

Republic of the Philippines
Office of the Solicitor General

OFFICE OF THE SOLICITOR GENERAL
REPUBLIC OF THE PHILIPPINES

2023 JAN 19 AM 10:34
January 19, 2023

LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director

Department of Environment and Natural Resources (DENR) - Region IV-B

DENR By the Bay Building, 1515 Roxas Boulevard

1000 Ermita, Manila

[Handwritten signature]

**RE: REPUBLIC OF THE PHILIPPINES, represented by the
Regional Executive Director, Region IV-B (MIMAROPA),
DENR, petitioner v. Nellie O. Castro and The Register of
Deeds of Palawan, defendants.
RTC-Branch 51, Puerto Princesa City**

**FOR: Annulment of Patent, Cancellation of Title and/or Reversion
X-----X**

Madam:

GREETINGS!

To recall, on November 25, 2022, the Office of the Solicitor General, through the undersigned, filed the **Motion to Revive Case dated November 24, 2022**.¹

On January 16, 2023, the OSG received the **RTC Order dated January 13, 2023**² GRANTING the said Motion and declaring the instant case as REVIVED.

In view thereof and in compliance with the RTC Order, we are requesting your good office to kindly coordinate with the Court's sheriff for the personal service of summons.

For your information, guidance and immediate action. Thank you.

Very truly yours,

[Handwritten signature]
JESSICA GUMOP-AS TIROL
State Solicitor

Noted by:

[Handwritten signature]
MAGTANGGOL FRANCISCO M. CASTRO
Assistant Solicitor General

¹ Annex "A."

² Annex "B."

ANNEX 11
2022 NOV 25 AM 9:20
[Signature]

Republic of the Philippines
REGIONAL TRIAL COURT
Fourth Judicial Region
Branch 51
Puerto Princesa City

REPUBLIC OF THE PHILIPPINES, represented by the Regional Executive Director, Region IV-B (MIMAROPA) of the **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,**
Plaintiff,

Civil Case No. 3950

FOR: Annulment of Patent, Cancellation of Title and/or Reversion

- versus -

NELLIE O. CASTRO and the REGISTRAR OF DEEDS OF PALAWAN,
Defendants.

X - - - - -X

MOTION TO REVIVE CASE

PLAINTIFF REPUBLIC OF THE PHILIPPINES, represented by the **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) Region IV-B (MIMAROPA),** through the Office of the Solicitor General (OSG) and unto this Honorable Court, respectfully states:

1. Per this Honorable Court's Order dated December 16, 2004,¹ the instant case was sent to the archives without prejudice to its revival on the ground that summons has not been served to the defendants for an unreasonable length of time because no transportation fees, facilities or sheriff's fees were provided by plaintiff to effect personal service of summons.

¹ Annex "A."

MOTION TO REVIVE CASE

Republic, rep. by the Regional Executive Director, Region IV-B, DENR
v. Nellie O. Castro and the Registrar of Deeds of Palawan
CIVIL CASE NO. 3950

2. On December 20, 2019, the OSG sent to the DENR Region IV-B a Letter dated December 20, 2019² inquiring whether it is still interested in pursuing the case.

3. Consequently, on November 11, 2022, the OSG received the DENR Region IV-B's Letter Reply dated October 7, 2022³ stating its interest in reviving the case and its willingness to provide the necessary arrangements to address the lack of transportation provisions to personally serve the summons to the defendants.

4. In view thereof, plaintiff hereby respectfully moves for the revival of the case with an undertaking to coordinate with the Court's Sheriff for the personal service of summons.

5. The instant Motion is not intended to delay the disposition of this case, much less trifle with the generosity and magnanimity of this Honorable Court.

PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Court that the instant case **BE REVIVED**.

Other forms of relief just and equitable under the premises are likewise prayed for.

Makati City, for Puerto Princesa City, November 24, 2022.

MENARDO I. GUEVARRA

Solicitor General

Roll No. 33957

IBP No. 177214, 02-07-22, Bulacan

MCLE Exemption No. VII-EXD000076, 08-13-19

² Annex "B."

³ Annex "C."

MOTION TO REVIVE CASE

Republic, rep. by the Regional Executive Director, Region IV-B, DENR
v. Nellie O. Castro and the Registrar of Deeds of Palawan
CIVIL CASE NO. 3950

MAGTANGGOL M. CASTRO

Assistant Solicitor General

Roll No. 35970

IBP No. 174546, 01-04-22

MCLE Exemption No. VII-OSG000222, 11-05-19

JESSICA G. GUMOP-AS-TIROL

State Solicitor

Roll No. 52770

IBP No. 174547, 01-04-22

MCLE Compliance No. VII-0019659 - 05-31-22

jggtirol@osg.gov.ph

OFFICE OF THE SOLICITOR GENERAL

134 Amorsolo St., Legaspi Village, Makati City

Telephone No: 812-3018

efile@osg.gov.ph

Copy furnished:

LORMELYN E. CLAUDIO

Regional Executive Director

DENR Region IV-B (MIMAROPA)

DENR By the Bay Building, 1515 Roxas Blvd.

1000 Ermita, Manila

NELLIE O. CASTRO

Iraan, Aborlan, Palawan

REGISTER OF DEEDS OF PALAWAN

Puerto Princesa City, Palawan

MMC/JGT/msq/motion: 223600

OFFICE OF THE SOLICITOR GENERAL
Administrative Division
JAN 28 2005
RECEIVED

Republic of the Philippines
REGIONAL TRIAL COURT OF PALAWAN
AND PUERTO PRINCESA CITY
Fourth Judicial Region
Branch 51
Puerto Princesa City

REPUBLIC OF THE PHILIPPINES,
represented by the Regional Executive
Director, Region IV-B (MIMAROPA) of
the DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

Civil Case No. 3956

For:

Plaintiff.

ANNULMENT OF PATENT,
CANCELLATION OF TITLE
AND/OR REVERSION

- versus -

NELLIE O. CASTRO and the
REGISTRAR OF DEEDS OF
PALAWAN.

Defendant.

X-----X

ORDER

The record of this case shows that the summons has not been served to the defendants for an unreasonable length of time for reasons that no transportation fees are provided for the Sheriff as this Office has no appropriations for this purpose, and considering further the fact that despite coordination and follow-up with the DENR for provision for proper service of summons yet said office is unable to provide transportation facilities or expenses for personal service of summons nor sheriff's fees as the distance involves more than 100 kilometers from Puerto Princesa City to the municipality where the defendants reside, thus, it is burdensome on the part of the Court Sheriff; and

In view of the foregoing, let the record of the case be sent to the ARCHIVES without prejudice to its revival in order that the case may not appear pending for indefinite period of time.

SO ORDERED.

Puerto Princesa City, December 16, 2004.

CHITO S. MEREGILLANO
Judge

Copy furnished:

- Office of the Solicitor General -
- Office of the Clerk of Court -
- Nellie O. Castro - Iraan, Aborlan, Palawan -
- Office of the Court Administrator -
- File-

2/1/05

Republic of the Philippines
Office of the Solicitor General

December 20, 2019

HENRY A. ADORNADO

Regional Executive Director

Department of Environment and Natural Resources – *Region VI-B*

L&S Bldg, 1515 Roxas Boulevard, Malate, Manila

RE: REPUBLIC OF THE PHILIPPINES, represented by the
Regional Executive Director, Region IV-B (MIMAROPA),
DENR *petitioner v. Nellie O. Castro and The Register of*
Deeds of Palawan, defendants.
RTC-Branch 51, Puerto Princesa City

FOR: Annulment of Patent, Cancellation of Title and/or Reversion
X-----X

Sir:

GREETINGS!

To recall, per RTC Order dated December 16, 2004,¹ the above-captioned case was sent to the archives without prejudice to its revival, the reason being the lack of transportation provisions and/or facilities necessary for proper service of summons nor sheriff's fees, despite the RTC's coordination and follow-up with the DENR.

In view thereof, the Office of the Solicitor General, through the undersigned State Solicitor, would like to inquire whether the DENR is still interested in reviving the case. Accordingly, we are requesting your good office to provide information on the current whereabouts of defendant Nellie O. Castro.

For your information, guidance and immediate action. Thank you.

Very truly yours,

JESSICA G. GUMOP-AS-TIROL
State Solicitor

Noted by:

MAGTANGGOL M. CASTRO
Assistant Solicitor General

¹ Annex "A."



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

ANNEX

OFFICE OF THE
SOLICITOR GENERAL
OCT 07 2022

RECEIVED
NOV 1 2022
DOCKET MANAGEMENT SERVICE

ATTY. MENARDO I. GUEVARRA
Solicitor General
Office of the Solicitor General
134 Amorsolo St., Legaspi Village
Makati City 1229 Philippines



036221111Y0006902

THRU : ATTY. JESSICA G. GUMOP-AS-TIROL
State Solicitor

RE : REPUBLIC OF THE PHILIPPINES, represented by the Regional
Executive Director, Region IV-B (MIMAROPA), DENR *petitioner* v. Nellie
O. Castro and the Register of Deeds of Palawan, *defendants*, RTC-
Branch 51, Puerto Princesa City, for Annulment of Patent, Cancellation of
Title and/or Reversion

Sir:

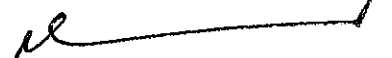
Greetings!

This refers to the inquiry of State Solicitor Jessica G. Gumop-as-Tirol whether our
Office is still interested in reviving the above-entitled case.

We confirm that we would like to revive the case. Further, we are willing to make the
necessary arrangements to address the lack of transportation provisions and/or
facilities necessary for the proper service of summons and sheriff's fees.

We look forward to your usual support in our Office's aim of continuous prosecution of
environmental cases.

Respectfully yours,


LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director

Department of Environment
and Natural Resources
MIMAROPA Region



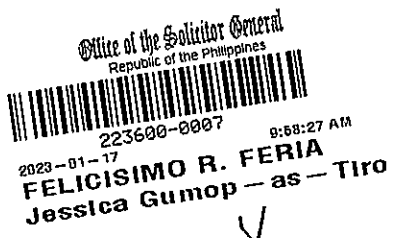
Doc ID: 27755

ARD-MS/LD

DENR By the Bay Building, 1515 Roxas Boulevard, 1000 Ermita, Manila
Telephone Number: (632) 84050046
Website: <https://mimaropa.denr.gov.ph/>
Email: mimaroparegion@denr.gov.ph; denr4blegal@gmail.com

77100

ANNEX " B "



Republic of the Philippines
**REGIONAL TRIAL COURT OF PALAWAN
AND PUERTO PRINCESA CITY**
Fourth Judicial Region
BRANCH 51
Puerto Princesa City
rtc1prp051@judiciary.gov.ph
+639084164058

OSG eFiler
(efile@osg.gov.ph)

JAN 16 2023

REPUBLIC OF THE PHILIPPINES,
represented by the Regional Executive
Director, Region IV-B (MIMAROPA) of
the Department of Environment and
Natural Resources,

CIVIL CASE NO. 3950

for

ANNULMENT OF PATENT,
CANCELLATION OF TITLE and/or
REVERSION

Plaintiff,

- versus -

NELLIE O. CASTRO and the
REGISTRAR OF DEEDS OF PALAWAN,

Defendants.

X- - - - -X

ORDER

Before the Court is a Motion to Revive Case filed by the plaintiff Republic of the Philippines represented by the Department of Environment and Natural Resources (DENR) Region IV-B, through the Office of the Solicitor General (OSG).

Plaintiff avers that on December 16, 2004, the Court ordered herein case to be archived without prejudice to its revival on the ground that summons has not been served to the defendants for an unreasonable length of time because no transportation fees, facilities or sheriff's fees were provided by the plaintiff to effect personal service of summons.

On December 20, 2019, the OSG sent a letter to the DENR Region IV-B inquiring whether to pursue the case. On November 11, 2022, the OSG received a reply from DENR Region IV-B that they are still interested to pursue the case and its willingness to provide the necessary arrangements to address the lack of transportation provisions to personally serve the summons to the defendants.

Thus, plaintiff prays that herein case be revived with an undertaking to coordinate with the Court's Sheriff for the personal service of summons.

JAN 18 2023

[Signature]

1/18/23

hugay
1/18/23
COORDINATE
BEAR
ASAP.
MR.
1/18/23

Finding the Motion to Revive Case to be impressed with merit, herein Motion is hereby GRANTED. This case is hereby ordered REVIVED. Plaintiff is hereby ordered to coordinate with Court's Sheriff for the personal service of summons

IT IS SO ORDERED.

This 13th day of January 2023 in Puerto Princesa City.



PAUL B. JAGMIS, JR.
Acting Presiding Judge

Copy furnished:

1. Office of the Solicitor General
2. Lormelyn E. Claudio – Regional Executive Director (DENR)
3. Nellie O. Castro
4. The Register of Deeds of Palawan
5. File