

November 21, 2023

**EFREN DELOS REYES**

CENRO

San Jose, Occidental Mindoro

Sir

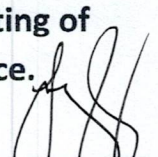
Good day.

Protestant, through counsel was in receipt of a letter from your Honorable Office directing her to cite the particular provision for the exemption mentioned in paragraph 24 of the protest as a condition for your office to accept the said protest. This is after the protestant had sent an urgent email to your office informing you of the said protest and its consequent rejection of the same. Further reporting to you the behavior of your legal officer and its staff, but sadly, from your letter it was revealed that the same was also done with your knowledge and consent.

In addition, the letter admits that the protest is yet to be accepted. Yet there was already an evaluation made. In this regard may the **undersigned inquire as to your basis in the evaluation and instruction to the protestant to cite the said provision when you have yet to accept and receive their protest.** It is to be noted that before your office can direct the protestants, jurisdiction over the case and over the person of the protestant must first be acquired. In the instant case, ***since the protest was rejected, the jurisdiction over them is still lacking and the order is still premature.***

Further, may the undersigned direct your attention to section 5 of DAO 2016-31 which states that evaluation of the Protest is done within one day from receipt of the protest and not before the same is accepted and the same should be done in writing. To wit

**" Section 5 Evaluation. The CENRO shall determine within one day from receipt of the Protest whether the same is in due form and is within those contemplated in section 4 of this Order. If in due form, the CENRO shall evaluate and forward the protest to the PENRO; otherwise, the CENRO shall return the protest and inform the protestant in writing of the deficiencies in the formal requirements for compliance.**





Letter dated November 2, 2023

Addressed to the CENRO, San Jose, Occidental Mindoro

By the Heirs of Tranquilino Ulay, Protestants

In Re: Application for Special/Free Patent over Lots 601-604 Ts 223 of the Municipality of Calintaan, Province of Occidental Mindoro

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The protestant shall have a non extendible period of fifteen days within which to comply with the aforesaid requirements. In case of non compliance the protest shall be dismissed without prejudice The protestant shall be notified thereof in writing."

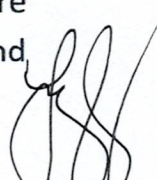
In view of which may I request upon which authority or legal basis was it that the protest being filed on November 20, 2023, was rejected and thereafter, having rejected the same, your office directed the protestants to comply with your order dated November 20, 2023 as a condition for your acceptance of the protest.

Lastly, **with utmost deference**, it is to be noted that ignorance of the law excuses no one from compliance therewith. Lack of knowledge of the barangay conciliation law will not excuse your office from not complying with it or for not recognizing its provisions. Barangay conciliation law or PD 1508 and its provisions is a law. It is the official act of the legislative **which enjoys the mandatory judicial notice** pursuant to Rule 129 section 1 of the New Rules of Court, to wit

***Section1, Judicial Notice, when mandatory. A court shall take judicial notice, without the introduction of evidence, of - x-x-x-x-x officials acts of the legislative, executive and the judicial departments of the national government of the Philippines' ( Rules of Court)***

As your office is performing a quasi- judicial function, and is being assisted by capable lawyers and legal staff, protestant is of the honest belief that this matter should be already be known to you and your office by reason thereof.

I shall be awaiting for your prompt reply on this matter pursuant to your posted Citizen's Charter, with the same dispatch that the urgent email by the undersigned was responded to yesterday, November 20, 2021, before undersigned will comply with your directives to put matters in its proper and legal perspective.



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Municipality of Calintaan, Province of Occidental Mindoro

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Thank you.

Respectfully yours,

  
**ATTY JENNIFER R. GARCIA- LAUDENCIA**

Counsel for the Protestant

Roll No 45410- May 2000

IBP No 204216 March 29, 2022

PTR No 23521526-January 05, 2023

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