EDUARDO M.A.R. SANTOS

SITUATED IN THE

SITIO OF: SARANG
BARANGAY OF: BALOC
MUNICIPALITY OF: CULLEN
PROVINCE OF: PALAWAN
ISLAND OF: PALAWAN
APPROX. AREA: 33.5 HAS.
SCALE: 1:25000

PREPARED BY:
EDUARDO M.A.R. SANTOS
FOREST ENGINEER

VERIFIED & CHECKED BY:

EDUARDO M.A.R. SANTOS
FOREST ENGINEER

APPROVED BY:
EDUARDO M.A.R. SANTOS
FOREST ENGINEER

28th April 2009

Hon Veronica J Cantimbuhan
Mayor
Municipality of Culion
Palawan

ANNEX D

Dear Madam:

I would like to register my complaint, in the strongest terms, against **Henri Blaszkiewicz**, a French national presently residing in Coral Bay, Popototan Island who is flagrantly trespassing in my property in Sabang Beach, Galoc Island, Culion.

I acquired this property from Mr Placido Noel Matta in 2006. In 1997, Mr Matta bought this land from Mr **Francisco Glemao**. This acquisition was noted by the Culion Sanitarium and a Certificate attesting to the ownership of Mr Matta was issued by Dr Paul A. EVANGELISTA, Chief of Sanitarium III, Culion Sanitarium, on 20 April 1997.

This property has been boarded up with a sign of "No trespassing, Private Property". A caretaker represented Mr. Matta's occupancy since 1997.

Mr. and Mrs. Evan delos Santos has been in charge of checking the premises from time to time while at the moment another caretaker and her family resides in my property.

According to Mrs. Floram delos Santos, my caretaker, Mr. Blaszkiewicz is claiming ownership of my property, accompanied by the Culion legal officer, **Mr. Teddy Sablada**. Mr. Blaszkiewicz visits Sabang beach almost everyday and has done the following :

1. Trespassing in my private property
2. Threatened and instructed my stay-in caretakers that he is the new owner, pushing his weight around and offered to pay a monthly salary of 3,000.00 pesos.

Received by
5-08-09
PNP-Culion

3. He ordered my caretakers to burn a structure in the island, the house of the previous caretaker
4. He has been cutting down trees that he claims are beautiful redwood that he can use for his house.
5. He has started to bring construction materials into my property.


On April 24, 2009, my family, bringing the Deed of Sale from Mr. Francisco Glemao to Mr. Placido Noel Matta as well as the Deed of Transfer of Mr. Noel Matta to myself, went to the municipality of Culion. A meeting was arranged with **Vice Mayor Paul Evangelista, M.D.** and the **Municipal Assessor Mr. Antonio Creag** where we presented the above documents. Thereafter, they attested that these documents are true and correct.

As the rightful owner, I am requesting you to:

1. Prevent Blaszkiewicz from trespassing in my property.
2. Stop Mr. Francisco Glemao from illegally selling properties using a Tax Declaration as proof of ownership.

Hoping for your kind consideration, I remain

Very truly yours,


VADM EDUARDO MA R SANTOS, AFP (Ret)

cc: Hon Paul A Evangelista
Vice Mayor

23/2007 03:36 721231-

F BAYCOS

Republic of the Philippines
Department of Health
Regional Health Office No. 1
Culion Sanitarium
Culion, Palawan

ANNEX "B"
ANNEX "E"

IN WITNESS WHEREOF, I, the undersigned,

THIS IS TO CERTIFY that as per latest records of this Office, the rights of ownership and agricultural improvements of Sabang, Galoc, this locality lawfully belongs to MR. PLACIDO NOEL C. MATTA, per hereto attached duly approved and registered Land of Conditional Sale which became absolute and final on February 5, 1997.

In view hereof, all documents previously issued pertinent hereto is hereby superseded by virtue of above-sited sale and transfer of rights of ownership particularly of Tax Declarations No. 017-1071-A, 017-1072-A, and 017-1073-A, and be made for and in favor of its present owner, MR. PLACIDO NOEL C. MATTA.

This certification is issued upon request of MR. PLACIDO NOEL C. MATTA, for whatever purpose it may serve him best.

Issued this 20th of April 1997, at Culion Sanitarium, Culion, Palawan.

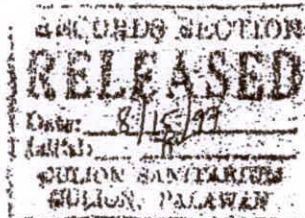
MA. A. SORRELLISTA, 1073-A
Chief of Sanitarium III
Culion Sanitarium
Culion, Palawan

04/23/2007 03:36 7212314

E SENTOS

PAGE 04

CULION SANITARIUM
Culion, Palawan



First Indorsement
29 JULY 1997

Re: REQUEST FOR REGISTRATION
OF AREA EXPANSION,
SABANG, THIS LOCALITY

Respectfully forwarded to the Chief of Sanitarium III, the herein request of Mr. **PLACIDO NOEL C. MATTA**, as stated above, hereby recommending favorable approval, with the following comments, and findings, to wit:

- That an area of more or less 14 hectares, extended towards the forest of Sabang with gradual slope, still suited for development is vacant, therefore, maybe allowed for expansion as its frontage area was acquired by herein applicant thru sale from one former registered owner, F. Glimao (vendee);
- That applicant must further comply with existing rules pertinent hereto. Area was inspected, boundaries properly delineated and location map hereto attached for reference.

AREA INSPECTED BY:

[Signature]
CLARITO L. BATUIGAS
Det. Home / Agri Ext Insp.

[Signature]
FLORANTE O. ALULOR
Head, General Services

APPROVED as recommended:

31 July 1997
CULION SANITARIUM

[Signature]
PAULA A. EVANGELISTA, MD., CHA.
Chief of Sanitarium III

D
ANNEX F

CULION SANTARIUM
Culion, Palawan

1st Indorsement
16 July 1998

Respectfully forwarded to the Chief of Sanitarium III, the herein request of PMF TRADING CORPORATION represented by MR. PLACIDO NOEL C. MATTA, for an extension of the land area, he acquired by virtue of sale, with the following comments and recommendations, to wit:

- a) That ocular inspection was conducted and found a total land area of One Hundred Thirty Eight (138) hectares, appropriate for industrial tree farming, wild life and reforestation. Location map of the area hereto attached for reference
- b) That the area has been found maintained and developed, fenced, planted with various timber species.
- c) That request is hereby recommended for approval, subject to all existing laws, rules and regulations as well as those which may hereafter be promulgated pertinent hereto.

Clarito L. Batungas
CLARITO L. BATUNGAS
Designated Homelo/Agr'l. Inspector

RECOMMENDING APPROVAL:

Florante Alulor-Borbo
FLORANTE ALULOR-BORBO
Const. & Maintenance Gen. Foreman I
Head, General Services

7/16/98
[Signature]

APPROVED:

[Signature]
Chief of Sanitarium III

AMER 67

Official Receipt No. 6852418 dated July 6, for one year 1935
OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES
No. 6852418

RECEIVED
OFFICE OF THE
TREASURER

Province of Cebu
City of Cebu
Municipality of Cebu
The sum of Two hundred and thirty nine pesos and 20 centavos (P239.20) is hereby acknowledged as the amount of the Property Tax for the calendar year 1935, upon property described as follows:
The amount of this tax is payable in full on or before the 15th day of August, 1935.

Location of property	Area (square meters)	Assessed value	Rate	Total	Amount paid	Balance
Lot 1, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 2, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 3, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 4, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 5, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 6, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 7, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 8, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 9, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00
Lot 10, Block 1, Subdivision No. 1, Cebu City	100.00	87.20	2.65	230.88	230.88	0.00

Witness my hand and the seal of the Office of the Treasurer, Cebu City, this 6th day of July, 1935.
Treasurer, Cebu City
Attest:
Cebu City Treasurer's Office
Cebu City, Philippines

UNIT 6-1

Proclamation No. 6952419 dated July 14, 1978
OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES
 Issued on July 14, 1978 in the City of Manila, Philippines
 No. 000149

Received of **RAFAEL M. C. MATA** the sum of **1,000.00** (One Thousand and 00/100) Pesos for the payment of the **PROPERTY TAX** for the year 1978, as shown in the attached **Assessment List** for the year 1978.

NAME OF DECEDENT	LOCATION OF PROPERTY	SECTION AND BLOCK NUMBER	SECTIONAL AREA	LAND AREA	ASSESSMENT VALUE	TAX DUE	REMARKS	DATE PAID	AMOUNT PAID	DATE PAID	AMOUNT PAID
RAFAEL M. C. MATA	Barangay 1, P.O. 1	1-1-1	1-1-1	1.00	1,000.00	1,000.00		1978-1	1,000.00	1978-1	1,000.00
						1,000.00		1978-2	1,000.00	1978-2	1,000.00

Total taxes paid by Money Order, Treasury Warrant or Check No. _____ dated _____
 Payment without penalty may be made within the periods stated below if by installment:
 1st installment—January 1 to March 31, of the year
 2nd installment—April 1 to June 30, of the year
 3rd installment—July 1 to Sept. 30, of the year
 4th installment—October 1 to Dec. 31, of the year

By **RAFAEL M. C. MATA**
 Assessed
 By **RAFAEL M. C. MATA**
 Assessed

ANNEX 6-2


Form No. 56
(Revised 1992)

Previous Tax Receipt No. 6136323 dated 3-17-08 for the year 201999

OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES
Provincial or City Treasurer's Real Property Tax Receipt

No 6136938 V

(ORIGINAL)

	MUNICIPALITY/PROVINCE <u>CULIACAN, PALAUAN</u>	CITY	DATE <u>05-27-09</u>
	Received from <u>PABLO ABRETA / VMA EDWARD</u> the sum of <u>FOUR THOUSAND FOUR HUNDRED 98/100</u> pesos (P <u>4,400.98</u>) Philippine Currency, in full or as installment payment of REAL PROPERTY TAX for the Calendar Year <u>2009-09</u> upon property described in the Assesment Rolls as follows: <input checked="" type="checkbox"/> Basic Tax <input checked="" type="checkbox"/> Special Education Fund		

NAME OF DECLARED OWNER	LOCATION NUMBER AND STREET OR BARANGAY	LOT AND BLOCK NUMBER	TAX DECLARATION NUMBER	ASSESSED VALUE			TAX DUE	INSTALLMENT*		FULL PAYMENT	PENALTY PER CENT	TOTAL
				LAND	IMPROV'T	TOTAL		NO	PAYMENT			
<u>PABLO ABRETA</u>			<u>081-0004</u>		<u>11,470</u>	<u>(2000.2004)</u>	<u>1,476.40</u>	<u>1</u>	<u>1,094.20</u>			<u>2,470.60</u>
	<u>ORPARKS, ORLEC</u>		<u>-0012</u>		<u>6,800</u>	<u>(2006)</u>	<u>336.20</u>	<u>2</u>	<u>242.08</u>			<u>578.28</u>
	<u>CULIACAN, PALAUAN</u>					<u>(2007)</u>	<u>336.20</u>	<u>3</u>	<u>185</u>			<u>531.20</u>
						<u>(2008)</u>	<u>336.20</u>	<u>4</u>	<u>114.38</u>			<u>400.58</u>
						<u>(2009)</u>	<u>336.20</u>	<u>5</u>	<u>33.62</u>			<u>369.58</u>

Total taxes paid by Money Order, Treasury Warrant or Check No. _____ dated _____ 20 _____ 4,400.98

* Payment without penalty may be made within the periods stated below if by installment:

- 1st Installment—January 1 to March 31, of the year
- 2nd Installment—April 1 to June 30, of the year
- 3rd Installment—July 1 to Sept. 30, of the year
- 4th Installment—October 1 to Dec. 31, of the year

Provincial or City Treasurer

Deputy

ANNEX 6-3

FORM NO. 56
revised 1992)


Previous Tax Receipt No. 6136381 dated 9-11-08 for the year 2019

OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES

Provincial or City Treasurer's Real Property Tax Receipt

No. **6136939 V**

(ORIGINAL)

	MUNICIPALITY/PROVINCE <u>QUEZON CITY</u>	CITY <u>QUEZON CITY</u>	DATE <u>05-27-09</u>		
	Received from <u>PERMOSO ABTERA / YVONNE EDUARDO</u> the sum of <u>SEXTY FIVE THOUSAND NINE HUNDRED AND NO P/100</u> (P. <u>65,900.00</u>) Philippine Currency, in full or as installment payment of REAL PROPERTY TAX for the Calendar Year 20 upon property described in the Assesment Rolls as follows:				
		<input checked="" type="checkbox"/> Basic Tax		<input type="checkbox"/> Special Education Fund	

NAME OF DECLARED OWNER	LOCATION NUMBER AND STREET OR BARANGAY	LOT AND BLOCK NUMBER	TAX DECLARATION NUMBER	ASSESSED VALUE		TAX DUE	INSTALLMENT*		FULL PAYMENT	PENALTY PER CENT	TOTAL
				LAND	IMPROV'T		NO.	PAYMENT			
<u>PERMOSO ABTERA</u>	<u>BARANGAY GALOC</u>	<u>01-1073-A</u>	<u>01-1073-A</u>	<u>4,920.</u>	<u>(RM-198)</u>	<u>245.20</u>	<u>+</u>	<u>212.54</u>			<u>507.74</u>
<u>ABTERA</u>	<u>QUEZON CITY</u>	<u>01-1073-A</u>	<u>01-1073-A</u>	<u>5,310.</u>	<u>(RM-198)</u>	<u>218.60</u>	<u>+</u>	<u>229.40</u>			<u>548.</u>
		<u>01-0005-A</u>	<u>01-0005-A</u>	<u>15,150.</u>	<u>(RM-200)</u>	<u>1,818.</u>	<u>+</u>	<u>1,308.96</u>			<u>3,126.96</u>
		<u>01-0005-A</u>	<u>01-0005-A</u>	<u>21,000.</u>	<u>(RM-200)</u>	<u>420.00</u>	<u>+</u>	<u>202.40</u>			<u>622.40</u>
					<u>(RM-200)</u>	<u>420.00</u>	<u>+</u>	<u>243.60</u>			<u>663.60</u>
					<u>(RM-200)</u>	<u>420.00</u>	<u>+</u>	<u>442.60</u>			<u>862.60</u>
					<u>(RM-200)</u>	<u>420.00</u>	<u>+</u>	<u>420.00</u>			<u>840.00</u>
Total taxes paid by Money Order, Treasury Warrant or Check No. <u>65,939.50</u> dated <u>05-27-09</u>											

* Payment without penalty may be made within the periods stated below if by installment:

- 1st Installment—January 1 to March 31. of the year
- 2nd Installment—April 1 to June 30. of the year
- 3rd Installment—July 1 to Sept. 30. of the year
- 4th Installment—October 1 to Dec. 31. of the year

Provincial or City Treasurer

Deputy

ANNEX 6-4


ACCOUNTABLE FORM No. 56
(Revised 1992)

Previous Tax Receipt No. 613637 dated 3-17-05 for the year 2019

OFFICIAL RECEIPT OF THE REPUBLIC OF THE PHILIPPINES
Provincial or City Treasurer's Real Property Tax Receipt

No 6136937 V

(ORIGINAL)

	MUNICIPALITY/PROVINCE <u>00109, BALANAN</u>		City <u>VACA EMMANUEL</u>		DATE <u>05-27-09</u> , 20 <u>10</u>							
	Received from <u>MANUEL GLEND MAR-SANTOS</u> the sum of _____ pesos (P _____) Philippine Currency, in full or as installment payment of REAL PROPERTY TAX for the Calendar Year <u>2010</u> on property described in the Assesment Rolls as follows: <input checked="" type="checkbox"/> Basic Tax <input type="checkbox"/> Special Education Fund											
NAME OF DECLARED OWNER	LOCATION NUMBER AND STREET OR BARANGAY	LOT AND BLOCK NUMBER	TAX DECLARATION NUMBER	ASSESSED VALUE			TAX DUE	INSTALLMENT*		FULL PAYMENT	PENALTY PER CENT	TOTAL
				LAND	IMPROV'NT	TOTAL		No.	PAYMENT			
<u>MANUEL GLEND</u>	<u>ORANG, SALOC</u>	<u>001-1071-A</u>			<u>10,250</u>	<u>(1998-1999)</u>	<u>410.-</u>	<u>+ 245.90</u>				<u>705.90</u>
	<u>ORANG, SALOC</u>	<u>001-0000-A</u>			<u>32,140</u>	<u>2000-2005</u>	<u>3,916.80</u>	<u>+ 1,890.10</u>				<u>6,796.90</u>
	<u>ORANG, BALANAN</u>	<u>0011-A</u>			<u>45,508</u>	<u>(2004)</u>	<u>910.-</u>	<u>+ 684.20</u>				<u>1,594.20</u>
						<u>(2007)</u>	<u>910.-</u>	<u>+ 527.60</u>				<u>1,437.60</u>
						<u>(2008)</u>	<u>910.-</u>	<u>+ 309.10</u>				<u>1,219.10</u>
						<u>(2009)</u>	<u>910.-</u>	<u>+ 91.-</u>				<u>1,001.-</u>
Total taxes paid by Money Order, Treasury Warrant or Check No. _____ dated _____, 20 <u>10</u>												<u>12,660.80</u>

- * Payment without penalty may be made within the periods stated below if by installment:
- 1st Installment—January 1 to March 31, of the year
 - 2nd Installment—April 1 to June 30, of the year
 - 3rd Installment—July 1 to Sept. 30, of the year
 - 4th Installment—October 1 to Dec. 31, of the year

Provincial or City Treasurer

Deputy

—

Reviewed by City Treasurer and Property Tax Dept.

7

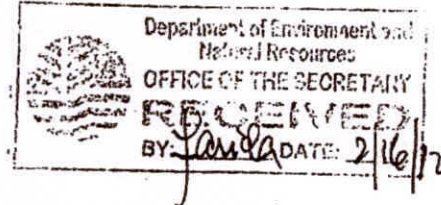
THE STATE OF NEW YORK, County of [] ss. I, the undersigned, Clerk of the said County, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the said County.

RECEIVED & NOS
MAY 19 1968

"ANNEX-H"

February 13, 2012

HON. RAMON PAJE
Secretary
Department of Environment and Natural Resources
Visayas Avenue, Quezon City



Attn: THE REGIONAL EXECUTIVE DIRECTOR
MIMAROPA Regional Office (IV-B)

Dear Secretary Paje:

I write to follow-up my application for a Special Land Use Permit (SLUP) dated August 2009 (copy herein attached as ANNEX "A" at the Sanitarium Property (formerly) at Sitio Sabang, Barangay Galoc, Cullion, Province of Palawan.

With the able handling of the CENRO nearest the area, Gerry Cayatoc, the same was processed but stalled due to the intervention of fabricated flimsy and unfounded claims and claimants, among a French and Japanese, inter alia. Once again, I reiterate my legitimate and valid claims thereto such that a survey and appraisal of the same is already in order, costs to be shouldered by the undersigned.

Hoping for your prompt favorable action on this indignation.

Very truly yours,

VIA EDUARDO MA. R. SANTOS (Ret.)
Applicant for SLUP
CP NO. 09189008964

Copy furnished:

CENRO, Coron
Palawan

ANNE "D"

TITLE FOR PROJECT: UPLAND AGRO-FORESTRY PROJECT
PROPONENT : VICE ADMIRAL EDUARDO MA. R. SANTOS (RET.)
PROJECT LOCATION: SO. SABANG, BARANGAY GALOC,
CULION, PALAWAN

Project Site Description:

1. PHYSICAL CHARACTERISTIC

1.1 Location of the Area

The Project Site is located South Western portion of Galoc Island with geographic location of 11°56'44.7 N and 119°49'28.7 E

It is accessible only by means of water transportation. About 3-4 hours travel from the town proper of Coron depending upon the sea condition and the speed of the boat to be used.

The area applied for AGRO-FORESTRY PROJECT is classified as unclassified public forest per LC Map No. 3634. Project No. 16-A for the Municipality of Culion, Palawan.

The climate of the island belongs to type I, which is wet during the month of May to November and dry from December to April, although sometimes the climate varies due to the effect global warming.

1.2 Topography and Soil

The area is moderately flat to moderately steep. The soil is acidic composed mainly of sandy soil with some patches of sandy loam.

1.3 Vegetation

The vegetation is a mixture of natural grown of lesser and premium species such as Narra, Molave, Katmon, Anagas and some other species locally known in Northern Palawan.

1.4 Water

There is difficult of water sources. However, water drilling is possible on the portion with thickly forested area or by establishing small water impounding structure on the area of the island which has spring since the island has an area of more than 300 hectares.

II. SILVICULTURAL PRACTICE

Timber stock Improvement practices will be done in those areas with sufficient timber stock in order to enhance the growth and quality timber.

III. AGRO-FORESTRY DEVELOPMENT ACTIVITY

III.1 Enrichment Planting

Enrichment Planting will be done in those areas identified of insufficient stock using indigenous species found in the locality

III.2. Planting of Agriculture Crops

Listed hereunder are the different fruits trees that will be planted with their appropriate spacing, as follows:

- | | |
|---------------------------------------------------------|----------------------|
| a.) Coconut (6x6m) | c.) Caimito (6x6m) |
| b.) Langka (4x4m) | d.) Cashew (6x6m) |
| e.) And other fruits bearing trees suitable in the area | |

IV. Forest Protection Activities

In order to ensure and/or prevent the occurrence of forest fire, a firebreak with a width of 4 meters will be established within the fire pruned areas of the project site. Two plantation guards will be hired to conduct foot patrol and maintain the established Agro-Forestry Plantation.

V. Other Developmental Activities

Since the project is adjacent to my SLUP application purposely for ECO-TOURISM destination, the proponent will establish foot trail within the Agro-Forestry area for hiking and mountain climbing for our guest in the resort.

VI. Budget Requirements

FIVE HUNDRED THOUSAND PESOS (500,000.00) is an initial capital of the project. It includes all expenses that will occur in the establishment of Agro-Forestry Project including silvicultural practices, purchase of forest and fruits tree seedlings.

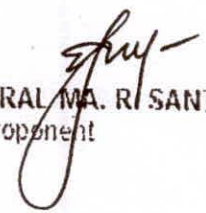
VII. Socio Economic Benefits

The project will contribute additional income and uplift the living condition of the resident that will be involved in the project development and support the Food Production Program of the government and ecotourism industry not only in Culion but the whole of Calamianes islands.

VIII. CONCLUSION

This Agro-Forestry Development Plan (ADB) will be revised whenever deemed necessary.

PREPARED BY:


VICE ADMIRAL MA. R. SANTOS (RET.)
Proponent

ANNEX "E"

ANNEX B



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA IV-B
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Coron, Palawan

MEMORANDUM

FOR : The Regional Executive Director
DENR - REGION-IV (MIMAROPA)
L&S Bldg. Roxas Blvd.
Ermita, Manila

THRU : The Community Environment and Natural
Resources Officer

SUBJECT : EVALUATION REPORT RE: APPLICATION FOR UPLAND
AGRO-FORESTRY PROJECT PURSUANT TO DAO 2005-25 OF
VICE ADMIRAL EDUARDO SANTOS (RET.) LOCATED AT SO.
SABANG, BRGY. GALOC, CULION, PALAWAN.

DATE : September 14, 2009

Respectfully forwarded herewith is the application for Agro-Forestry Project pursuant to DAO 2005-25 of Vice Admiral Eduardo Santos (Ret.) located at So. Sabang, Brgy. Galoc, Culion, Palawan consisting 33.5 hectares.

Please be informed that the area applied is within the unclassified public forest per LC Map # 3634 and DENR Administrative Order No. 2007-21 dated July 31, 2007.

Findings and result of the inspection/verification and evaluation over the area applied for Agro-Forestry Project, showed that the area is suitable for Agro-Forestry Project.

Accordingly, the proponent will plant coconut, cashew, and other fruit trees suitable in the area. Enrichment planting of forest tree will likewise be done in those areas having insufficient forest stock.

Since, the project can contribute for the prevention of global warming and support the food production program of the government the undersigned forest officers hereby recommend for the approval of this application provided however, that the proponent shall comply all the necessary requirements set forth by our office.

For information, consideration and approval.


MARIANO C. LANAJA
Forest Ranger


LEV JACANTA
FR Team Leader Culion


ELY M. ECHAGUT
Forest Ranger

ANNEX F



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

**SPOUSES RICARDO and FELICIDAD
DE LEON-NACACHI**

Protestants,

versus

**EDUARDO MA. R. SANTOS,
PHILIPPINE BLASZKIEWICZ
HOLDINGS CORPORATION (PHBPHC)**
Respondents/Applicants

DENR CASE NO. M-04-18-F

**SO. SABANG, BRGY. GALOC,
CULION, PALAWAN**

Area: 6 hectares more or less

DECISION

NATURE OF THE CASE

This resolves the protest filed by Felicidad De Leon Nacachi on the Special Land Use Permit (SLUP) applications of Eduardo Ma. R. Santos and the Philippine Blaszkiewicz Holdings Corporation (PHBPHC) covering Sabang Cove with an area of six hectares, more or less, of forest land situated in Sitio Sabang, Galoc, Culion, Palawan.

A Regional Fact Finding Team was created per Regional Special Order Nos. 77 and 159, Series of 2014, issued by then OIC, Regional Director Oscar C. Dominguez to investigate and validate the said claim or protest.

Sometime in 1985 Ricardo Nacachi waived his rights over 187.75 hectares of forest land to Aida P. Marasigan. Records show that Aida P. Marasigan is the holder of a lease contract (grazing land) over the said area effective until March 15, 2020, issued by the Culion Sanitarium.

On March 12, 2012, a *Settlement Agreement* was entered into by Aida P. Marasigan and Felicidad de Leon-Nacachi wherein the former stated that she has no claims or interests adverse to the claim of the latter over any portion or the whole area of Sitio Sabang, Barangay Galoc, Culion, Palawan. On the other hand, Nacachi declared that she has no claims or interests adverse to the claim of Marasigan over any portion or the whole area of the grazing land measuring around 193.25 hectares located at Barangay Galoc, Culion, Palawan. Both declared that there is no overlapping of boundaries of their respective claims, since those properties are separate and distinct from each other.

CLAIMS AND EVIDENCES OF SPOUSES NACACHI

The Protestants alleged among others, that they acquired half of Galoc Island with an area of one hundred (100) hectares from Patricio Sanchez on January 10, 1969 through a Deed of Sale. Patricio Sanchez is a holder of a grazing land permit and the registered owner of the agricultural improvements therein.

On May 12, 1969, Ricardo Nacachi filed an application for Grazing Land Agreement (GLA) with the Office of the Health Director, Dr. Amadeo Cruz. He was informed that his application was held in abeyance until the promulgation of the new rules on whether non-lepers may utilize resources in the Reservation.

CERTIFIED TRUE / PHOTO COPY
JUN 8. 2018
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On January 4, 1974, Ricardo Nacachi was awarded a Pasture Lease Agreement (PLA) covering an area of more or less 193.25 hectares for twenty five (25) years, effective until 1999. However, he waived his right over 187.75 hectares of land covered by his PLA before its expiration and only retained more or less six hectares.

They improved the area by planting fruit bearing trees. They also donated several portions of the land to certain individuals.

During the mid-80's when the spouses Nacachi had to seek medical treatment in Manila, they left a caretaker for their land. However, when they returned to Culion they found out that their caretaker was forcibly evicted from their occupied lot by a certain Francisco Glimao.

Glimao filed a civil case for ownership of a right to destino (Farm lot) against the Protestants' caretakers spouses Malirong. The said case was dismissed as the land Glimao bought from Remegio Panday cannot be ascertained, except that it is in Sitio Sabang. The area of the lot subject of the case was four hectares.

Sometime in 1985 Ricardo Nacachi sold his rights over 187.75 hectares of forest land to Aida Marasigan who is now a holder of a lease contract effective until 2020, issued by the Culion Sanitarium.

CLAIMS AND EVIDENCES OF PHBPHC

PHBPHC's predecessors-in-interest are Francisco Glimao, Pablo Abrea and Hermoso Abrea. The right of Francisco Glimao over the area in question has long been settled by the court in a Decision dated June 21, 1991 in Civil Case No. 62 for ownership of a right to a Destino (Farm lot).

PHBPHC claims that they acquired their right to occupy more than six (6) hectares in Sitio Sabang through their predecessors-in-interest Francisco Glimao, Pablo Abrea and Hermoso Abrea.

CLAIMS AND EVIDENCES OF EDUARDO MA. R. SANTOS

He claimed that he got his right to possess 138 hectares of forest land through a government grantee, Placido Noel C. Matta, through a Deed of Transfer on December 18, 2006. Mr. Matta in turn acquired his right over the area also from Francisco Glimao. He then applied for an upland agro forestry Project under DAO 2005-25 consisting of 33.5 hectares and a Special Land Use Permit (SLUP- Bathing establishment) consisting of 23.5 hectares.

ISSUE

Who between the parties are qualified to apply for a tenurial instrument pursuant to existing laws, rules and regulations?

INVESTIGATION REPORT

Per Memorandum dated February 27, 2015 submitted by the Regional Fact Finding Team, they stated the following:

"Based on the said decision, it is clear that the application of Remegio Panday over the area which was granted and approved by Culion Sanitarium is not valid. The latter has no authority in doing so because the jurisdiction over the subject area is under the Department of Agriculture and Natural Resources at the time of said issuance.

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It is noticeable that in the survey map submitted as evidence, there was no evidence that Remegio Panday is claiming a portion of Sabang Cove. The area that he is allegedly claiming is not within (far) the disputed Sabang Cove.

Remegio Panday is the one to whom Francisco Glimao derived his possessorial rights over the Sabang Cove. Messrs. Hermoso Abrea and Paolo Abrera also claimed possessorial rights over portions of Sitio Sabang. If this will be the case, the credibility of Messrs. Glimao, H. Abrea and P. Abrea as lawful claimants will be put into question, considering the fact that they acquired their rights through Remegio Panday, who is only claiming part/portion of Galoc Island which is outside the Sabang Cove.

Vice Admiral Eduardo Ma. Santos acquired his possessorial right from government grantee, Placido Noel Matta over a parcel of land with an aggregate area of one hundred thirty eight (138) hectares located at Sitio Sabang, Galoc, Culion Island (Deed of Transfer). Mr. Matta on his part acquired the subject property from Francisco Glimao, Hermoso Abrera and Sofia Abrera, representing Paolo Abrera by virtue of Deed of Conditional Sale dated December 28, 1996.

However, in an Affidavit dated September 20, 2012, Francisco Glimao in his sworn statement denied that he sold his property to Mr. P. Matta.

Mr. Glimao admitted that there was a previous agreement between him and Mr. Matta regarding the purchase of parcel of land (4 has.) situated at Sitio Sabang, Galoc, Culion, Palawan. However, Mr. Matta failed to pay the whole amount of agreed purchase price. Mr. Glimao also disclosed that despite of the absence of survey plan, Mr. Matta occupied a large portion of Sitio Sabang, including lot area claimed by spouses Nacachi.

Mr. Glimao further confessed that he did not sold(sic) and/or transfer any right over a parcel of land in Sitio Galoc to Mr. Henri Blaszkiewicz (PHBPHC). But in the position paper submitted by PHBPHC, they acquired the parcel of land in So. Sabang through a contract of transfer of rights from Francisco Glimao, Pablo Abrera and Hermoso Abrera.

Assuming that there was really a transfer of rights happened(sic), between PHBPHC and F. Glimao et.al., said transfer is considered illegal as the latter has no possessory rights over the disputed Sabang Cove. He has no legal personality to sold(sic) or transfer a parcel of land classified as forestland/timberland. The area being claimed by Remegio Panday to whom he acquired his alleged possessory rights is not within the Sabang Cove.

Likewise in the case of Admiral Santos who acquired his rights from Placido Noel Matta, who acquired his (P. Matta) over Galoc Island including the Sabang Cove from Francisco Glimao et.al., the same is not valid on the same ground.

To summarize the issues and facts in the instant case, there was a double sale happened(sic) between F. Glimao et.al. (vendor) and Admiral Santos and Henri Blaszkiewicz (vendees). Neither of the vendees will be entitled for any possessory right over the disputed Sabang Cove, considering that their predecessor in interest has no legal personality over the subject area. The spouses Nacachi has the possessory right over Sabang Cove, giving high consideration to the evidence/documents presented and its primary source, Patricio Sanchez, a leper, who possess the legitimate possessory rights over the Sabang Cove.

As regards to the tax declaration submitted by all the claimants, Sec. 84 of PD 705 provides that:

Sec. 84. Tax declaration on real property- Imprisonment for a period of not less than two (2) years nor more than four (4) years and perpetual disqualification from holding an elective or appointive office, shall be imposed upon any public officer or employee who shall issue a tax declaration on real property without a certification from the Director of Lands or their duly designated representative that the area is alienable and disposable land xxx-xxx

8/28/2018
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Therefore, the tax declaration submitted by the claimants covering the timberland/forestland cannot be a source of any right as there is categorical prohibition on issuance of tax declaration over Timberland/Forestland. Tax declaration cannot be also considered as proof of ownership.

Aida Marasigan submitted her approved Pasture Lease Agreement dated March 15, 1995 issued by Cullion Sanitarium who(sic) has jurisdiction on the natural resources in Coron. Since said contract was issued by a competent government agency who(sic) has jurisdiction over it, there is no reason to disturb the same.

The Regional Fact-Finding Team recommends the:

1. Rejection/Denial of the Special Land Use Permit and Upland Agro-Forestry Project Applications of Vice Admiral Eduardo Ma. R. Santos as majority of the area being applied, except for the Sabang Cove is already covered by valid Pasture Lease Agreement in the name of Aida Marasigan;
2. Rejection/Denial of the Forest Land Use Agreement for Tourism (FLAgT) of Philippine Henri Blaszkiewicz Property Holding Corporation (PHBPHC), if any; and
3. Giving preferential right to apply for appropriate tenurial instrument to Spouses Ricardo and Felicidad Nacachi over the Sabang Cove."

RULING

The observation made by the Team that issuance of tax declarations over areas declared as timberland by local government officials, under Section 84, PD 705 as amended, is further reiterated by no less than Secretary Roy A. Cimatu in his Memorandum No. 2018-214 dated April 3, 2018 directing all regional directors, assistant regional directors for technical services, PENR Officers and CENR Officers to inform and make the local government units in their respective jurisdictions to be aware of the prohibition and the penalty it entails wherein the law is clear that no public officer or employee can issue a Certificate of Real Property Tax without securing a certification from the DENR that the real property to be declared for taxation is alienable and disposable. Should this be violated, penalties of imprisonment for a period of not less than two (2) years nor more than four (4) years and permanent disqualification from holding public office shall be imposed upon the perpetrators.

It is elementary in the law governing natural resources that forest land cannot be owned by private persons. It is not registrable and possession thereof, no matter how lengthy, cannot convert it into private property¹, unless such lands are reclassified and considered disposable and alienable.²

Forest land is not registrable and possession thereof, no matter how lengthy, cannot convert it to private property, unless such lands are reclassified and considered disposable and alienable. The principle of estoppel does not operate against the Government for the acts of its agents.³ Forest lands cannot be owned by private persons. Possession thereof, no matter how long, does not open into a registrable title. The adverse possession which may be the basis of a grant of title or confirmation of an imperfect title refers only to alienable or disposable portions of the public domain.⁴

In order to develop forest land suitable for tourism purposes, one must secure a FLAgT. Under DAO 2004-28 as amended by DAO 2009-16, a FLAgT is a contract between the DENR representing the state and a natural or juridical person, authorizing the latter to occupy, manage,

¹ Vano vs. Government of P.I., 41 P 161 [1920]; Li Seng Giap y Cia v. Director, 55 Phil 693 [1931]; Fernandez Hnos. v. Director, 57 Phil 929 [1931]; Military Reservations v. Marcos, 52 SCRA 238 [1973]; Republic v. CA, 154 SCRA 476; Vallarta v. IAC, 152 SCRA 679; Director of Forest Administration v. Fernandez, 192 SCRA 121

² Spouses Ignacio Palomo and Trinidad Pascual, and Carmen Palomo vda. de Buenaventura vs. CA, G.R. No. 95608, January 21, 1997

³ Palomo vs. Court of Appeals, G.R. No. 95608, 21 January 1997

⁴ Sps. Villarico & Faustino v. Court of Appeals, G.R. No. 105912, 28 June 1999

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and develop subject to government share, any forestland of public domain for tourism purposes and to undertake any authorized activity therein for a period of twenty five (25) years and renewable for the same period upon mutual agreement by both parties. It shall include special forest land uses such as bathing establishment, camp site, ecotourism destination, hotel site and other tourism purposes⁵.

Under the same administrative order, areas suitable for FLAgT can only be awarded thru competitive bidding, subject to the other requirements thereof.

Clearly, claims of prior possession without any instrument from the government has no merit.

Jurisprudence is replete with cases reiterating that forest lands or forest reserves are not capable of private appropriation and possession thereof, however long, cannot convert them into private property. Possession of the land by private respondents, whether spanning decades or centuries, could never ripen into ownership.⁶

WHEREFORE premises considered, the instant Protest is **DISMISSED** for lack of merit. The following are hereby ordered:

1. **CONDUCT OF A RELOCATION SURVEY** over the following:
 - a. Area covering Sabang Cove with six (6) hectares, more or less, vis-a-vis the area covered by the Pasture Lease Agreement (PLA) of Aida Marasigan. Expenses thereof to be equally shared by herein parties;
 - b. Area covered by the PLA of Aida Marasigan vis-a-vis the area covered by the applications (Upland Agro-Forestry consisting of 33.5 hectares and SLUP and/or FLAgT consisting of 23.5 hectares) of Ma. Eduardo R. Santos. Expenses thereof to be shouldered by the said applicant.
2. After the conduct of the said survey, **REJECT ALL APPLICATIONS, IF ANY**, over area/s already covered by the approved PLA of Marasigan; and
3. **CONVENE THE FLAgT BIDS AND AWARDS COMMITTEE (FLAGTC)** for the proper receipt, record, and evaluation of pre-qualification and bid proposals of the parties, relative to Sabang Cove, Barangay Galoc, Culion, Palawan.

SO ORDERED.

Manila, Philippines. JUL 26 2018

CERTIFIED TRUE / PHOTO COPY
8.8.28.2018
MARLENE M. BADILLA
Admin. Asst. III/Records Officer-Designate
Legal Division, DENR MIMAROPA Region



Department of Environment
and Natural Resources
REGION 48



HENRY A. ADORNADO, Ph.D.
Regional Director

⁵ Sec. 1, 2.11, DAO 2004-28 as amended

⁶ Republic v. De Guzman, G.R. No. 137887, February 28, 2000, 326 SCRA 574, 580

cc:

Spouses Ricardo and Felicidad de Leon Nacachi

Mra. Eduardo R. Santos

*PHILIPPINE BLASZKIEWICZ
HOLDINGS CORPORATION (PHBPHC)*

PENRO

CENRO

Sitio Sabang, Culion, Palawan

38-B CV Francisco St. Pook Amorsolo, UP Diliman, Quezon City

c/o Atty. Josue L. Jorvina, Jr.

Unit 1520 Cityland 10, Tower 2 Bldg.

H.V. Dela Costa cor. Valero Sts., Salcedo Village, Makati City

DENR Compound, Sta. Monica, Puerto Princesa City

Coron, Palawan

ARD-MS/LD

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8.28.2018
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REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA Region



**SPOUSES RICARDO AND FELICIDAD
DE LEON- NACACHI.**

Protestants,

-versus-

DENR CASE NO.M-04-18-F
SO SABANG, BRGY. GALOC
CULION, PALAWAN

**EDUARDO M. R. SANTOS
PHILIPPINE BLASKIEWICZ
HOLDINGS CORPORATION (PHBPHC),**

Respondents-applicants.

X-----X

MOTION FOR PARTIAL RECONSIDERATION

COMES NOW **respondent-applicant EDUARDO M.R. SANTOS**, duly assisted by counsel, and to this Honorable Office respectfully moves for reconsideration of the Decision dated July 26, 2018 rendered by the Regional Director (Hon. Henry R. Adornado, Ph.D.), copy received on September 4, 2018, on the following grounds:

- I. **MS. AIDA MARASIGAN WAS NOT IMPLEADED AS A PARTY AND THEREFORE IS A STRANGER TO THE CASE WHO CANNOT BE BOUND OR BENEFITED BY THE DECISION.**
- II. **RESPONDENT-APPLICANT EDUARDO M. R. SANTOS HAS BETTER POSSESSORY RIGHTS SINCE HE DERIVES HIS RIGHTS IN GOOD FAITH AND FOR VALUABLE CONSIDERATION FROM A VALID**

**NOTARIZED DEED OF TRANSFER EXECUTED BY
PLACIDO NOEL C. MATTA, A GRANTEE OF THE
SUBJECT FOREST LAND RECOGNIZED BY THE
GOVERNMENT.**

ARGUMENT

The dispositive portion of the Decision reads:

“WHEREFORE, premises considered, the instant protest is **DISMISSED** for lack of merit. The following are hereby ordered:

1. **CONDUCT OF A RELOCATION SURVEY** over the following:

a. Area covering Sabang Cove with six (6) hectares, more or less, vis-à-vis the area covered by the Pasture Lease Agreement (PLA) of Aida Marasigan. Expenses thereof to be equally shared by herein parties;

b. Area covered the PLA of Aida Marasigan vis-à-vis the area covered by the applications (Upland Agro-Forestry consisting of 33.5 hectares and SLUP and/or FLAGgT consisting of 23.5 hectares) of Ma. Eduardo R. Santos. Expenses thereof to be shouldered by the said applicant.

2. After the conduct of the survey, **REJECT ALL APPLICATIONS, IF ANY**, over area/s already covered by the approved PLA of Marasigan; and

3. **CONVENE THE FLAGT BIDS AND AWARDS COMMITTEE (FLAGTC)** for the proper receipt, record, and evaluation of the qualification and bid proposals of the parties, relative to Sabang Cove, Barangay Galoc, Culion, Palawan."

At the outset, the protest of Sps. NACACHI was correctly dismissed. The dismissal constitutes an affirmation that Sps. NACACHI have no rights whatsoever that can be respected.

Likewise, it was also correctly held that PHBPHC has no possessory rights since it derives its "rights" from F. Glimao, et al. who have no possessory rights whatsoever.

Surprisingly, however, the decision adjudicates in favor of Aida Marasigan who is not a party to this case nor has she ever intervened or been impleaded. She is therefore a stranger who cannot be bound much less benefited by the decision. Jurisprudence firmly holds that –

"A person who was not impleaded in the complaint cannot be bound by the decision rendered therein, for no man shall be affected by a proceeding in which he is a stranger." (**NHA v. Evangelista, G.R. No. 140945. May 16, 2005; Heirs of Pael v. Court of Appeals, 325 SCRA 341; and Arcelona v. Court of Appeals, 280 SCRA 20).**

It appears that Aida Marasigan is an indispensable party, hence, she should be impleaded. Her absence would warrant

the dismissal of the case. Furthermore, this Office assumes that her PLA is authentic and valid without giving herein respondent-applicant an opportunity to examine the same and find out whether it is flawed in violation of the latter's right to due process.


In the case of herein respondent-applicant (Santos) he derived his ownership and possessory rights over the 138 hectares of land located at Sitio Sabang, Galoc, Culion, Palawan under the Deed of Transfer, dated December 18, 2006, executed by no less than the government grantee, Placido Noel C. Matta. Being a government-grantee, his rights is unquestionably legally derived and he could validly transfer the same. Herein respondent-applicant Santos acted in good faith by purchasing for valuable consideration the rights of Mr. Matta. The deed of transfer was notarized and therefore is authentic and valid public document, or entitled to full faith and credit upon its face and the presumption of regularity and enforceable against the whole world.

In any event, the authenticity and due execution of the deed of transfer of possessory rights in favor of herein respondent-applicant was confirmed by (1) Certification, dated April 11, 1997, of the Chief of Sanitarium Dr. Paul A. Evangelista; (2) request for area expansion, dated July 29, 1997 by the Chief of Sanitarium Dr. Paul Evangelista after inspection by Clarito L. Batuigas and Florafe Alulor; and (3) payment of the the real property taxes. Being a natural-born Filipino, respondent-applicant Santos is qualified to apply the area for development the same as Upland Agro-Forestry Project.

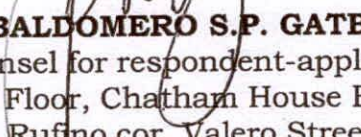
WHEREFORE, premises considered, it is respectfully prayed that the Decision dated July 26, 2018 be partially reconsidered by deleting all references therein in favor of Ms. Aida Marasigan and that the application of herein respondent Applicant Eduardo Ma. R. Santos for Special Land Use/Permit/Upland Agro Forestry Project be approved.

Other reliefs as may be just and equitable in the premises are also prayed for.

Quezon City, September 13, 2018.


EDUARDO MA. R. SANTOS
Respondent-Applicant

Duly assisted by

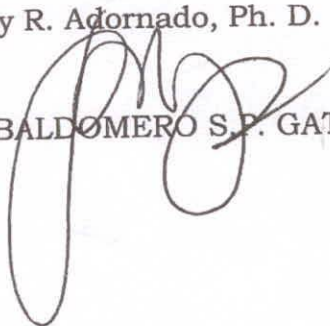

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NOTICE

The Receiving/Docket Section
DENR, Mimaropa Region
Office of Regional Director
Henry R. Adornado, Ph. D

Greetings:

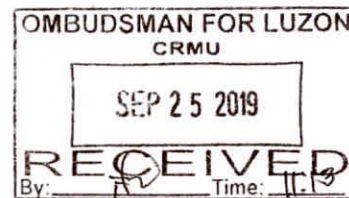
Kindly submit the foregoing pleading for the consideration of
the Regional Director Henry R. Adornado, Ph. D.



BALDOMERO S. P. GATABONTON JR.

ANNEX "H"

Republic of the Philippines)
Quezon City) S.S.



COMPLAINT AFFIDAVIT

I, V/ADM. EDUARDO MA. SANTOS (Ret.), of legal age, and resident of 38-B C.V. Francisco, Pook Amorsolo, U.P. Diliman, Quezon City, hereby charge Mayor Virginia N. de Vera, of Municipal Hall of Culion, Palawan, for her unjustified, unlawful and forcible entry into my property located at Sabang, Culion, (formerly Sanitarium Property) Palawan Province; per SLUP Application with the DENR; herein attached as Annex "A";

That on November 21, 2018, I sent her a last and final demand letter to cease and desist from illegally occupying my property;

That said letter is hereby attached as Annex "B";

That despite the last and final demand upon her to vacate the premises, the latter ignored the same for reasons known only to her;

Thus, I am charging Mayor Virginia N. de Vera for the following violations, to wit:

- a) Under RA 3019 (Sec. 3 (e)); - for causing undue injury to me including the government by giving, extending unwarranted advantage or preference in the discharge of her function as Mayor of Culion, in favor of her mother Felicidad Nacachi of Brgy. Poblacion 6, Coron, Palawan and her ex-Barangay Captain brother Boy Nacachi;
- b) Under RA 3019, Sec. 3 (f); - for gross inexcusable negligence or refusal after due demand upon her, without sufficient justification, to act within reasonable time, my demand letter to cases and desist from my subject property;
- c) Under RA 6713, Sec. 5 (a); - otherwise known as Code of Conduct and Ethical Standards for Public Officials and Employees; - for not acting promptly my demand letter nor stating action taken on my demand letter;

Under Sec. 11, par. 1 (b) of RA 6713 - that her violation of the same shall be sufficient cause for removal or dismissal of a public official;

commission of offenses or refraining from instituting action against violators;

e) **Under Chapter 7, Civil Service Commission Discipline – Sec. 46 (b)** thereto:

par. 3 – for dereliction of duty

par. 8 – inefficiency and incompetence

par. 27 – conduct prejudicial to the best interest of the service;


That I am executing this Complaint Affidavit to be true and correct and charging the respondent Mayor Virginia N. de Vera for violation of the aforecited laws on public officials.

Signed this 29th day of July, 2019 in Quezon City.


V/ADM. EDUARDO MA. SANTOS (Ret.)
Complainant

30 JUL 2019

SUBSCRIBED AND SWORN TO before me this 29th day of July 2019 at Quezon City.


ATTY. RUBEN M. AZANES, JR.
NOTARY PUBLIC

Notary Public

Commission No. NP-053(2019-2020)

Expires on December 31, 2019

Agora, Camp Crame, Quezon City

IBP No. AR4932207611/Quezon City/Jan. 7, 2019

PTR NO. 7324188/Jan. 4, 2019/Quezon City

MCLE Compliance No. V-0024616

TIN NO. 140-394-836

Attorney's Roll No. 4.

Doc. No. 284
Page No. 58
Book No. VII
Series of 2019.

Annex A
Office Circular No. 09 Series of 2009

Republic of the Philippines)
) s. s.
X-----X

CERTIFICATE OF NON-FORUM SHOPPING

I, V/ADM EDUARDO MA. SANTOS, of legal age, Filipino, and a
Resident of 308 C.V. FRANCISCO ST. 4P DILIMAN, after having been duly
sworn to in accordance with law, do hereby depose and say:

1. I filed a complaint-affidavit against MAYOR VIRGINIA H. DE VERA
OF CULION, PALAWAN

2. I have NOT filed any criminal or administrative complaint or commenced
any other action or proceeding involving the same parties, issues and
cause of action in any other for a EXCEPT the following: (Note: Check all
applicable boxes and specify the forum where complaint or action is pending
and the nature of the proceedings in the blank space. Otherwise, put N/A or
"not applicable".)

☐ court

☐ prosecutor's office

☐ quasi-judicial body

☐ other government agencies

H/A

H/A

H/A

H/A

3. Should I learn that a similar action or proceeding has been filed or is
pending in the afore mentioned court, prosecutor's office, quasi-judicial
body or government agency, I undertake to notify the Office of the
Ombudsman of the present status thereof within FIVE (5) DAYS from my
notice of the same;

4. I fully understand that failure on my part to comply with the foregoing
requirement shall be sufficient cause for the dismissal of this case.

IN WITNESS WHEREOF, I hereby affix my signature hereto.

[Signature]
Complainant

SUBSCRIBED AND SWORN to before me this 30 day of JUL 2019
at QUEZON CITY

DOC. NO. 289
PAGE NO. 58
BOOK NO. 11
SERIES OF 2014

[Signature]
ATTY. RUBEN M. AZANES, JR.
NOTARY PUBLIC
Commission No. NP-053(2019-2020)
Expires on December 31, 2019
Agora, Camp Crame, Quezon City
IBP No. AR4932207611/Quezon City/Jan. 7, 2019
PTR NO. 7324188/Jan. 4, 2019/Quezon City
MCLE Compliance No. V-0024616
TIN NO. 110-384-836
Attorney's Roll No. 45427

ANNEX B



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA IV-B
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Coron, Palawan

MEMORANDUM

FOR : The Regional Executive Director
DENR - REGION-IV (MIMAROPA)
L&S Bldg. Roxas Blvd.
Ermita, Manila

THRU : The Community Environment and Natural
Resources Officer

SUBJECT : EVALUATION REPORT RE: APPLICATION FOR UPLAND
AGRO-FORESTRY PROJECT PURSUANT TO DAO 2005-25 OF
VICE ADMIRAL EDUARDO SANTOS (RET.) LOCATED AT SO.
SABANG, BRGY. GALOC, CULION, PALAWAN.

DATE : September 14, 2009

Respectfully forwarded herewith is the application for Agro-Forestry Project pursuant to DAO 2005-25 of Vice Admiral Eduardo Santos (Ret.) located at So. Sabang, Brgy. Galoc, Culion, Palawan consisting 33.5 hectares.

Please be informed that the area applied is within the unclassified public forest per LC Map # 3634 and DENR Administrative Order No. 2007-21 dated July 31, 2007.


Findings and result of the inspection/verification and evaluation over the area applied for Agro-Forestry Project, showed that the area is suitable for Agro-Forestry Project.


Accordingly, the proponent will plant coconut, cashew, and other fruit trees suitable in the area. Enrichment planting of forest tree will likewise be done in those areas having insufficient forest stock.

Since, the project can contribute for the prevention of global warming and support the food production program of the government the undersigned forest officers hereby recommend for the approval of this application provided however, that the proponent shall comply all the necessary requirements set forth by our office.

For information, consideration and approval.


MARIANO C. LANAJA
Forest Ranger


LEV JACANIA
FR/Team Leader Culion


ELY M. FOCHAGUE
Forest Ranger

Republic of the Philippines
Department of Environment and Natural Resources
FOREST MANAGEMENT BUREAU
Diliman, Quezon City

BFD FORM
No. 24-1

Dist. File No. _____
Station File No. _____

A. No. _____

APPLICATION FOR Agro-Forestry Project
New, Renewal or Change of Area New 33.5 hectares
(Write legibly with ink or typewritten. Use additional sheets if blank space not enough. Submit in triplicate.)

Com. Bat. Sept. 5, 1989
(Place and Date)

The Director
Forest Management Bureau
FMB Complex, Visayas Avenue
Diliman, Quezon City

Sir:

1. In accordance with the laws and regulations governing the use and occupations of public forest lands with which I shall familiarize myself and to which strict compliance is hereby promised.

I, Edwards M. R. Santos

_____ have the honor to apply for lease (1) to occupy and use approval thereof a parcel of public forest land containing _____ hectares, are as follows:

Province of _____
Municipality of _____
Barrio (s) of _____
Sitio (s) of _____

Palawan
Culion
Saghai
Sabang

N. Mountain Ridge
E. Area approved for lease
S. - on -
W. - on -

(If application is a corporation or partnership, attach hereto a copy of Articles of Incorporation or Partnership duly registered with and certified as true and correct copy thereof by the Securities and Exchange Commission).

2. This area will be planted with (Fill up if application is for free farm, industrial free from and other plantation permit or lease).

N/A

3. I have NO had this land examined / inventoried and found it with _____ ("NO" or given the number of squatters or claimants). In case some claims come up later. I agree to have my area, if approved to me be amended to exclude meritorious claims either before or after, I am granted permit or lease. I have conspicuously marked on the ground the corners of

this land, posting signboard thereon, and cause the blazing (at least 2 meters wide) of the boundaries thereof. Within this area the following improvements and signs of occupation are found:

Claimed by: _____

PO Address: _____

4. I am _____ years of age, citizen of the Philippines by birth, Nationalization/treaty.

5. I am single/married and the name of my wife/husband who should state why this application and the permit applied for should be in his name.

Nearest other relative: _____

Address: _____

6. I am refused a government employee. My occupancy/position (1) is N/A (If government employees and this application is not pasture permit or lease. Applicant must attach to this application a written permission of his Department Head to lease for lands under the Forest Laws.)

7. My available working capital which I will immediately invest for the operation of the permit/lease the moment it is granted to me is _____ in cash on-hand, on deposit with _____ under Savings Account No. _____. Real and other property registered or recorded in my name are (Enumeration giving tax number and assessed value of each. If land, give area in hectares). Please see attached.

8. I am not a dummy of, or in collusion with, any person, association partnership or corporation. If this application is approved. I will submit affidavits to this effect a permit or lease is granted me.

9. The animals I now own which will be placed in this area immediately after I get the permit/lease are (kind and number): N/A

10. Other forestry application submitted by me, my wife/husband or father/mother (give names) are: Special Land Use Permit (SLUP)

11. Special use permits and lease and/or application in which I am financially interested. (give kind, number or permittee or lease and location by Municipality and Province) Two (2) SLUP & one
Agro-forestry Project.

12. My relationship with Forest Officer Mr. N/A

13. I understand that anything I have said in the application that is not according to facts, or any commission of facts thereof, shall ipsofacto cause the rejection of this application and/or cancellation of any permit or lease that

Pa

Re

the enclosures required hereunder are received by the Director, Forest Management Bureau, if not originally filed with this application.

14. I understand that the filling of this application conveys no right to enter, occupy or clear the land until a permit or lease is issued to me by the Director, Forest Management Bureau or the Secretary of Environment and Natural Resources.

15. I understand that the cutting, collecting and removing of forest products or the felling of trees existing in the land is not included in the application and that in case it is necessary, I shall obtain a license or permit for it, or I shall respect those granted to other persons by the Director of the Forest Management Bureau.

16. Application fee of P 10.00 and oath fee of P 3.00 payable to the Director of Forest Management, Quezon City, is herewith enclosed. (See schedule of application fees, rentals or consult any local forest officer) I agree that this fee shall NOT be refundable anymore.

Postal Address

Signature of Applicant

REPUBLIC OF THE PHILIPPINES)
S.S.

SUBSCRIBED AND SWORN TO before me this 14 day
of November 1988 affiant exhibited to me his/her Community
Tax Certificate Ind. 01537809 issued
at Marikina City on March 10, 1988

FELIZARDO B. CAYATOC
OIC - CENRO

ATTY. TOMAS F. DELA CRUZ
NOTARY PUBLIC

UNTIL DECEMBER 31, 2013

PTR NO. 9042183 Q.C.

IBP NO. 921-10-86 Q.C.

ROLL NO. 16538/03/13 1961

MCLE EXEMPTED NO. 000838

DEC NO. 245
SEE NO. 74
BOOK NO. 100
SERIES OF 100

TITLE FOR PROJECT: UPLAND AGRO-FORESTRY PROJECT

PROPOSER : VICE ADMIRAL EDUARDO MA. R. SANTOS (RET.)

PROJECT LOCATION: SO. SABANG, BARANGAY GALOC,
CULION, PALAWAN

Project Site Description:

1. PHYSICAL CHARACTERISTIC

1.1 Location of the Area

The Project Site is located South Western portion of Galoc Island with geographic location of 11°56'44.7 N and 119°49'28.7 E

It is accessible only by means of water transportation. About 3-4 hours travel from the town proper of Coron depending upon the sea condition and the speed of the boat to be used.

The area applied for AGRO-FORESTRY PROJECT is classified as unclassified public forest per LC Map No. 3634. Project No. 16-A for the Municipality of Culion, Palawan.

The climate of the island belongs to type I, which is wet during the month of May to November and dry from December to April, although sometimes the climate varies due to the effect global warming.

1.2 Topography and Soil

The area is moderately flat to moderately steep. The soil is acidic composed mainly of sandy soil with some patches of sandy loam.

1.3 Vegetation

The vegetation is a mixture of natural grown of lesser and premium species such as Narra, Molave, Katmon, Anagas and some other species locally known in Northern Palawan.

1.4 Water

There is difficult of water sources. However, water drilling is possible on the portion with thickly forested area or by establishing small water impounding structure on the area of the island which has spring since the island has an area of more than 300 hectares.

II. SILVICULTURAL PRACTICE

Timber stock improvement practices will be done in those areas with sufficient timber stock in order to enhance the growth and quality timber.

III. AGRO-FORESTRY DEVELOPMENT ACTIVITY

III.1 Enrichment Planting

Enrichment Planting will be done in those areas identified of insufficient stock using indigenous species found in the locality

III.2. Planting of Agriculture Crops

Listed hereunder use the different fruits trees that will be planted with their appropriate spacing, as follows:

- | | |
|---------------------------------------------------------|----------------------|
| a.) Coconut (6x6m) | c.) Caimito (6x6m) |
| b.) Langka (4x4m) | d.) Cashew (6x6m) |
| e.) And other fruits bearing trees suitable in the area | |

IV. Forest Protection Activities

In order to ensure and/or prevent the occurrence of forest fire, a firebreak with a width of 4 meters will be established within the fire pruned areas of the project site. Two plantation guards will be hired to conduct foot patrol and maintain the established Agro-Forestry Plantation.

V. Other Developmental Activities

Since the project is adjacent to my SLUP application purposely for ECO-TOURISM destination, the proponent will establish foot trail within the Agro-Forestry area for hiking and mountain climbing for our guest in the resort.

VI. Budget Requirements

FIVE HUNDRED THOUSAND PESOS (500,000.00) is an initial capital of the project. It includes all expenses that will occur in the establishment of Agro-Forestry Project including silvicultural practices, purchase of forest and fruits tree seedlings.

VII. Socio Economic Benefits


The project will contribute additional income and uplift the living condition of the resident that will be involve in the project development and support the Food Production Program of the government and ecotourism industry not only in Cullion but the whole of Catamianes islands.

VIII. CONCLUSION

This Agro-Forestry Development Plan (ADB) will be revise whenever deem necessary.

PREPARED BY:

VICE ADMIRAL MA. R. SANTOS (RET.)
Proponent

	Official Receipt of the Republic of the Philippines		
	No 4920830 L		
	Date <i>Nov. 20, 2019</i>		
Agency <i>DLNR - CENRO</i>		Fund	
Payor <i>Vice Adm. Eduardo Ma. R. Santos</i>			
Nature of Collection	Account Code	Amount	
<i>Application fee (SLUP)</i>		<i>P 500.00</i>	
<i>Bank fee</i>		<i>P 60.00</i>	
TOTAL		<i>P 560.00</i>	
Amount in Words <i>Five hundred thirty</i>			
<i>and no/100s</i>			
<input checked="" type="checkbox"/> Cash	Drawee Bank	Number	Date
<input type="checkbox"/> Check			
<input type="checkbox"/> Money Order			
Received the amount stated above.			
<i>[Signature]</i> EMMA C. FRANCISCO Bill Collector Collecting Officer			
NOTE: Write the number and date of this receipt on the back of check or money order received.			



Annex "B"

GILLE ARELLANO AND ASSOCIATES LAW FIRM
38-B C.V. Francisco St., Pook Amorsolo, U.P. Campus, Diliman
Quezon City, Philippines

November 21, 2018

Mayor VIRGINIA N. DE VERA
Municipal Hall
Culion, Palawan

Dear Mayor De Vera,

Our client, VADM. EDUARDO MA. SANTOS (Ret.), has referred to us for appropriate legal action your unjustified refusal to vacate when you entered with threats and forcible entry into the property in possession of our aforesaid client, claiming rights under his SLUP Application which is pending before the DENR. You are allegedly protecting the rights of your mother, FELICIDAD NACACHI, which application for grazing land was approved by the DENR. The minutes of the conference at the Regional Office in Roxas Blvd., Manila, would show that your mother's interests are only for the grazing land and never touches on foreshore or beach property. Your brother, Ex-Barangay Captain Boy Nacachi likewise threatened, along with uniformed policemen, our client's caretakers and posted security guards, with arrest if they fail to leave the premises.

It might interest you to know that we have prevailed upon our client to take immediate actions against you thus, this **LAST AND FINAL DEMAND** upon you to **CEASE and DESIST** from preempting the decision of the DENR on the SLUP Application of our client which is pending resolution by the Regional Office after filing a Motion for Reconsideration thereof, afterwhich, other legal remedies including appeal to the Secretary of the DENR and to the President, if necessary. Not to mention our client's resort to the Courts for judicial relief.

Otherwise, continuing your said actions of harassing, threatening and forcibly entering into our client's premises, we will be constrained to file violations under R.A. 3019 otherwise known as **ANTI-GRAFT AND CORRUPT PRACTICES ACT** under Sec. 3(e) and other applicable "Ombudsmandable acts," likewise violations of the Code of Ethics of Public Officers and criminal acts under the Revised Penal Code.

Very truly yours,

Atty. DANY B. GILLE
Managing Partner

C.C.

Felicidad Nacachi
Brgy. Poblacion 6
Coron Palawan

RE 105 103 971 ZZ

Post Office

Letter/Package No. **REGISTERED**

Posted on **NOV 21 2018**

Preserve this receipt for reference in case of inquiry

Postmaster/Teller **18**

ANNEX 'I'



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Office of the Deputy Ombudsman for Luzon
Agham Road, Diliman, Quezon City 1104

EDUARDO MA. SANTOS,
Complainant,

-versus-

OMB-L-A-21-0060

For: Grave Abuse of Authority and Republic Act
No. 6713 Section 5a

VIRGINIA DE VERA
Respondent.

x ————— x

ORDER

TO: EDUARDO MA. SANTOS

38-B CV Francisco, Pook Amorsolo, 1101 UP Diliman, Quezon City

VIRGINIA N. DE VERA – Mayor
Municipal Hall, 5315 Culion, Palawan

Pursuant to Rule III, Section 5 (b) (1) of Administrative Order No. 17, amending Rule III of Administrative Order No. 07, the above-named parties are hereby directed to submit, within **TEN (10) DAYS** from receipt hereof in three (3) legible copies addressed to this Office through the Case Records Evaluation, Monitoring and Enforcement Bureau, 3rd floor Office of the Deputy Ombudsman for Luzon, Agham Road, Government Circle, North Triangle, Diliman, 1104 Quezon City, their respective **Verified Position Papers** on the above-entitled case stating thereof the charges, defenses and claims contained in the respective pleadings filed in the present case.

In the same Position Paper, the parties may submit such additional relevant affidavits and/ or documentary evidence on the case.

Thereafter, the instant case shall be deemed submitted for decision unless the conduct of further proceedings is considered still necessary by the investigating officer.

SO ORDERED.

Quezon City, Philippines, 11 April 2022.

**BY AUTHORITY OF THE DEPUTY
OMBUDSMAN FOR LUZON:**


GIL FELIX A. HIDALGO

Director

Preliminary Investigation, Administrative
Adjudication and Prosecution Bureau- D

A1214