05 January 2023

#### LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director

### DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

3rd flr., 1515 DENR by the Bay Bldg., Roxas Boulevard, Brgy. 668, Ermita, Manila

ATTENTION: ATTY

ATTY. JAZMIN D. ALTEA

Attorney III, Legal Division

**DENR MIMAROPA REGION** 

PENRO, Palawan

RE:

Civil Case No. 5686, Regional Trial

Court of Brooke's Point, Palawan Branch

165 (RTC)

Republic of the Philippines, represented by the DEPARTMENT OF ENVIRONMENT AND NATURAL

RESOURCES

(DENR), REGION IV-B MIMAROPA, DENR, plaintiff, v. SPOUSES ROLANDO P. URIETA AND FLORENIA DANGAN AND THE REGISTER OF DEEDS

PALAWAN, defendants.

#### Dear Executive Director Claudio:

In relation to our discussion earlier today, please endorse a legal officer from your department who could be deputized to assist the Office of the Solicitor General (OSG) in the hearing of the above-captioned case, and appear for the OSG on 19 January 2023 at 2:00 P.M. For said official appointment, the lawyer to be deputized shall submit the following: 1) Current IBP 2) Current MCLE Compliance, and 3) Curriculum Vitae

Letter dated 05 January 2023
Re: Rp v. Urieta et.al
Civil Case No. 5686
x-----

Please be informed that the authority is subject to the reservation that only notices of orders, resolutions and decisions served on the Solicitor General will bind the Government, the entity, agency and/or official represented. In addition, he/she will be directed to submit a written report of said hearing to the OSG thereafter.

Enclosed in this letter is an executive summary along with pertinent documents relative to the case.

Thank you very much.

Very truly yours,

DIANA H. CASTAÑEDA-DE VERA, MNSA

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Assistant Solicitor General

Associate Solicitor

Cf: Atty. Gandhi G. Flores Chief, Legal Division

a/s: Executive Summary and Pertinent documents

#### **EXECUTIVE SUMMARY**

REPUBLIC OF THE PHILIPPINES, represented by the DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), REGION IV-B MIMAROPA, DENR, plaintiff, v. SPOUSES ROLANDO P. URIETA AND FLORENIA DANGAN AND THE REGISTER OF DEEDS PALAWAN, defendants.

## CIVIL CASE NO. 5686, REGIONAL TRIAL COURT OF BROOKE'S POINT, PALAWAN BRANCH 165 (RTC)

As a background, on 8 March 2018, the OSG filed a Complaint for Annulment/Cancellation of Title and Reversion before the RTC of Palawan against Spouses Urieta and Register of Deeds with prayer to declare the Homestead Application No. (IV-28) 034 and OCT No. P-10891 *Void Ab Initio* and to order its *Reversion to* the mass of public domain.

The subject lot is located in Pinaglabanan, Quezon, Palawan for which Spouses Urieta filed a Homestead Application which was later on issued in their name. However, it was later found that in their application Spouses Urieta misrepresented under oath that (i) the subject lot was classified as agricultural; (ii) it was not claimed or occupied by any other person; and (iii) they have been in continuous cultivation of such.

Pursuant to a complaint/protest filed by Elias Royoso, et. al., who claimed to be the actual occupants of the subject lot, an investigation by Land Management Office was conducted. It was later on resolved, through a Memorandum dated 17 November 2007<sup>1</sup>, that Spouses Urieta "failed to comply with the conditions required by law and that fraud was committed as evidence by erroneous survey of the land and misrepresentation of material facts in their HA.

Spouses Urieta did not file any motion for reconsideration. Thus, the memorandum which rendered the findings deemed final and executory.

In the present case for reversion, despite the allowable time given to the defendants in filing its Answer, they failed to file the same. Hence, the OSG maintains that in the next hearing the defendants should be delared in default and let the case be set for an Ex-Parte Hearing.

<sup>&</sup>lt;sup>1</sup> after compliance with Section 91 of Commonwealth Act No. 141, otherwise known as Public Land Act

## REPUBLIC OF THE PHILIPPINES REGIONAL TRIAL COURT PH 1: 54

BRANCH 165 @ SET E BROOKE'S POINT, PALAWAN

REPUBLIC OF THE PHILIPPINES, represented by the REGIONAL DIRECTOR, REGION VI- B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,

Plaintiff,

**CIVIL CASE NO. 5686** 

For:
Annulment/Cancellation
of Title and Reversion

SPOUSES ROLANDO P. URIETA and FLORENIA DANGAN and the REGISTER OF DEEDS PALAWAN,

Defendants
 Y

# MOTION TO DECLARE DEFENDANT IN DEFAULT

Plaintiff REPUBLIC OF THE PHILIPPINES, represented by the DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), though the OFFICE OF THE SOLICITOR GENERAL (OSG), to this Honorable Court, respectfully states:

1. The *Order*<sup>1</sup> of the Honorable Court dated 9 July 2020 which was officially received by the Plaintiff on 7 August 2020 shows that Defendants Spouses Rolando P. Urieta and Florenia Dangan was duly served with copy of the summons

<sup>&</sup>lt;sup>1</sup> Annex A.

MOTION TO DECLARE DEFAULT\_SPOUSES URIETA Civil Case No. 5686
Annulment/Cancellation of Title

and of the complaint, together with annexes thereto on 11 July 2018.

- 2. To date, upon verification however, the records show that Defendants Spouses Rolando P. Urieta and Florenia Dangan has failed to file their Answer within the reglementary period specified by the Rules of Court despite the service of the summons and the complaint.
- 3. As such, it is respectfully prayed that Defendants Spouses Rolando P. Urieta and Florenia Dangan be declared in default pursuant to Section 3 Rule 9 of the Rules of Court<sup>2</sup> and that the Honorable Court proceed to render judgment as the complaint may warrant.

#### **PRAYER**

WHEREFORE, Plaintiff REPUBLIC OF THE PHILIPPINES as represented by the DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR), respectfully prays that defendants Spouses Rolando P. Urieta and Florenia Dangan be declared in default pursuant to the Rules of Court and that the Honorable Court proceed to the judgment as the Complaint may warrant.

Plaintiff prays such other relief that this Honorable Court may deem just and equitable under the premises.

Makati City for Brooke's Point Palawan, 22 September 2020.

<sup>&</sup>lt;sup>2</sup> Section. 3. Default; declaration of

If the defending party fails to answer within the time allowed therefor, the court shall, upon motion of the claiming party with notice to the defending party, and proof of such failure, declare the defending party in default. Thereupon, the court shall proceed to render judgment granting the claimant such relief as his pleading may warrant, unless the court in its discretion requires the claimant to submit evidence. Such reception of evidence may be delegated to the clerk of court.

MOTION TO DECLARE DEFAULT\_ SPOUSES URIETA

Civil Case No. 5686

Annulment/Cancellation of Title

#### **JOSE C. CALIDA**

Solicitor General Roll No. 24852 IBP Lifetime No. 015360; 08/18/16 MCLE Compliance No. VII-OSG000228; 11/08/19

Marie Call QL

### DIANA H. CASTAÑEDA-DE VERA

Assistant Solicitor General
Roll No. 42914
IBP Lifetime No. 08543
MCLE Compliance No. VI-0023365/04.25.19

MA. CARINA G. LOPEZ Associațe Solicitor

Roll No. 66417

IBP No. 114140/ 2-4-20

MCLE Compliance No. VI-0001789/3-15-17

### OFFICE OF THE SOLICITOR GENERAL

134 Amorsolo Street, Legaspi Village, Makati City Tel. No. 8130086; Telefax No. 8137554

URL: www.osg.gov.ph

Copy furnished:

## REGIONAL DIRECTOR DENR-MIMAROPA

1515 L&S Building, Roxas Blvd., Ermita Manila

#### **ROLANDO URIETA AND FLORENIA DANGAN**

Pinaglabanan Quezon, Palawan c/o RTC Branch Clerk of Court 165 (Single sala) and Office of the Municipal Mayor, Quezon Palawan MOTION TO DECLARE DEFAULT\_SPOUSES URIETA Civil Case No. 5686 Annulment/Cancellation of Title

## **EXPLANATION**

The foregoing **Motion is** being served and filed by registered mail due to distance.

MA.CARINA G. VOPEZ Associate Solicitor



RAUL I. GOCO Ma. Carina G. Lopez Republic of the Philippines Fourth Judicial Region

REGIONAL TRIAL COURT, i-Brooke's Point-Kalayaan-Quezon-Rizal-ຊຸ້ວໃຊ້ວາທີ່ປີຢູ່ເ

BRANCH 165 (Single Sala) 1 1

Brooke's Point, Palawan

REPUBLIC OF THE PHILIPPINES, represented by the REGIONAL DIRECTOR. REGION IV - B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,

Plaintiff,

versus

SPOUSES ROLANDO P. URIETA and FLORENIA DANGAN and the REGISTER OF DEEDS, PALAWAN, Defendants. CIVIL CASE NO. 5686

For: Annulment / Cancellation of Title and

Reversion.

**DOCKET MANAGEMENT SERVICE** 

#### ORDER

This case was brought into this single sala court from Branch 49, Regional Trial Court of Palawan and Puerto Princesa City.

On July 11, 2018, court process server Doris Bitara caused the service of summons to the defendants. The Process Server's Report states that Mrs. Florenia Dangan received the summons on said date.

To date, the defendants have not filed their Answer within the time allotted. Thus, the plaintiff is hereby ordered to file an appropriate motion in writing relative to this failure of the defendants to file answer setting forth their defenses.

SO ORDERED.

9 July 2020. Brooke's Point, Palawan.

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Office of the Solicitor General - 134 Amorsolo St., Legaspi Village, Makati City Cf: The Regional Director, DENR-MIMAROPA - 1515 L&S Bidg., Roxas Blvd., Ermita, Manila Mrs. Florenia Dangan - Pinaglabanan, Quezon, Palawan c/o Office of the Municipal Mayor, Quezon, Palawan

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RAUL I. GOCO Ma. Carina G. Lopez Republic of the Philippines
Fourth Judicial Region
REGIONAL TRIAL COURT

\_1-Brooke's Point-Kalayaan-Quezon-Rizal-Sofronio Española, Palawan
BRANCH 165 (Single Sala)

Brooke's Point, Palawan

REPUBLIC OF THE PHILIPPINES, represented by the REGIONAL DIRECTOR, REGION IV - B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,

Plaintiff,

versus

SPOUSES ROLANDO P. URIETA and FLORENIA DANGAN and the REGISTER OF DEEDS, PALAWAN, Defendants.

CIVIL CASE NO. 5686

For: Annulment /
Cancellation of Title and
Reversion.

OFFICE OF THE SOLICITOR GENERAL AUG 0.7 2020

DOCKET MANAGEMENT SERVICE

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SO ORDERED.

9 July 2020. Brooke's Point, Palawan.

Office of the Solicitor General – 134 Amorsolo St., Legaspi Village, Makati City
The Regional Director, DENR-MIMAROPA – 1515 L&S Bldg., Roxas Blvd., Ermita, Manila
Mrs. Florenia Dangan – Pinaglabanan, Quezon, Palawan
c/o Office of the Municipal Mayor, Quezon, Palawan

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## Republic of the Philippines Fourth Judicial Region

### REGIONAL TRIAL COURT

Balabac-Bataraza-Brooke's Point-Kalayaan-Quezon-Rizal-Sofronio Española, Palawan

BRANCH 165 (Single Sala)

Brooke's Point, Palawan

REPUBLIC OF THE PHILIPPINES, represented by the REGIONAL DIRECTOR, REGION IV - B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,

Plaintiff,

CIVIL CASE NO. 5686

For: Annulment / Cancellation of Title and Reversion.

Mountaine

versus

SPOUSES ROLANDO P. URIETA and FLORENIA DANGAN and the REGISTER OF DEEDS, PALAWAN, Defendants.

#### ORDER

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SO ORDERED.

9 July 2020. Brooke's Point, Palawan.

RAMON CHITO EL MENDOZA Presiding Judge

Cf: Office of the Solicitor General - 134 Amorsolo St., Legaspi Village, Makati City
The Regional Director, DENR-MIMAROPA - 1515 L&S Bldg., Roxas Blvd., Ermita, Manila
Mrs. Florenia Dangan - Pinaglabanan, Quezon, Palawan
c/o Office of the Municipal Mayor, Quezon, Palawan

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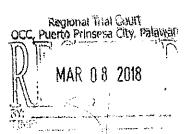
Republic of the Philippines

REGIONAL TRIAL COURT

Fourth Judicial Region

Branch

Puerto Princesa City, Palawan



OFFICE OF THE

SOLICITOR OUNDOW

MAY 04 2018

DOCKET MANAGEMENT SERVICE

REPUBLIC OF THE PHILIPPINES, represented by the REGIONAL DIRECTOR, Region IV-B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES,

Plaintiff,

Haman

-versus-

SPOUSES ROLANDO P. URIETA AND FLORENIA DANGAN AND THE REGISTER OF DEEDS, PALAWAN,

Defendants.

Civil Case No. (1996)
For: Annulment/
Cancellation of Title and Reversion

### COMPLAINT

PLAINTIFF REPUBLIC OF THE PHILIPPINES, through the OFFICE OF THE SOLICITOR GENERAL (OSG), respectfully states:

- 1. Plaintiff is a sovereign political entity with the capacity to sue. It is represented in this case by the Department of Environment and Natural Resources (DENR), the agency charged with the administration, management and disposition of public lands. It may be served with judicial processes through its counsel, the OSG, at 134 Amorsolo Street, Legaspi Village, Makati City.
- 2. Private defendants Spouses Rolando P. Urieta and Florenia Dangan are of legal age, with capacity to sue and be sued. They reside in Pinaglabanan, Quezon, Palawan where they may be served with summons and other court processes.

- 3. Public defendant Register of Deeds of Province of Palawan may be served with summons and other court process in its office located at G/F Capitol Building, Rizal Street, Puerto Princesa City 5300, through the Registrar of Deeds, Atty. Maricar O. Misa-Tan, the public official charged with the duties of registering decrees of land registration in the Province of Palawan, issuing and cancelling certificates of patent, and title pursuant to the Land Registration Act.
- 4. The land subject of this complaint is located in Pinaglabanan, Quezon, Palawan, for which private defendant Rolando P. Urieta, married to private defendant Florenia Dangan, filed a Homestead Application (HA) No. (IV-28) covering Lot No. 10480 Cadastral 798-D, containing an area of Thirty-Nine Thousand Seven Hundred Thirty (39,730) square meters (sq. m.), more or less.<sup>1</sup>
- 5. In their free patent application, private defendants misrepresented under oath that: (i) the subject public land was classified as agricultural in character; (ii) it was not claimed or occupied by any other person; and (iii) they have continuously cultivated the land.<sup>2</sup>
- 6. Pursuant to the said homestead application, Homestead Patent (HP) No. (IV-28) 034 was issued and subsequently registered in the name of private defendant Rolando P. Urieta, married to Florenia Dangan, on January 11, 1989 under Original Certificate of Title (OCT) No. P-10891 of the Register of Deeds for the Province of Palawan.<sup>3</sup>
- 7. Due to a complaint/protest filed by Elias Royoso, et al., who claimed to be the actual occupants of the property, Land Management Officer (LMO) IV Bayani V. Mantubig was directed to conduct an investigation and submit his recommendations relevant to the said protests.<sup>4</sup>

<sup>1</sup> Annex "A,"

<sup>&</sup>lt;sup>2</sup> Page 7, Annex "B."

<sup>3</sup> Annex "A."

<sup>4</sup> Annex "C."

- 8. After complying with Section 91 of Commonwealth Act No. 141, otherwise known as The Public Land Act, in a Memorandum dated November 17, 2004, LMO IV Mantubig, as hearing officer/investigator, pertinently resolved that private defendants "failed to comply with the conditions required by law and that fraud was committed in so many instances as evidenced by the erroneous survey of the land and the misrepresentation of material facts in their xxx Free Patent and Homestead Application."
- 9. Despite due notice, private defendants did not file a motion for reconsideration nor appeal the above memorandum, rendering the findings made by the hearing officer/investigator LMO IV Mantubig final and executory.
- 10. Therefore, HP No. (IV-28) 034 and OCT No. P-10891 are void ab initio.

#### PRAYER

WHEREFORE, it is respectfully prayed that this Honorable Court render judgment in favor of plaintiff and against private defendants by:

- a. declaring as **VOID AB INITIO** HP No. (IV-28) 034 and OCT No. P-10891 and its derivative titles;
- b. ordering private defendants to **SURRENDER** the owner's duplicate of OCT No. P10891 to the Registrar of Deeds for the Province of Palawan for cancellation;
- c. ordering the **REVERSION** of Lot No. 10480, Cad-798-D, located in Pinaglabanan, Quezon, Palawan to the mass of the public domain; and
- d. directing private defendants or any other person claiming under them to **DESIST** from exercising acts of ownership or possession over the subject land.

<sup>&</sup>lt;sup>5</sup> Page 8, Annex "B."

<sup>&</sup>lt;sup>6</sup> Аплех "D."

#### **COMPLAINT**

Republic of the Philippines v. Sps Rolando Urieta and Florenia Dangan, et al. Civil Case No.

The plaintiff further prays for such other relief which are just and equitable under the premises.

Makati City, for Puerto Princesa City, Palawan, February 20, 2018.

## JOSE C. CALIDA

Solicitor General Roll No. 24852

IBP Lifetime No. 015360/8-18-16 MCLE Exemption No. VI-000016/9.28.16

#### MAGTANGGOL M. CASTRO

Assistant Solicitor General

Roll No. 35970

IBP No. 018986 -12-15-17

MCLE Exemption No. V-000781 - 10.27.15

DIANA H. CASTAÑEDA DE VERA

( O~ 1 -

Senior State Solicitor

Roll No. 42914

IBP Lifetime No. 08543

MCLE Compliance No. V-0008863/07.01.15

## OFFICE OF THE SOLICITOR GENERAL

134 Amorsolo Street, Legaspi Village Makati City

COMPLAINT Republic of the Philir	pines v. Sps Rolando	Urieta and Fl	orenia	Dangan, et al.
Civil Case No.				
A	,			

## VERIFICATION AND CERTIFICATION AGAINST FORUM-SHOPPING

- I, NATIVIDAD Y. BERNARDINO, after being sworn in accordance with law, hereby depose and state:
- 1. I am the Officer-in-Charge (OIC) Regional Director of the Department of Environment and Natural Resources, (DENR) Region IV-B, MIMAROPA;
- 2. I have caused the preparation of the foregoing complaint and read and understood the contents thereof;
- 3. The allegations therein are true and correct based on my own personal knowledge and on authentic records;
- 4. The DENR has not commenced any other action involving the same issues in the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, and no such other action or proceeding is pending therein;
- 5. If I should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or different divisions thereof, or any other tribunal or agency, I shall undertake to promptly inform this Honorable Court of such fact within five days therefrom.

Affiant

COMPLAINT Republic of the Philippine Civil Case No.	: 		X	
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on 16 Jul 213	as co	mpetent	proof of h	er identity, a
copy of which	is hereto att	ached as	Annex "E."	

**NOTARY PUBLIC** 

Doc. No.: 34.
Page No.: 35:
Book No. 15:
Series of 2018.

ATTY HENRY D. ADASA

NOTARY PUBLIC CITY OF PASAY

LUTIL DECEMBER 31, 2018

NOTARIAL COMMISSION 17-23

KNIGHT OF RIZALIBLDG.

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PTR ND. 5225-07 / 01/08/2018 P.C.

MCLE COMPLIANCE NO. VI-00028301-4/14/2022

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PARTILIE FRANCISCO SUAT PROPERTY.

JUDICIAL FORM NO. 67 (Revised September, 1964)

(Owner's Postal Address)

REPUBLIC OF THE PHILIPPINES
MINISTRY OF JUSTICE

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MEMORANDUM OF NCUMBRANCHES HOTE: Owner's aptients devtificate of Title No. 1-10551, who immed to and received by one who claim to be RUARD WRIST the outentee, exhibiting to me his Residence Certificate Co. 17267035, immed at Quezon, Falarm on January 31, 1732. Entry No. HE ORIGINAL ON HILE FAUSTINO Q. PAYUYO Examiner, OIC REGISTER OF DEEDS  $\dots$   $u_l$ (Continued on Page \_ Register of Deeds



Republic of the Philippines
Department of Environment and Natural Resources
Region IV
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Sta. Monica, Puerro Princesa City
Lel/Fax 433-2377 Email peuro @pal-onl.com

ELIAS B. RAYOSO et. al. Claimants-Protestants

Versus

OCT NO. E-9056, FP NO. (IV-28) FPA NO. (IV-28) 1779 HILARIO REGONDOLA

OCT NO. E-9258, FP NO. (IV-28) 1867 FPA No. (IV-28) 1096-A SHARON ROSE FABREO

OCT NO. P-10705, HP NO. (IV-28) 030 HA NO. (IV-28) 20 NESTOR MADOLORA

OCT NO. E-8515, FP NO. (IV-28) 1822 FPA NO. (IV-28) 2001 ELMER TABLAZON

OCT NO. P-10891, HP NO. (IV-28) 034 HA NO. (IV-28) 99 ROLANDO URIETA

Patentees-Respondents

PENRO CASE No. 0795

Lot No. 10479, Cad 798-D Quezon, Palawan Area : 40,202 sq. m.

Lot No. 10474, Cad 798-D Quezon, Palawan Area : 48,666 sq. m.]

Lot No. 10475, Cad 798-D Quezon, Palawan Area : 47,458 sg. m.

Lot No. 10473, Cad 798-D Quezon, Palawan Area : 59,715 sq. m.

Lot No. 10480, Cad 798-D Quezon, Palawan Area : 39,730 sq. m.

MEMORANDUM

FOR

: The Regional Executive Director DENR - MIMAROPA Region, Manila

THRU

: The PENRO

**FROM** 

: Hearing Officer Bayani V. Mantubig

DATE

: 17 November 2004

This refers to the above-captioned case and is respectfully submitted in compliance with the instruction contained in the Order of Investigation issued on the matter by that Office on 21 August 2003. This also refers to and complies with the subsequent memorandums similarly issued on the subject by the Regional Technical Director for Lands dated January 19 and September 14, 2004.

The said directives by the Regional Executive Director and the RTD for Lands were based on the complaint protest taken by Elias Rayoso, et. al., heretofore referred to as protestants, seeking the nullification and cancellation of the Patents and the corresponding Certificates of little subject hereof.

Protestants, by counsel, also submitted in aid of this investigation a position paper dated 26 February 2004. For consummate understanding of the issues raised thereof, the same is quoted in full, thus:

#### A. STATEMENT OF THE CASE

Protestants, namely: ELLAS B. RAYOSO, VICTOR J. PUERTILLANO, CANDIDO BON. GUIDEON RAYOSO, DAVID RAYOSO, VIRGILIO TROCINO and JULIAN SAMPAYAN are the original and actual occupants of the unregistered parcels of land, classified as Alienable and Disposable under Project 18 S. L.C. Map No. 2653, certified on November 24, 1964 located at Sitio Taglapa, Brgy. Pinaglabanan, Quezon, Palawan since 1980's and had introduced improvements thereon,

Sometime in 1986, being the actual occupants, claimants and cultivators of the above parcels of land, one Mr. Mabini Fabreo, then Land Investigator of the Bureau of Lands attached to SLT-SPIADP, in coordination with the survey team of Quezon Cadastre Cad 798-D, advised protestants to delineate their respective boundaries based on their actual occupation, possession and improvements made, and be present and prepared for the arrival of the Survey team that will conduct the survey of their landholdings. Protestants marked their respective boundaries and after a long time of waiting the plan to survey the area did not materialize. When the same was verified and followed up with DENR-CENRO, onezon, Palawan, the records showed that the area appeared to have been surveyed and the survey claimants are unknown to herein protestants and the adjoining occupants-cultivators. There was no actual survey conducted in the premises and likewise the improper listing of survey claimants who actually never set foot on the said parcels of land were maliciously and fraudulently made for whatever illegal motive some personnel of the Bureau of lands had.

It was later found out that Homestead and Free Patents were issued to some unknown survey claimants in the name of the following persons, to wit:

1. NESTOR MADOLORA – Patentee over Lot 10475, Cad 798-D; H.A. (IV-28)120 registered under OCT No. P-10705. He was the Asst. Project Director of the Surveys and Land Titling Unit of SLT-SPIADP based at now DENR CENRO, Quezon, Palawan;

2. HILARIO V. REGONDOLA, Jr. - Patentee over Lot 10479, Cad 798-D; FPA(IV-28) 1779, registered under OCT No. E-9056. He was a Special Investigator and Hearing Officer of Mr. Nestor Madolora and presently the LMO III at PENRO-Palawan;

3. EIMER TABLAZON – Patentee over Lot 10474, Cod 798-D; IPA (LV-28)2001, registered under OCT No. E-8515. He was the driver of Mr. Nestor Madolora and presently residing at Lacao St., Puerto Princesa City;

4. SHARON ROSE FABREO – Patentee over Lot 10473, Cad 798-D; FPA(IV-28)1096-A, registered under OCT No. 9258. She is the daughter of then Land Investigator Mabini Fabreo of the Bureau of Lands connected to SLT-SPLIDP based at the same office with Mr. Madolora. She is based in London, England;

5. ROLANDO URIETA - Patentee over Lot 10480, Cad 798-D; HA(IV-28)99, registered under OCT No. P-10891. He is a resident of Poblacion, Quezon, Palawan.

That upon such knowledge, protestants sometime on February 23, 2000, thru CENRO, Quezon, Palawan, formally summoned the patentee/respondents but for two times, respondents did not appear. On April 18, 2000, protestants filed their letter-complaint for Cancellation of the patents/titles to the Solicitor General, copy furnished therewith to the Regional Executive Director, DENR, Region IV An indorsement was sent to OIC PENRO Raymundo Crisostomo for the assigned Land Investigator to investigate the matter, but of no avail and in the follow up protestants were always advised to wait for the cancellation of the titles.

That for more than three (3) years of hopelessly waiting for the cancellation of the titles, Elias Rayoso, one of the protestants went to the Regional Office of the DENR, Region IV-B MIMAROPA in Manila on July 15, 2003 to verify the complaint but to his surprise that not a single copy and other documents of the complaint has been forwarded to said office. Protestant Rayoso thru one Mr. Antonio Alimario of the Regional Office submitted a machine copy of his personal file of the complaint and other pertinent papers relative thereto and be received by the Office.

Mr Bayani V. Mantubig was appointed by the Regional Office as the Hearing Officer on the case. The hearing was scheduled on various settings but only respondents Hilario Regondola and Urieta thru his wife Eugenia Urieta appeared, the rest of the respondents did not show up even for a single time despite notice thereof. Respondents Regondola and Urieta express their willingness to Waive their rights over the subject properties in favor of the protestants and likewise that of the rest of the respondents as represented by Hilario Regondola (Minutes of the hearing dated October 15, 2003).

The following are hereby attached as integral part of this position paper to support the plain of the protestants.

1. Annex "A" - Summons to the listed survey claimants of the subject properties dated February 23, 2000;

2. Annex "B" - Machine copy of the Letter Complaint of the protestants addressed to the Solicitor General dated April 18, 2000;

3. Annex "C" - Machine copy of the Memorandum from the Assistant Regional Executive Director Technical Services addressed to PENRO-Palawan dated July 19, 2000;

4. Annex "D" - Machine copy of the Memorandum from the PENRO-Palawan to CENRO-Quezon dated August 16, 2000;

Annex "E" - Investigation Report of Jimmy Villareal, Special

Annex E - Investigation Report by Similar Vinterelli, Special Investigator, CENRO Quezon dated August 27, 2000 Annex "F" - Machine: copy of the Gertification of the Barangay Chairman, Pinaglabanan, Quezon dated February 10, 2000; Annex "G" - Machine copy of the Memorandum from the PENRO-Palawan to the Regional Executive Director, DENR, MIMAROPA, Region IV dated March 20, 2003;

Annex "H" - Machine copy of the letter of Elias Rayoso to the Regional Executive Director, DENR, Region IV, MIMAROPA dated July 25, 2003;

Annex "I" Machine copy of the letter of Elias Rayoso to Lydia S. Lopez, OIC, Regional Technical Director, MIMAROPA, Region IV dated November 15, 2003;

10 Annex "J" – Machine copy of the response letter of Lydia S. Lopez, OIC, Regional Technical Director, DENR, MIMAROPA, Region IVB dated December 4, 20003;

11 Annex "K" - Machine copy of the Memorandum from Regional Technical Director, DENR, Region IV-B, MIMAROPA to PENRO-Palawan dated January 19, 2004,

12 Annexes "L to P" - Machine copies of the titles subject of this case.

#### ISSUES

- 1. WHETHER OR NOT THE RESPONDENTS/PATENTEES HAVE THE RIGHT TO APPLY FOR TITLE OF THE PROPERTIES SUBJECT OF THIS CASE.
- 2. WHETHER OR NOT THE TITLES ISSUED TO THE RESPONDENTS MAY BE CANCELLED.

#### DISCUSSION

## 1. WHETHER OR NOT RESPONDENTS PATENTEES HAVE THE RIGHT TO APPLY FIOR TITLE OF THE PROPERTIES SUBJECT OF THIS CASE.

The investigation Report of Jimmy Villareal, Special Investigator, CENRO, Quezon, Palawan dated August 27, 2000 clearly indicates that not a single respondent was found to an actual possessor/cultivator of the properties subject of this case. The investigation further reveals the respondents are the actual occupants of the properties and had already introduced considerable improvements in the area as far back started twenty (20) years ago. This fact is confirmed by the adjoining owners in the said area and likewise by the Punong Barangay of Bgy. Pinaglibanan. The above-mentioned lots claimed by herein respondents were not actually surveyed and monumented as technically described and reported because the lots in question did not conform with the size and features of the lots occupied by the protestants. Considering the above premises, it is crystal clear, in fact and in law, that respondents have no right whatsoever, real or personal to apply for title of the above properties subject of this case. This facts have not been refuted by the respondents.

## 2. WHETHER OR NOT THE TITLES ISSUED IN THE NAME OF THE RESPONDENTS MAY BE CANCELLED.

With the discussion stated above, since the respondents in this case are considered as ghost applicants, there is no basis whatsoever particularly under the Land Registration Act that they had acquired real rights over the subject properties for them to be issued a Free or Homestead Patent and register then a Certificate of Title. Since respondents had no rights whatsoever in the properties subject of this case, it behooves to the fact that certificate of title issued in their favor did not acquire any real right for the respondents, hence, it is null and void and it should be cancelled.

#### PRA YER

Considering the facts and circumstance surrounding this case, discussing the merits of the position of the protestants, the latter hereby pray that the patents and titles issued to the respondents be cancelled and be rendered null and void. Protestants further pray that actual survey in the area corresponding to the actual possession and cultivation of the protestants in the premises be conducted and that their individual application for title to said properties be given due course.

Respectfully submitted. February 26, 2004.

(SGD.) ATTY. MARCELO C. JOSUE

Counsel for Protestants

#### Hearing and Investigation

This Hearing Officer sent due notices by registered mail to all the parties concerned as regards the hearings of the case scheduled on October 15, December 15, 2003, and on January 19, 2004. During the said hearings, all the protestants came on the one hand; while on the other, only two (2) of the five (5) respondents appeared, namely: Hilario Regondola and the wife of Rolando Urieta Earnest efforts to settle the case amicably failed.

Nestor Madolora, one of the respondents, who is now with the DENR-Central Office, Diliman, Quezon City, acknowledged receipt of our subpoena and informed this office via Fax message that he could not have attended the hearing as scheduled as he received the notice a few days too late. Mr. Madolora would later wrote on 12 April 2004 a hand-written letter to the then CENRO in Quezon, who in turn furnished this Hearing Officer a machine-copy of the same, and of which in part reads, thus: "Dear Mr. CENRO, I understand that there are prior claimants to the lots I acquired in Quezon, Palawan. Please initiate cancellation proceedings with no objection on my part.xxx."

Sharon Rose Fabreo-Campbell, another respondent, who is now based in London, thru her father, Mabini Fabreo, sent by mail a letter dated October 6, 2003 requesting for the postponement of the October 15, 2003 hearing to a later date even as he manifested intention to attend the hearing of the case. In the same letter, he also raised jurisdictional concerns re this investigation. The said request was denied for the reason that it was received belatedly, it came after the hearing sought-to-be-postponed was already had. Nevertheless, Mr. Fabreo, who has - since his retirement from the DENR - been residing in his hometown in Romblon, had been sufficiently informed of the succeeding hearings, but just the same he never came.

Respondent Elmer Tablazon, on the other hand, appeared to have received the notices of hearings sent him by registered mail; but never showed up, neither did he send a word appertaining to the case under consideration

#### Ocular Inspection and Related Findings

On March 25-30, 2004 the undersigned, accompanied by two other personnel of this Office, repaired to the premises of the land in question. It appears that the disputed parcels of land correspond more particularly to the adjoining cadastral Lots 10473, 10474, 10475, 10479 and 10480 of Cad 798 D, containing an aggregate area of 23.5771 hectares more or less, classified as alienable and disposable under Project No. 13-D, per L.C. Map No. 2653, certified as such on November 24, 1964. All of which are situated in Barangay Pinaglabanan, Quezon, Palawan.

The trace of land under consideration lies in the middle of a vast expanse of rolling hills that generally define Pinaglabanan, and its neighboring barangays, which is situated roughly about ten to fifteen kilometers off the municipality of Quezon. The said parcels of land per se are planted to trees of economic value, like: rubber, mango, coconuts, cashew, jackfruit, etc. Bananas and citrus are also aplenty just as root and other seasonal crops like upland rice and corn are spread in those areas not covered by fruit-bearing trees. These trees which cover a great part of the disputed area must have been planted thereon some fifteen to twenty (15 – 20) years ago. It appears too that all the said improvements that can be found over the land have been introduced severally by and attributable solely to the protestants; that is, to the exclusion of all the herein respondents or patent holders. And if that is any indication, then it can be said that protestants occupation, cultivation and possession of the land in controversy must have indeed commenced since early 1980s, as they have alleged in their joint protest.

Among the protestants, it is Julian Sampayan whose stake is greatest in this case. For he, who is a ready eighty-three (83) years old, has through sheer hard work and strong entrepreneurial spirit transformed over the years an otherwise barren agricultural land in such a rustic setting into a productive rubber tree plantation embracing about forty (40) hectare expanse. Accompanied only by plantation hands, Mr. Sampayan lives there on the site by his lonesome in a modest house made of light materials. He spends most of his time running the operation of a kiln nearby where raw rubber produce is being processed and readied for shipment. Unfortunately, however, one third (1/3)-portion or thereabout of his rubber tree plantation is covered by duly registered patents in the name of the respondents

The other protestants namely Elias Rayoso, Victor Portitiano, Candido Bon, Guideon and David Rayoso may be residing somewhere near the publication, but just the same, their occupation and cultivation of the land as can be gleaned from their improvements thereto cannot as well be overemphasized. Beside the said rubber plantation belonging to Mr. Sampayan, the rest of the improvements aforementioned pertain to the above-named protestants. Their individual occupation and cultivation of the land is also noted to be defined by boundaries which are known to and respected by them over the years up to now. Regrettably, however, these time-honored boundaries do not necessarily jibe with those appearing in the records of the cadastral subdivision of the area, more particularly that which is contained in Cad 798-D, also known as the Quezon Cadastre.

This observation had previously been pointed out by Special Investigator I Jimmy Villareal of CENRO Quezon Palawan. In his investigation report on the subject, dated 27 August 2000, Investigator Villareal wrote in paragraph 3 thereof, thus: "It is also evident that the subject lots were not actually surveyed and monumented as technically described xxx and that (the said survey) do not conform with the size and features of the lots in question and where in some instances the improvements of these three to four families irregularly intersperse over a single lot." The preceding paragraph reads: "Obviously there was an incorrect listing of survey claimants of the above-mentioned lots as no single listed claimants proved right to be an actual occupant, possessor, or cultivator of any lot mentioned more so with the subsequent applicants-patentees thereof who likewise are unknown to adjoining landowners and the community folks around."

Investigator Villareal may not be a licensed geodetic engineer himself, but he is a seasoned land investigator who is personally known to this Hearing Officer as one who is well-versed in the rudiments of land surveying. His report on the matter deserves credence especially insofar as he stated having failed despite efforts to locate and/or retrieve supposed y established monuments of the said cadastre. This fact led him to conclude that there had never been actual survey conducted on the ground. The said report is enclosed as an integral part hereof.

#### Comments and Observations

Those people charged with the execution of the 1986 cadastral survey in the Municipality of Quezon apparently did more harm than good. They collected and spent a considerable amount of public funds for the purpose; they did not do what they were supposed to do; instead, they put fictitious names or names of their favored cohorts as survey claimants over those lots which they whimsically partitioned in complete disregard of the fact that those lots were and still are actually occupied and cultivated by subsistence farmers in the locality. Their concoction for a cadastre as approved now comprises the omnibus public records of land surveys in Quezon, Palawan.

In effect, the said actual occupants — the protestants among them — have sufficiently been disenfranchised of their land Also, the job of patenting or granting the land to the wrongful beneficiaries became easier, as had already been done. They, in the then District Land Office (now CENRO) in Quezon, Palawan, must have had their heyday doing their own version of Handog Titulo even as they made a mockery of the government's much couted land reform program. For all we know, these very people who made a big joke of Quezon Cadastre may still be at it; in other words, handling the cadastral surveys in other localities.

## The Respondents and their Free Patent and Homestead Applications

It should be mentioned at this point that this investigation took sometime before completion for lack of material records. The carpeta-files of all the respondents' public land applications in question are supposed to be under the care and custody of the Records Officer in CENRO-Quezon, Palawan in the person of Mr. Elahan Kaibing. But that seemed not to be the case. The said records could not be found, or so we were told by Mr. Kaibing himself during our three (3)-day stay in the said office for this investigation. It was not until after three (3) memos on the subject which I sent the CENRO one after the other did I finally get hold of three (3) of the five (5) carpetas in question on 14 October 2004. For emphasis, two (2) more are still missing and/or unaccounted for up to now. These are the files of FPA No. (IV-28) 2001 and H.A. No. (IV-28)99 of Elmer Tablazon and Ro ando Urieta, respectively.

Based on the available records, therefore, it appears that the cadastral lots in contention, which are noted here as being actually occupied and cultivated by protestants, have already been patented under the Homestead and Free Patent Law, and the corresponding Certificates of Title issued to respondents. All of them, except for Rolando Urieta, were key officers and/or personnel of the then Survey and Land Titling component of Second Palawan Integrated Development Project (SLT-SPIADP) which was established precisely to run and facilitate the successful implementation of land survey and titling projects as a component part of a bigger integrated development project in the area. Respondent Nestor Madolora was in fact the Assistant Project Director thereof during the time. Hilario Regondola Jr. was then Special Investigator and concurrent Hearing Officer (now Land Mgt Officer III and Chief of the Land Mgt. Services in CENRO-Roxas, Palawan), Elmer Tablazon, who was also employed in the same office, functioned as a driver servicing Mr. Madolora. London-based Sharon Rose Fabreo may not have in any way been connected with the said office, but her father, Mabini Fabreo, was then key personnel thereof. Mr. Fabreo retired from the DENR with a position of Land Mgt. Officer III.

Respondents public land applications in question are basically the same as all are flawed. In the said applications which they filed with the then District Land Office (now CENRO) in Quezon, Palawan, respondents declared under oath that they acquired the land thru a Deed of Sale/Waiver of Rights which were allegedly executed in their favor by their predecessors-in-interests. Notably, they (said predecessors-in-interest) were not at any point in actual occupation or cultivation of the disputed parcels of land as the same have actually been occupied and possessed by the protestants since then up to now. Also, respondents declared thereof that since the time of transfer or waiver, they have since occupied and cultivated the land applied for and introduced thereon considerable improvements, when the truth is that all said improvements found thereof were attributable solely to herein protestants

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Had there been an honest-to-goodness ocular inspection and investigation conducted on the ground by those Land Inspectors/Investigators before whom the subject applications were filed, this apparent blunder in administrative titling could not have happened. Because then, it would have been found early on that the lands applied for by the respondents were and still are actually occupied, cultivated and possessed by the protestants. But this, apparently, was not the case. That is why, all those false statements made by respondents had been confirmed by Land Inspectors Nelson Q. Arbo and Ignacio E. Erfe, who affixed their signature in support of the disputed applications. In their Final Reports of Investigation, the said land inspectors certified under oath such fraudulent statements as true and correct. On the bases of such sworn statements both in the applications and reports, the Homestead and Free Patents in question were issued.

The facts are incontrovertible. Respondents failed to comply with the conditions required by law and that fraud was committed in so many instances as evidenced by the erroneous survey of the land and the misrepresentation of material facts in their respective Free Patent and Homestead Applications, such as when they positively asserted in their respective application that the said lots are not claimed and occupied by any other person Such fraud was committed by the respondents against the state. The state consequently is under obligation to set aside the fraudulent patents as the same are now operating to the prejudice of the rightful owners in fact and in law.

#### Issues

Protestants raised two issues; to wit:

- 1. WHET TER OR NOT THE RESPONDENTS/PATENTEES HAVE THE RIGHT TO APPLY FOR TITLE OF THE PROPERTIES SUBJECT OF THIS CASE,
- 2. WHETHER OR NOT THE TITLES ISSUED TO THE RESPONDENTS MAY BE CANCELLED.

This investigation answers the first issue in the negative, and the second in the affirmative. Further, this investigation was able to establish the sufficiency and truth of protestants claims and averments in their letter-petition dated 18 April 2000 with the Office of the Solicitor General as well as in their position paper dated 26 February 2004.

### Recommendations

In view of all the foregoing, the following are hereby respectfully recommended:

- 1. Annulment and cancellation of the subject Homestead and Free Patents;
- 2. Filing in behalf of the Republic of the Philippines thru the Office of the Solicitor General the corresponding action for the cancellation of Original Certificates of Titles issued by the Register of Deeds of Palawan for the aforementioned Homestead and Free Patents; and for the reversion of the parcels of land covered thereby to the mass of land of the public domain;

3. Assessment that would zero in on and ascertain specifically the administrative liability of all the concerned personnel involved hereof. And, if warranted, the filing of appropriate charges against said personnel.

BAYANI V. MANTUBIG Land Management Officer IV

SUBSCRIBED and sworn to before me this 8th day of December 2004 at the Land Management Services, DENR – PENR Office Puerto Princesa City.

JOHNY P. LILANG

Chief, Land Management Services

1<sup>st</sup> Indorsement 08 December 2004

Respectfully forwarded for his consideration and appropriate action the foregoing Memorandum-report, with its enclosures, and concurring with the findings and recommendations contained thereof.

ATTY. VIRGILIOB. TIONGSON

With enclosures

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ANNEX

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### Republic of the Philippines 37- 1

## Department of Environment and Natural Resources

Regional Office IV3

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SUBJECT

elias rayoso, et. al.,

Claimant-Protestants

- VERSUS -

OCT NO. E-9056, FP NO. (IV-28) FPA NO. (IV-28) 1779 HILARIO V. REGONDOLA

OCT NO. E-9258, FP NO. (IV-28) 1867 FPA NO. (IV-28) 1096-A SHARON ROSE G. FABREO

OCT NO. P-10705, HP NO. (IV-28) 030 HA NO. (IV-28) 120 NESTOR MADOLORA

OCT NO. E-8515, FP NO. (LV-28) 1822 FPA NO. (IV-28) 2001 ELMER TABLAZON

OCT NO. P-10891, HP NO (IV-28) 034 HA NO. (IV-28) 99 ROLANDO URLETA

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Lot 10473, Cad. 798-D Quezon, Palawan Area: 59,715 sq. m.

Lot 10480, Cad. 798-D Quezon, Palawan Area : 39,730 sq. m.

#### <u>ORDER OF INVESTIGATION</u>

A complaint was filed by Elias Rayoso and other claimants against the issuance of patents in the name of the above-named patentee-respondents involving the above-identified parcels of cadastral lot located in Pinaglabanan, Quezon, Palawan. Protestants alleged that on the basis of a fictitious and erroneous cadastral survey and incorrect listing of survey claimants prepared by misguided individuals involved in the execution of survey under Cad. 798-D, the patents in question were ultimately issued in the name of the respondents, to the prejudice of the rights of the actual occupants thereof who have been cultivating the area since they occupied the lands as early as the year 1980.

Complainants further contend that the survey of the lots subject of the controversy were not actually executed on the ground and that said lots were caused to be listed in the name of persons who never had occupied the land and were unknown to the claimant-occupants thereof.

WHEREFORE, cognizant of the enormity of the foregoing allegations and by virtue of the investigatory powers vested by law to the Director of Lands, now Regional Executive Director, it is hereby ordered that Land Management Officer IV BAYANI V. MANTUBIG, the Designated Hearing Officer for the Province of Palawan, shall conduct investigation and hearing of the above-subject case in accordance with the applicable provisions of Lands Office Circular No. 68, series of 1978 and DAO No. 38, series of 1983 on the proper and speedy disposition of cases of claims, and thereafter submit report of findings with comment and recommendation to this Office within fifteen (15) days from the termination of the investigation the con.

SO ORDERED.

Manila, Philippines,

AUG 21 2003

CLARENCE A. RAGUILAT OIC, Regional Executive Director

Copy Fumished: LMO IV Bayani V. Mantubig PENRO Puerto Princesa City

Ellas B. Rayoso Business No. 08, Public Market Quezon, Palawan @wlld/cc-03-08-0002 p.78



### Republic of the Phil ppines

## DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

MIMAROPA Region

1515 L & S Building Roxas Boulevard Ermita, Manila

#### ELIAS B. RAYOSO, et al.

Claimants-Protestants

- versus -

O.C.T. No. E-9056, FP (1) -28)

FPA No. (IV-28) 1779

HILARIO V. REGONDOLA,

O.C.T. No. E-9258, FP (IM-28) 1867 FPA No. (IV-28) 1096-A

SHARON ROSE FABRED,

O.C.T. No. P-10705, HP ([V-28) 030

HA No. (IV-28) 120

**NESTOR MADOLORA,** 

O.C.T. No. E-8515, FP (IV-28) 1822

FPA No. (IV-28) 2001

ELMER TABLAZON,

O.C.T. No. P-10891, HP (1V-28) 034

HA No. (IV-28) 99

ROLÁNDO URIETA,

Patentees Respondents.

ANNEX "

Lot 10479, Cad-897-D

Lot 10474, Cad-798-D

Lot 10475, Cad-798-D

Lot 10473, Cad-798-D

Lot 10480, Cad-798-D

CERTIFICATION

esta Bilija SAV 1 10 3218 CAMERICA, PARMIA Admin, Asid in Resorts Officer (Cosmale Legal District, DERIG of 1800PA Region

This is to certify that the Order dated April 19, 2005 issued by this Office was published in the Philippine Daily Inquirer on March 26, 2017 per Affidavit of Publication dated April 03, 2017 issued by Mr. Eugene L. Rivera, Classified Ads Assistant Vice President of the Philippine Daily Inquirer, Inc.

On August 4, 2017, Engr. Jovel M. Lamigo of the Records Unit issued a Certification stating that there was no Motion for Regonsideration of Appeal received by this Office after such publication.

This Certification is Issued upon the request of the Office of the Solicitor General for the purpose of filing a complaint for cancellation of title and reversion before the proper court.

Issued this SEP 2 9 2017

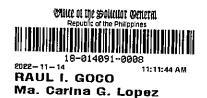
Manila, Philippines.

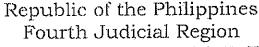
Department of Environment. and National Resources REGION 4B  natividad y. Bernardino, *Cese* 

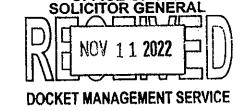
OIC-Regional Director MIMAROPA Region /

15|| 5 L & S Bldg., Roxas Boulevard, Ermita, Manila 1000 Telefax (632) 4050046. DENR VOIP (6\$2) 7553300/30 local 2700

Page 1 of 1







OFFICE OF THE

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## REGIONAL TRIAL COURT

Balabac-Bataraza-Brooke's Point-Kalayaan-Quezon-Rizal-Sofronio Española, Palawan

#### BRANCH 165 (Single Sala)

Brooke's Point, Palawan

Landline: 726-3480 / Hotline: 0935-450-9468 Email Address: <u>rtc2bpt165@judiciary.gov.ph</u>

REPUBLIC OF THE PHILIPPINES, REPRESENTED BY THE REGIONAL DIRECTOR, REGION IV-B MIMAROPA, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, Civil Case No. 5686

For: ANNULMENT/
CANCELLATION OF
TITLE & REVERSION

Plaintiff,

-versus-

SPOUSES ROLANDO P. URIETA AND FLORENIA DANGAN AND THE REGISTER OF DEEDS PALAWAN

Defendants.

## NOTICE OF CANCELLATION & RESETTING

Office of the Solicitor General --- 134 Amorsolo St. Legaspi Village, Makati City

Department of Environment & Natural Resource (DENR) --- Brgy. Sta. Monica, Puerto Princesa City

Rolando P. Urieta ---- Brgy. Pinaglabanan, Quezon, Palawan

Florenia Dangan ----- Brgy. Pinaglabanan, Quezon, Palawan

GREETINGS:

Considering that the Executive Judge/Presiding Judge is NCGON Forfeitable Leave, the INITIAL EX-PARTE HEARING set today for this case is hereby cancelled and reset to January 19, 18 NUV 2023 at 2:00 o'clock in the afternoon.

At Brooke's Point, Palawan, this 4th day of November 2022.

ELENA B. DELA TORRE OIC / Court Interpreter

#### Fwd: Ntblice OF CANCELLATION AND RESETTING (Civil Case No. 5686)

#### Roger Yruma <rbyruma@osg.gov.ph>

Sat 11/12/2022 2:55 PM

To: Patrick C. De Guzman <pcdeguzman@osg.gov.ph>

for printing and barcoding thanks

#### Ger Outlook for Android

From: OSG eFiler <efile@osg.gov.ph>

Sent: Friday, November 11, 2022 3:49:50 PM To: Roger Yruma <rbyruma@osg.gov.ph>

Subject: Fw: NOTICE OF CANCELLATION AND RESETTING (Civil Case No. 5686)

From: RTC Branch 165 Brookes Point Palawan <rtc2bpt165@judiciary.gov.ph>

Sent: Friday, November 11, 2022 3:42 PM

To: OSG eFiler <efile@osg.gov.ph>; Ma. Carina G. Lopez <mglopez@csg.gov.ph>

Subject: NOTICE OF CANCELLATION AND RESETTING (Civil Case No. 5686)

Good afternoon Ma'am/Sir,
Please see attached Notice and kindly acknowledge receipt hereof.
Thank you.

RTC Branch 165,

Brooke's Point, Palawan

Email address: <a href="mailto:rtc2bpt165@judiciary.gov.ph">rtc2bpt165@judiciary.gov.ph</a>

Contact Number: 0935-450-9468

Landline: (048) 726-3480

Office of the Solicitor General

RAUL I. GOCO Ma. Carina G. Lopez

M-

...public of the Philippines Fourth Judicial Region

NOV 02 2022

REGIONAL TRIAL COURT

Balabac-Bataraza-Brooke's Point-Kalayaan-Quezon-Rizal-Sofronio Española-

BRANCH 165 (Single Sala)

Brooke's Point, Palawan

Landline: 726-3480/Hotline: 0956-307-8033 Email Address:rtc2bpt165@judiciary.gov.ph

REPUBLIC OF THE PHILIPPINES, Represented by the REGIONAL DIRECTOR, REGION IV-B, MIMAROPA, DEPARTMENT OF **ENVIRONMENT AND NATURAL** RESOURCES,

Plaintiff,

CIVIL CASE NO. 5686

For: ANNULMENT/ CANCELLATION TITLE AND OF REVERSION

-versus-

SPOUSES ROLANDO P. URIETA and FLORENIA DANGAN and the REGISTER OF DEEDS PALAWAN,

Defendants.

ORDER

Before this Court is the Motion to Declare Defendant in Default filed by the Office of the Solicitor General through Assistant Solicitor General Diana H. Castañeda-De Vera and Assistant Solicitor Ma. Carina G. Lopez praying that the defendants Spouses Rolando P. Urieta and Florenia Dangan be declared in default pursuant to the Rules of Court and that the Honorable Court proceed to the judgment as the Complaint may warrant.

The COURT notes the the Motion to Declare Defendant in Default filed by the Office of the Solicitor General through Assistant Solicitor Ma. Carina G. Lopez. Defendants Spouses Rolando P. Urieta and Florenia Dangan are hereby ordered to file therein comment/opposition thereto within ten (10) days upon receipt thereof.

/In view of the foregoing, let this case be set on November 4, 2022 at 8:30 o'clock in the morning. The Court Sheriff Clodualdo Levita is hereby ordered to serve the Notice of Hearing personally to the defendants Spouses Urieta.

MCGL

9 NUV 2022

Given this 12th day of September 2022, at Bgy. Tubtub, Brooke's Point, Palawan.

Presiding Judge