

Republic of the Philippines)
Province of Occidental Mindoro) s.c.
Municipality of San Jose)

AFFIDAVIT

I, DANTE ESTEVES y PLAQUINO, of legal age, Filipino, married and a resident of Brgy Emilio Aguinaldo, Sablayan, Occidental Mindoro after having been duly sworn to in accordance with law do hereby depose and say;

1. That on October 05, 2023, I executed an Affidavit of Withdrawal of Complaint, alleging among others that I am withdrawing my complaint against Krystal Dayne Villanada facilitated through the ARTA- Main and which was referred by the latter to the DENR ARTA to PENRO in Mamburao Occidental Mindoro;
2. Unfortunately, the one that was caused to be notarized and filed with the Provincial Environment and Natural Resources Office (PENRO) was the draft of the said Affidavit of Withdrawal instead of the final draft;
3. That this is because the affidavit was only sent through email which due to poor internet connection, the latter e mail which contains the final draft was late to arrive and I was not able to notice the same; thus, the inadvertent error;
4. That it was only when the said document was brought before our counsel, as the same will be used as attachment in their manifestation/motion that the inadvertent error was discovered;
5. It is thus with this predicament that I would like to request for the withdrawal of the earlier filed affidavit of Withdrawal and in its place a new one be admitted which is dated October 06, 2023; but notarized only today, said new affidavit of withdrawal is hereto attached as **Annex A**; with a request that the earlier copy be disregarded,
6. That this is despite the fact that just a few minutes ago, I received a notification from the ARTA-DENR Action Center that the same was already acknowledged by them and that the case is already closed as this document (Affidavit of Withdrawal of Complaint) will still be used in various pleadings that will be filed against them;



Affidavit

Dante Esteves, Affiant

X-----X

7. That I am executing this affidavit to attest to the truth of the foregoing facts.

IN WITNESS WHEREOF, I have hereunto affixed my signature below this 6th day of October 2023 at San Jose, Occidental Mindoro.



DANTE P ESTEVES

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this 6th day of October, 2023 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and is fully convinced that all his statements are true and correct, fully understood by him and voluntarily gave the same

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Copy furnished


JEFFREY M. MERCADO
Public Attorney II
(Pursuant to R.A. 9406)

CENRO ANASTACIO SANTOS
KRYSTAL DAYNE T. VILLANADA
CENRO Sablayan, Occidental Mindoro

DENR ARTA
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FELIX S MIRASOL JR CESO IV
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PENRO
Brgy Payompon, Mamburao, Occidental Mindoro

Republic of the Philippines)
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Municipality of San Jose)

AFFIDAVIT OF WITHDRAWAL OF COMPLAINT

I, **DANTE ESTEVES**, of legal age, Filipino, married and a resident of Brgy Emilio Aguinaldo, Sablayan Occidental Mindoro, after having been duly sworn to in accordance with law do hereby depose and say;

1. That on September 13, 2023, I went to the ARTA main office to complain **KRYSTAL DAYNE T. VILLANADA** for delaying the administrative hearing for confiscation of our motorized boat; which caused financial strain and humiliation to us;
2. That, finally, initial hearing was already conducted for the administrative confiscation, it was then that we were informed that the procedures that they will use in prosecuting the administrative confiscation is that of DAO 97-32;
3. Upon review of the said procedures outlined in DAO 97-32, we were able to discover that it should **not be** PAMO Krystal Dayne T Villanada **but** **CENRO ANASTACIO SANTOS** who should be responsible for scheduling the hearing of our case; and that she was blamed for the delay because of she arrogated unto herself the authority which does not pertain to her;
4. That if we will continue my complaint in this matters against Krystal Dayne Villanada, it is my humble opinion, the same will only be dismissed and our efforts will only be nullified because we are actually barking at the wrong tree;
5. At any rate, our counsel had already assisted us in preparing the appropriate complaint against all concerned employees of the CENRO Sablayan, Occidental Mindoro; and that this complaint was already incorporated in the new complaint that will be filed as soon as possible;
6. In view of which, I would like to withdraw the complaint I had filed against Krystal Dayne Villanada coursed before the ARTA Main and which was referred by the said office to the DENR ARTA Office, the referral was docketed as NOTICE OF REFFERAL-202309190273, to give way to the appropriate complaint which we will be filing the soonest possible time.



Affidavit of Withdrawal of Complaint against Krystal Dayne T Villanada

PAMO- Apo Reef Natural Park Sablayan Occidental Mindoro

Dante Esteves, Affiant

X-----X


7. That on October 03, 2023, a feedback/notification was received by the undersigned informing him that my complaint was already referred to the PENRO of Occidental Mindoro; thus, this affidavit of withdrawal informing them of this matter to avoid duplication of complaint which might give rise to forum shopping; thus, this affidavit;
8. That the above complaint is only being withdrawn so as not to duplicate the complaint which was already incorporated in the new complaint which I am going to file and not because of some other reasons such as desistance;
9. That it is further requested that should the complaint be already referred to the CENRO Sablayan Occidental Mindoro, ***it is humbly requested*** that this affidavit be forwarded to the said Office for their immediate information and appropriate action;
10. That I am executing this affidavit to attest to the truth of the foregoing facts.

IN WITNESS WHEREOF, I have hereunto affixed my signature below this 4th day of October, 2023 at San Jose, Occidental Mindoro.


DANTE ESTEVES
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME this 5th day of October, 2023 at San Jose, Occidental Mindoro. I further certify that I have personally examined the affiant and is fully convinced that all his statements are true and correct fully understood by him and voluntarily gave the same

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JEFFREY M. MERCADO
Public Attorney II
(Pursuant to R.A. 9406)

Copy furnished

KRYSTAL DAYNE T. VILLANADA
National Road, Brgy Sto Nino,
Sablayan, Occidental Mindoro

ANASTACIO SANTOS
CENRO, Sablayan, Occidental Mindoro

Affidavit of Withdrawal of Complaint against Krystal Dayne T Villanada

PAMO- Apo Reef Natural Park Sablayan Occidental Mindoro

Dante Esteves, Affiant

X-----X

DENR ARTA

denr.arta@denr.gov.ph

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