



DENR Mimaropa Region &lt;mimaroparegion@denr.gov.ph&gt;

**Re: FPA NO. 045212-669 LODGED AT CENRO ROXAS, ORIENTAL MINDORO SINCE 2013, REFERENCE CODE NO. PCC-DAVE-06-17-2022-063**

1 message

**sergio tupas** <sergiojr.tupas@gmail.com>

Fri, Nov 18, 2022 at 9:23 PM

To: DENR CALAPAN CITY &lt;penro\_orientalmin@yahoo.com&gt;

Cc: penroor.mindoro@denr.gov.ph, penroomindoro@gmail.com, denr8888orientalmindoro@yahoo.com, Records Management Division <rmdd@denr.gov.ph>, mimaroparegion@denr.gov.ph, denr8888mimaropa@yahoo.com, actioncenter@denr.gov.ph, officeofuseccuna@denr.gov.ph, osec@denr.gov.ph, "Presidential Complaint Center (PCC)" <pcc@malacanang.gov.ph>, cenroroxas\_orientalmin@yahoo.com, cenroroxasormindoro@denr.gov.ph, yvonne.faeldog@deped.gov.ph, faeldogrica@gmail.com, bongfaeldog20@yahoo.com, Ruby Rabago <ruby291175@gmail.com>, bentzfaeldog@gmail.com, ruby.tupas20@gmail.com

Dear Sir:

Good day,

Please be informed that your email with attachment well received and understood.

With referenced to your letter dated November 14, 2022, protestant, her heirs in interest and myself acknowledged that a "Kasunduan" has been agreed and signed by both contesting parties on December 12, 2018 in the office of DENR CENRO-Roxas, San Mariano, Roxas, Or. Mindoro (see attachment), to bring the case covering FPA No. 045212-669 involving Ccs-04-002673, identical to Lot 10377 Cad-506 to court for litigation.

As to the side of the protestant, and maybe to all parties herein involved, as protestants, it being clear that we cannot file a case in court as it is violative to the rule on forum shopping.

On June 17, 2022, protestant verified from RTC branch 43, Roxas, Oriental Mindoro and ascertained that there is no existing case filed over a DENR case involving Elsa A. Faeldog against Nerissa D. Santos. It being presumed, that protestee did not file a case in court due to a plan to encumber the disputed property because on March 16, 2021, two years, two months and twenty eight days after the execution of the above stated "Kasunduan", Nerissa Dimatulac Santos represented by her niece Marcinette Dimatulac Capio had successfully mortgaged the subject property to Joycelyn A. Juliano represented by her brother Sanny A. Juliano in the total amount of four hundred thousand pesos (400,000) by virtue of a "Kasunduan, Sanglaan ng Tubigan" executed in the office of the Punong Barangay of Barangay San Jose, Roxas, Or. Mindoro (see attachment).

In this regard, the idea that absence of a complaint filed in proper court shall still give effect to the "Kasunduan" previously signed negates the tenet as it in itself violates the supposed agreement rendering it null and void due to the fact that the protestee entered into a compromise to the prejudice of the protestant and her heirs in interest.

Hence, the existing civil case filed in the RTC by Spouses Jose De Castro and Leticia Quejada De Castro against Elsa A. Faeldog and the DENR employees for the Annulment of OCT No. P-16123, Recovery of Ownership and Possession and Damages, does not render the conduct of a Final Investigation Report and decision moot for CENRO Roxas and or other governing body not to effectuate for FPA No. 045212-669 which is a protest against Free Patent Application over a portion of lot already patented to Elsa A. Faeldog that falls under the same office.

Thus, parties to the protestant herein manifest for a decision to be rendered based on the position papers presented. May the Almighty God give us strength, courage and wisdom all throughout our succeeding endeavour.

Sincerely,

Sergio B. Tupas Jr.

On Wed, 16 Nov 2022, 13:43 DENR CALAPAN CITY, &lt;penro\_orientalmin@yahoo.com&gt; wrote:

Good day, Please see attached file and and kindly acknowledge. Thank you.

Alan L. Valle

OIC-PENRO

PENRO Oriental Mindoro

Suqui, Calapan City, Oriental Mindoro

Tel. No. (043) 288-6717

2 attachments



Screenshot\_20221116-193124-1.jpg

186K



Mortgage agreement\_1.jpg

358K