



Republic of the Philippines  
**Department of Environment and Natural Resources**  
Visayas Avenue, Diliman, 1106 Quezon City  
(632) 929-6626 to 29; 929-6252; 929-6633 to 35; 929-7041 to 43  
E-mail: web@denr.gov.ph; Website: www.denr.gov.ph

**AUG 10 2022**

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR - MIMAROPA  
1515 Roxas Boulevard, Ermita, Manila

**FROM :** The Director  
Legal Affairs Service

**SUBJECT :** AFFIDAVIT-COMPLAINT DATED 26 JANUARY 2021 OF  
ALMA COSTALES, ET AL. AGAINST CENR OFFICER  
CAESAR E. QUEBEC OF DENR-MIMAROPA REGION  
COURSED THRU THE OFFICE OF THE OMBUDSMAN  
WITH REFERENCE CODE NO. IC-OL-21-0079

We refer the above subject for investigation and verification of the allegations stated therein particularly that CENR Officer Caesar E. Quebec refused to process the free patent application of Alma Costales, et al. despite the Certification issued on 27 August 2019 that the land is an agricultural land.

Kindly inform Ms. Alma Costales of your latest action taken on the matter, copy furnished this Office.

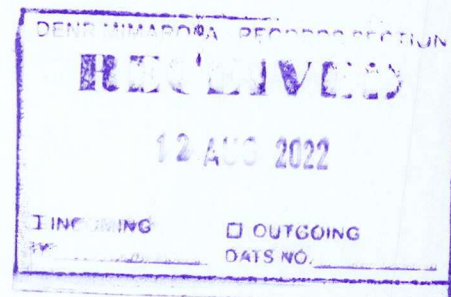
For information and compliance.

  
NORLITO A. ENERAN, LLM., CESO III

*Copy furnished:*

Assistant Ombudsman Pilarita T. Lapitan  
Office of the Ombudsman  
Office of the Deputy Ombudsman for Luzon  
Agham Road, Diliman, Quezon City 1104

Alma C. Costales  
EEA-Crossing, Mulawin., Santa Cruz  
5105 Occidental Mindoro





Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
Office of the Deputy Ombudsman for Luzon  
Agham Road, Diliman, Quezon City 1104

**1<sup>ST</sup> INDORSEMENT**

**IC-OL-21-0079**

**NOV 11 2021**

Respectfully referred to **HON. ROY A. CIMATU**, Secretary, Department of Environment and Natural Resources (DENR), Visayas Avenue, Diliman, 1100 Quezon City, the attached Complaint Affidavit of Alma C. Costales, Bobby Costales, Apolo C. Diolata, Roderick C. Magalong, Gavino G. Gregogio, Jonalyn F. Tapales, Randy Z. Diolata, Joy C. Diolata, Rodolfo Magalong Sr., Rocky G. Valdez, Rodolfo C. Magalong, Vivian A. Esquillo, Anastacio T. Caluya, Sr., Imelda C. Tomas, Jowel C. Cuzon, Johnson A. Binihagan, Laudelino D. Tapales, Julie B. Binihagan, Sr., Reychar V. Tanglao, Danilo Q. Insigne, Dennis D. Paguagan, Disdado B. Alejo, Jr., Diogenes E. Diolata, Regalado B. Alejo, Lilibeth D. Partida, Joshua A. Alonsabe, Julius G. Tomas, Julius G. Tomas, Jr., Leonila Omalay, Eduardo Partida, Maryjane Morena, Kristine Samorin, Edna Belarmente, Maila Viray, Herminia Mendez, Melvin D. Aquino, Joffrey D. Aquino, Benjamin D. Aquino, Jr., Allen T. Sauza, Imee Mariel C. Tomas, Mergie D. Guro, Joseph V. De Guzman, Joselito C. Omalay, Rizza B. Tapales, and Restie B. Umipig against Caesar E. Quebec, Community Environment and Natural Resources Officer of the Department of Environment and Natural Resources-MIMAROPA Region.<sup>1</sup> Your advice to this Office on the action taken by the DENR, referencing to **IC-OL-21-0079** will be highly appreciated.

Very truly yours,

By authority of the Ombudsman:

**PILARITA T. LAPITAN**

Assistant Ombudsman - Proper

*MCPGM*

**Encl.** : as stated  
**Cc** : Alma C. Costales  
EEA-Crossing, Mulawin., Santa Cruz  
5105 Occidental Mindoro

<sup>1</sup> The referral is pursuant to Section 23 of Republic Act No. 6770 (The Ombudsman Act) and Administrative Order 07 (Rules and Procedure of the Office of the Ombudsman).



Name:	Alma Costales
Address:	Villa Reseda, Talugtog N. Elyan
Contact Number:	0961 428 6719
Email Address:	

**OFFICE OF THE OMBUDSMAN**

Agham Road, Diliman, Quezon City 1104

**ALMA COSTALES, BOBBY COSTALES, RODERICK CUZON MAGALONG, JONALYN F. TOPALES, JOY DIOLATA, ROCKY G. VALDEZ, VIVIAN A. ESQUILLO, IMELDA C. TOMAS, JOHNSON A. BINIHAGAN, JULIE B. BINIHAGAN Sr., DANILO Q. INSIGNE, DIOSDADO B. ALEJO, Jr., REGALADO B. ALEJO, DENNIS D. PAGUAGAN, DIOGENES E. DIOLATA Sr., JOSHUA A. ALONSABE, APOLO C. DIOLATA, GAVINO G. GREGORIO, RANDY Z. DIOLATA, RODOLFO MAGALONG Sr., RODOLFO C. MAGALONG Jr., ANASTACIO T. CALUYA Sr., JOEL C. CUZON, LAUDELINO D. TAPALES, REYCHARD V. TANGLAO, EDUARDO M. PARTIDA, LILIBETH D. PARTIDA, JULIUS G. TOMAS, and IMELDA C. TOMAS (MAGSASAKA NG BARANGAY MULAWIN), all are herein represented by ALMA COSTALES,**

Complainants,

**ADMIN CASE No. \_\_\_\_\_**  
For: Conduct Unbecoming of  
a Public Officer

versus

**CAESAR E. QUEBEC,**

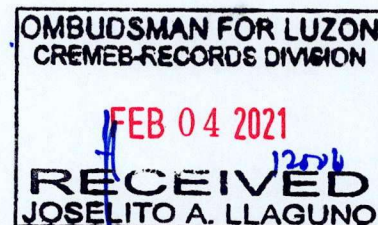
Respondent,

X-----X

## AFFIDAVIT-COMPLAINT

I, **ALMA C. COSTALES**, of legal age, married, Filipino, and a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro and unto this Honorable Office, respectfully states, THAT:

- I and the other complainants would like to file an administrative case for Conduct Unbecoming of a Public Officer or any appropriate administrative or criminal case as may be warranted under the premises against **CAESAR E. QUEBEC**, CENRO Officer, COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) MIMAROPA REGION, National Road, Sto. Niño, Sablayan, Occidental





Mindoro, where he can be served with subpoena and other notices of the Honorable Office. I represent all the other complainants who are resident farmers of EEA Crossing, Brgy. Mulawin, Sta. Cruz, Occidental Mindoro where they can be served with notices of the Honorable Office. My authority is evidenced by a Special Power of Attorney, copy of which is hereto attached as **Annex "A"**.

2. The Complainants are farmers residing in Brgy. Mulawin, Sta. Cruz, Occidental Mindoro, they are actually tilling a public land with an area of 158,329 square meters which is Lot 1303 of Psu – 140805 based on Public Land Subdivision with Pls-22. The above-named farmers have decided to take legal steps for the titling of Lot 1303 so that the same be registered in their names. A copy of the approved plan as well as Lot Description are hereto attached as **Annexes "B" and "B-1"**. The said Lot was declared as public land as per Certification dated September 10, 2019, copy of which is hereto attached as **Annex "C"**. The said Certification is based on the Order of the Municipal Trial Court of Sta. Cruz, Occidental Mindoro, copy of which is hereto attached as **Annex "D"**, wherein transferees can now process the titling of the same in their names;
3. The complainants had been in possession of the subject lot since time immemorial. In fact, they established their residence over the said property for a long time already. Being the actual occupants, herein complainants can now apply for the titling over the portion of the subject property that they actually occupied. This is the reason why the complainants previously requested the CENRO for the survey of the property as evidenced by a Request for Survey Authority, copy of which is hereto attached as **Annex "E"**. Request is likewise made for the issuance of a Certification whether the subject lot is alienable and disposable, copy of such request is hereto attached as **Annex "F"**;
4. The complainants made a request again on August 2019 whether the subject land is alienable and disposable, copy of handwritten request is hereto attached as **Annex "G"**. Thereafter, a Certification was issued dated August 27, 2019 that the subject land is alienable and disposable, copy of the Certification is hereto attached as **Annex "H"**;
5. Despite the application for free patent has not yet started by the CENRO headed by the respondent, the latter made a letter to the Municipal Assessor of Sta. Cruz, Occidental Mindoro requesting the Tax Declaration in the name of Isabel Abeleda be transferred to the actual occupants because according to him, that is the only way that the requested authority to survey be given due course, copy of the said request letter is hereto attached as **Annex "I"**. Thereafter, the assessor made a written note on the said request letter stating that the matter should be referred to DENR for free patent application, the same is hereby bracketed and marked as **Annex "J"**;



6. Despite the subject land being classified as alienable and disposable, the respondent refused to process the application for free patent of the complainants to their great damage and prejudice;
7. Time and again, we hear public servants act in defiance of the Constitutional principle that "Public office is a public trust. All government officials and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency act with patriotism and justice, and lead modest lives."
8. From the foregoing, it is very clear that the respondent is administratively liable for Conduct Unbecoming of a Public Officer and the appropriate criminal case, as may be warranted under the premises, be filed before the court of competent jurisdiction.

**IN WITNESS WHEREOF**, I have hereunto affixed my signature this JAN 26 2021 in San Jose City, Nueva Ecija.

*Alma C. Costales*  
**ALMA C. COSTALES**

Complainant/Attorney-in-fact of other complainants  
 ID NO. 005-19-003681

**SUBSCRIBED AND SWORN** JAN 26 2021 to before me in the City of San Jose, Province of Nueva Ecija, this \_\_\_\_\_, by affiant, who has satisfactorily proven her identity to me through valid proof of identification appearing below her name and who signed the document in my presence and avowed under the penalty of law to the whole truth of the contents of the foregoing verification and certification.

DOC. NO. 357  
 PAGE NO. 73  
 BOOK NO. 36  
 SERIES OF 20 21

*Felicio C. Villaflores*  
**ATTY. FELICISIMO C. VILLAFLORES**  
 NOTARY PUBLIC

valid until June 30, 2021, per SC En Banc  
 Resolution dated December 1, 2020 on B.M. No. 3795  
 (Requested for Extension of Existing Notarial Commissions)  
 Attorney's Poll No. 27589  
 PTR. No. 6656888/01-04-21  
 IBP No. 136265/12-21-2020  
 No. 0286335-SC-EP/12-15-2020  
 MCLC COMPLIANCE NO. VI-0006551  
 NOTARIAL COMMISSION NO. 13-19  
 CABANATUAN CITY, NUEVA ECIJIA



REPUBLIC OF THE PHILIPPINES)

CABANATUAN CITY)Sc.  
X - - - - - X

**VERIFICATION WITH CERTIFICATION OF NON-FORUM SHOPPING**

I, I, **ALMA C. COSTALES**, of legal age, married, Filipino, and a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro after having been duly sworn to in accordance with law, hereby depose and state:

1. That I am one of the complainant in the instant case and I have caused the preparation and filing of the foregoing Complaint;
2. That I have read and understood the contents thereof;
3. That the allegations therein are true and correct of my own personal knowledge and based on authentic records;
4. That the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
5. That the factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
6. That I have not heretofore commenced any other action or proceeding or filed any claim involving the same issues or matter in any court, tribunal, or quasi-judicial agency, and to the best of our knowledge, no such action or proceeding is pending therein;
7. That if I should thereafter learn that the same or similar action or proceeding has been filed or is pending before the Supreme Court, Court of Appeals, or different divisions thereof, or any other court, tribunal, or quasi-judicial agency, I hereby undertake to report such fact within five (5) calendar days from notice to this Honorable Court.

**IN WITNESS WHEREOF**, I have hereunto affixed my signature this  
JAN 26 2021 in CABANATUAN CITY.

*Alma C. Costales*

**ALMA C. COSTALES**

Complainant/Attorney-in-fact of other complainants

ID NO. LOS-19-00 3681

**SUBSCRIBED AND SWORN** to before me in the CABANATUAN CITY,  
this JAN 26 2021, by affiant who has satisfactorily proven her identity to me through valid proof of identification appearing below her name and who signed the document in my presence and avowed under the penalty of law to the whole truth of the contents of the foregoing instrument.

DOC. NO. 358  
PAGE NO. 13  
BOOK NO. 36  
SERIES OF 20 21

*Lp*  
**ATTY. FELICISIMO C. VILLAFLO**  
NOTARY PUBLIC  
valid until June 30, 2021, per SC En Banc  
Resolution dated December 1, 2020 on B.M. No. 3795  
(Requested for Extension of Existing Notarial Commissions)  
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No. 0286335-SC-EP/12-15-2020  
MCLE COMPLIANCE NO. VI-0006551  
NOTARIAL COMMISSION NO. 13-19  
CABANATUAN CITY, NUEVA ECUIA



SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

WE, **BOBBY COSTALES, EDNA BELARMENTE, IMELDA C. TOMAS, JULIUS G. TOMAS SR. , JULIUS C. TOMAS JR. , EDUARDO M. PARTIDA, LILIBETH M. PARTIDA, RODOLFO F. MAGALONG SR. , RODOLFO C. MAGALONG, DENNIS D. PAGUAGAN, APOLO C. DIOLATA, REYCHARD V. TANGLAO , DANILO Q. INSIGNE, VIVIAN A. ESQUILLO, APRIL M. SENO, MELVIN D. AQUINO SR. , BENJAMIN D. AQUINO JR. , RIZZA M. TAPALES, JOWEL C. CUZON, DIOGENES DIOLATA JR. , JOSELITO C. OMALAY, ANASTACIO T. CALUYA SR. , JULIE B. BINIHAGAN, LAUDELINO D. TAPALES, REGALADO ALEJO, ROCKY G. VALDEZ, JOSEPH V. DE GUZMAN, GAVINO G. GREGORIO, RODERICK C. MAGALONG, JOSHUA ALONSABE, RESTIE B. UMIPIG, and JOFFREY D. AQUINO**, all of legal age , Filipinos, and residents of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro, do hereby **name, constitute and appoint** **ALMA COSTALES**, also of legal age, married, Filipino citizen, and also a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro, to be our true and lawful attorney-in-fact, to do and perform the following acts to wit:

1. To represent us in filing a case (criminal or administrative) against CEASAR E. QUEBEC, CENRO officer at Santa Cruz, Occidental Mindoro, and any of his cohorts, before the Office of the Ombudsman or any other court, office, or tribunal;
2. To follow-up the said complaint and receive any results or decisions rendered by the Office of the Ombudsman or any other court, office, or tribunal pertaining to my above-mentioned complaint;
3. To determine the necessity or desirability of amendments to the pleadings, possibility of obtaining stipulation or admissions of facts and documents to avoid unnecessary proof; limitation of the number of witnesses advisability or necessity of suspending the proceedings; and such other matters as may aid in the prompt disposition of the action; to enter into a compromise agreement and perform such other acts necessary and proper for the expeditious settlement of the case;
4. To testify for us and in our behalf in the said proceedings;



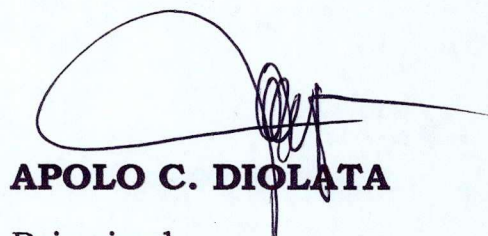
5. To file any pleading, appeal, petition for review, and/or certiorari and sign the verification and certification of non-forum shopping;
6. To sign, execute and indorse such papers and instruments or documents as are necessary and requisite for the accomplishment of the authorities herein conferred upon my attorney-in-fact.

**HEREBY GIVING AND GRANTING** unto our said attorney-in-fact full power and authority to do and perform such other acts which are necessary to carry out the duties and authorities hereunto granted to her, owning the same as our true act and deed which we could lawfully do if we personally present thereat.

**IN WITNESS WHEREOF**, we have hereunto affixed our signatures this \_\_\_\_ day of November, 2020 in \_\_\_\_\_.

  
**BOBBY COSTALES**

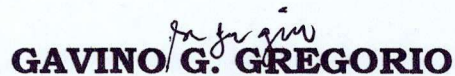
Principal

  
**APOLO C. DIOLATA**

Principal

  
**RODERICK C. MAGALONG**

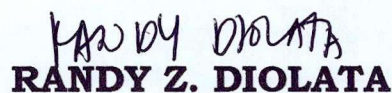
Principal

  
**GAVINO G. GREGORIO**

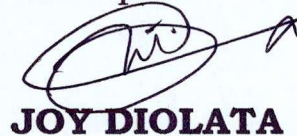
Principal

  
**JONALYN F. TAPALES**

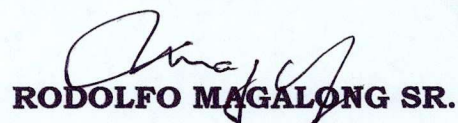
Principal

  
**RANDY Z. DIOLATA**


Principal

  
**JOY DIOLATA**

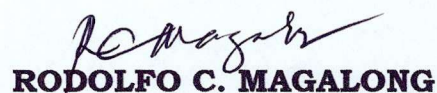
Principal

  
**RODOLFO MAGALONG SR.**

Principal

  
**ROCKY G. VALDEZ**

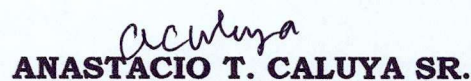
Principal

  
**RODOLFO C. MAGALONG**

Principal

  
**VIVIAN A. ESQUILLO**

Principal

  
**ANASTACIO T. CALUYA SR.**

Principal



*Imelda C. Tomas*  
**IMELDA C. TOMAS**

Principal

*Johnson A. Binihagan*  
**JOHNSON A. BINIHAGAN**  
Principal

*Julie B. Binihagan Sr.*  
**JULIE B. BINIHAGAN SR.**  
Principal

*Daniilo Q. Insigne*  
**DANILO Q. INSIGNE**  
Principal

*Disdado B. Alejo Jr.*  
**DISDADO B. ALEJO JR. SR.**  
Principal

*Regalado B. Alejo*  
**REGALADO B. ALEJO**  
Principal

*Joshua A. Alonsabe*  
**JOSHUA A. ALONSABE**  
Principal

*Julius C. Tomas Jr.*  
**JULIUS C. TOMAS JR.**  
Principal

*Eduardo Partida*  
**EDUARDO PARTIDA**  
Principal

*Kristine Samorin*  
**KRISTINE SAMORIN**  
Principal

*Maia Viray*  
**MAILA VIRAY**

*Jowel C. Cuzon*  
**JOWEL C. CUZON**

Principal

*Laudelino D. Tapaes*  
**LAUDELINO D. TAPALES**  
Principal

*Reychard V. Tanglao*  
**REYCHARD V. TANGLAO**  
Principal

*Dennis D. Paguagan*  
**DENNIS D. PAGUAGAN**  
Principal

*Diogenes E. Diolata*  
**DIOGENES E. DIOLATA**  
Principal

*Lilibeth D. Partida*  
**LILIBETH D. PARTIDA**  
Principal

*Julius G. Tomas*  
**JULIUS G. TOMAS**  
Principal

*Leonila Omalay*  
**LEONILA OMALAY**  
Principal

*Mary Jane Morena*  
**MARYJANE MORENA**  
Principal

*Edna Belarmente*  
**EDNA BELARMENTE**  
Principal

*Herminia Mendez*  
**HERMINIA MENDEZ**



ACKNOWLEDGEMENT

Republic of the Philippines }  
STA. CRUZ, Occ. Mindoro Sc.

X-----X


BEFORE ME, a Notary Public for and in the  
Occidental Mindoro, this Jan-19, 2021  
personally appeared:

AMELDA C. TOMAS - SSS UMID ID CRN - 0113-0223049-4  
ALMA COSTALES - Prof. Driver's License - Exp. Dec. 06, 2005 - LTO  
Julius TOMAS, SR - Driver's License - Exp. June 24, 2023 Cabaatuan  
Babey Costales - Driver's License - Exp. March 28, 2022 San Jose  
Occ. Mindoro  
Cabaatuan  
Munda kuya

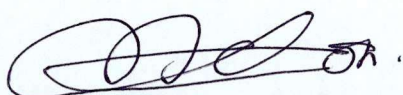
known to me to be the same person who executed the foregoing  
instrument which is a Special Power of Attorney consisting of 5  
pages including this pages where the acknowledged to me that the  
same as their own free act and voluntary deed.

WITNESS MY HAND AND NOTARIAL SEAL.

Doc. No. \_\_\_\_; 216  
Page No. \_\_\_\_; 44  
Book No. \_\_\_\_; VIII  
Series of 2020 2021

  
**ATTY. ANTONIO T. MANZANO**  
NOTARY PUBLIC  
UNTIL DEC. 31, 2021  
PTR NO. 8432391  
ROLL NO. 27215  
TIN NO. 116-095-495

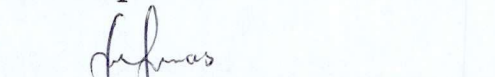


  
**MELVIN D. AQUINO**

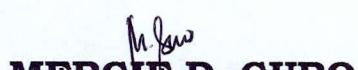
Principal

  
**BENJAMIN D. AQUINO JR.**

Principal

  
**IMEE MARIEL C. TOMAS**


Principal

  
**MERGIE D. GURO**

Principal

  
**JOSELITO C. OMALAY**

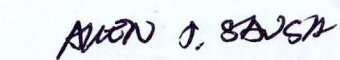
Principal

  
**RESTIE B. UMIPIG**

Principal

  
**JOFFREY D. AQUINO**

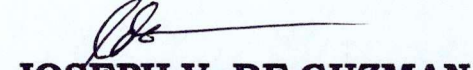
Principal

  
**ALLEN T. SAUZA**

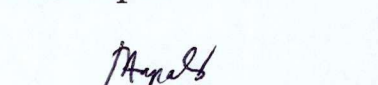
Principal

  
**JOY C. DIOLATA**

Principal

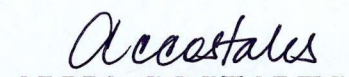
  
**JOSEPH V. DE GUZMAN**

Principal

  
**RIZZA B. TAPALES**


Principal

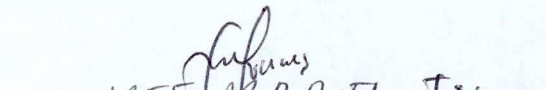
Conforme:

  
**ALMA COSTALES**

Attorney-in-fact

Signed in the presence of:

  
**NESTOR FLORA**  
Driver's License issued in  
Cabanatuan, N.E. Exp. 2005

  
**IMEE MARIEL TOMAS**  
BIRTH # \_\_\_\_\_  
Issued in STA. CRUZ  
Occ. Mindoro



ANNEX B

PSU-140605, LOT 11 (1st 1/2 of)  
1304  
JESUS ABLEDA

1303  
ISABEL ABLEDA  
PSU-140805, LOT 23  
(Part)

1302  
ESPERANZA  
DANIELO BERLANDO  
PSU-140605, LOT 23 (Part)  
S-10 OF 42

1316



CERTIFIED PHOTOCOPY  
BRIAN R. AGUIBALDO  
In-Charge, Land Records Section  
DENR-MILAROPA  
OR # 4781567

July 16, 1956

ZOLU CASTRILLO  
DIRECTOR OF LANDS

STA CRUZ PUBLIC LAND SUBDIVISION, PLS-22 (PHILCOSA-10A)  
CM 13 04 N 120 42 E  
SCALE 1:4000  
CM 13 04 N



Republic of the Philippines  
**MUNICIPAL TRIAL COURT**  
 Sta. Cruz, Occidental Mindoro

THE DIRECTOR OF LANDS,  
 Petitioner,

CADASTRAL CASE NO. N-6  
 LRC RECORD NO. N-240

- versus -

DAMASO ABELEDA, ET AL.,  
 Claimants.

**LOT NO. 1303, Pls-22**  
 Sta. Cruz, Occ. Mindoro

X-----X

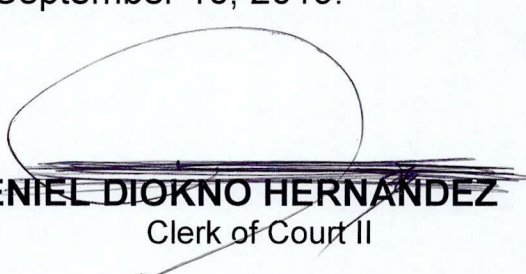
**CERTIFICATION**

**TO WHOM IT MAY CONCERN:**

This is to certify that according to the records of this Court, it appears that Lot No. 1303, Pls-22, Sta. Cruz Public Land Subdivision, with an area of One Hundred Fifty Eight Thousand Three Hundred Twenty Nine (158329) square meters and with claimant Isabel Abeleda, was declared Public Land per Order dated July 23, 2019 by the then Presiding Judge Julieta F. Fabrero.

This certification is issued upon the request of Ms. Vivian A. Esquillo, for whatever legal purpose it may serve.

Sta. Cruz, Occidental Mindoro, September 10, 2019.

  
**RENIEL DIOKNO HERNANDEZ**  
 Clerk of Court II

Fees Paid under O.R. Nos. 0369287 & 0369319  
 Issued at MTC, Sta Cruz, Occ. Mindoro  
 Issued on September 10, 2019

/irene





ANNEX

D

Republic of the Philippines  
MUNICIPAL TRIAL COURT  
STA. CRUZ, OCCIDENTAL MINDORO

RECEIVED

RELEASED

DATE JUL 26 2019

THE DIRECTOR OF LANDS,  
*Petitioner,*

-versus-

CADASTRAL CASE NO. N-6  
LRC RECORD NO. N-240

LOT NO. 1303, PLS-22

DAMASO ABELEDA, ET AL.,  
*Claimants*

X-----X

**ORDER**

Posed for resolution of this Court is the letter-request for a Certification and/or Clarification submitted by AMADOR C. ISIDRO Jr., seeking a categorical declaration as to the status of a particular Lot 1303 A, ( a portion of Lot 1303) of the Public Land Survey (PLS), Sta. Cruz, Occidental Mindoro

As a backgrounder, the Director of Lands for and in behalf of the Republic of the Philippines as petitioner in this case filed the instant case sometime in 1958 for registration under cadastral proceedings. Petitioner contended that in the absence of valid claim from interested parties, all lands of the public domain are considered as public lands.

Lot 1303, Pls-22 of Sta. Cruz, Occidental Mindoro is part of the said Public Land Survey conducted for Sta. Cruz, Occidental Mindoro. Our records would show that said Lot 1303 consisting of 15,8329 hectares in area with listed claimant, Isabel Abeleda, was one of those cases under this Court's Cadastral proceedings and was thereafter forwarded to the CFI (now RTC). The Regional Trial Court, Branch 44, Mamburao, Occidental Mindoro, has thereafter certified that there is no pending proceedings before said office, thus, it is presumed that the claimant/s listed therein did not proceed with her claims before the RTC.

Before this Court, there has been no proceedings on this case (Lot 1303) since April 19. 1989, prompting this Court to issue an Order dated 10 November 2010 whereby all claimants should continue proceedings on this case. Despite such effort, nothing happened.

CERTIFIED XEROX COPY

JOSEF DIORNO HERNANDEZ  
CLERK OF COURT

DATE: AUG 13 2019

AMADOR ISIDRO



Considering the length of time, while it appears that there is a listed claimant in the said subject Lot 1303, particularly the Heirs of Isabel Abeleda<sup>1</sup>, there being no proceedings before this Court for any cadastral titling of subject land, the Doctrine of Laches would set in.

"It is based upon a maxim that equity aids the vigilant and not those who slumber on their rights. It is defined as neglect to assert a right or claim which taken together with lapse of time and other circumstances causing prejudice to the adverse party, operates as a bar in court of equity. The neglect for an unreasonable and unexplained length of time under circumstances permitting diligence, to do, what in law, should have been done.

Neglect or omission to assert right, as taken in conjunction with lapse of time and other circumstances, causes prejudice to adverse party; neglect or omission to do what one should do as warrants presumption that one has abandoned right or claim" (*Black's Law Dictionary, page 875, Sixth Edition*)

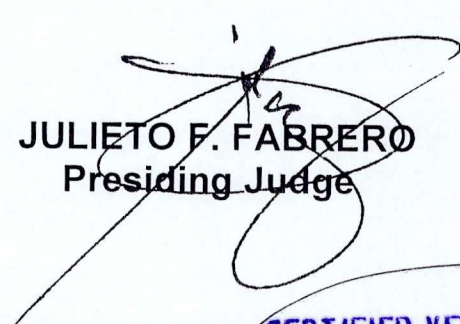
Hence, this Court is constrained to SUSTAIN the contention of herein petitioner.

Lot No. 1303, Pls-22 of the Public Land Subdivision, Sta. Cruz, Occidental Mindoro is hereby declared a PUBLIC LAND. As such, there is no hindrance therefore, for the heirs of ISABEL ABELEDA, and/or subsequent transferees of Lot 1303 or more particularly, a portion thereof such as Lot 1303-A, now being claimed by Amador Isidro, Jr., to cause the survey thereof by a duly licensed surveyor and thereafter, seek titling thereof, outside of this Cadastral Court.

Let a copy of this Order be furnished to all concerned parties.


SO ORDERED.

Sta. Cruz, Occidental Mindoro, 23 July, 2019.

  
JULIERTO F. FABRERO  
Presiding Judge

<sup>1</sup> Page 96, Records book of this Court

CERTIFIED XEROX COPY

  
DANIEL DIOKNO HERNANDEZ  
CLERK OF COURT  
DATE: AUG 13 2019



**ANNEX E**

SUBJECT:  
Request for Survey Authority

Mamburao, Occ. Mindoro  
Date: April 6, 2019

BY: Alma C. Costales  
Sta. Cruz, Occ. Mindoro



The Community Environment and  
Natural Resources Officer  
Sablayan, Occidental Mindoro

Sir:

I have the honor to request for authority to cause the \_\_\_\_\_

\_\_\_\_\_ survey of Lot **1302 & 1303**, Pls- **22**

\_\_\_\_\_ by **ABRAHAM MAPINDAN**  
(Address) (Geodetic Engineer)  
of \_\_\_\_\_ Mindoro in favor  
of: \_\_\_\_\_

*Alma C. Costales*  
**ALMA C. COSTALES**  
Requestee

The land subject hereof shall be applied under any appropriate public land application

Anticipating your proper and favorable action hereon, I am.

Very truly yours,

*Alma C. Costales*  
**ALMA C. COSTALES**  
Requestee





April 6, 2019

**ANNEX - F**

The CENR OFFICER  
Sablayan, Occ. Mindoro

Sir:

This is to request from your good office a certification as to whether or not the parcel of land covering **Lot 1302 & 1303, Pls-22** Public Land Subdivision located in **Barangay Mulawin, Mamburao, Occidental Mindoro** is within the **Alienable and Disposable lands**.

Hoping for your kind consideration on this matter.

Very truly yours,

**ALMA C. COSTALES**  
Applicant



Engr. Cesar Quekian  
CEDRO SABLAYAN



May I request in your  
good office, the A & D certification  
of lot 1303, PL8-22, located at  
Mulanin Isla Cruz occ Mindoro.

Nagpapasalamat  
Accountable  
Alma Castale

09951519685





Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**

DENR-IVB, Lands (Lot Verification)  
Brgy. Mulawin, Sta. Cruz,  
Occidental Mindoro

August 27, 2019

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:


THIS IS TO CERTIFY that the tract of land under **Lot 1303, Pls-22** located at **Brgy. Mulawin, Sta. Cruz, Occ. Mindoro** containing an approximate area of **158,329 square meters** as shown and described in the sketch plan at the reverse side hereof are verified to be within the alienable and disposable land as per Project No. 15, L.C. Map No. 652, certified as such on May 6, 1927. The land therefore, is within the administrative jurisdiction and control of the DENR for disposition under public land act.

This certification is issued upon the request of **Ms. Alma Costales** for whatever legal purpose it may serve. The required certification fee in the amount of Fifty Pesos Only (P50.00) has been paid under O.R. No. \_\_\_\_\_ dated \_\_\_\_\_.

Checked by:

Attested by:

  
**ISAIAS A. GUIMOD**  
Forester III/Chief, CDS

  
**CAESAR E. QUEBEC**  
CENR OFFICER





Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

ANNEX I

September 20, 2019

Mr. REDENTOR PAGUAGAN  
Municipal Assessor  
Santa Cruz, Occidental Mindoro

Sir:

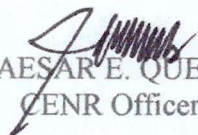
This is in connection with the Tax Declaration issued by that office in the name of Isabel Abeleda over lot 1303, Pls-14 situated at Barangay Mulawin, Santa Cruz, Occidental Mindoro.

We would like to inform you that the subject lot is now the subject of the claim of the actual occupants of the subject lot and requested this office for an authority to survey so that it can titled in their name.

In this regard, we would like to request that the Tax Declaration issued in the name of Isabel Abeleda be transferred to the actual occupants so that the requested authority will be given due course.

Thank you and regards.

Very truly yours,

  
CAESAR E. QUEBEC  
CENR Officer

RECEIVED:

09-20-2019  
NOTE. PLEASE REFER THE MATTER TO D.E.W.R.  
FOR PROS RATE & APPLICATION ISSUANCE.



REPUBLIC OF THE PHILIPPINES  
BUREAU OF LANDS  
LOT DESCRIPTIONS **ANNEX B-1**

**STA. CRUZ PUBLIC LAND SUBDIVISION**

OCC. MINDORO  
NEGROS OCC.

Municipality of **STA. CRUZ** Province of \_\_\_\_\_

Survey No. **Pls- 22 Case No. (PHILCUSA-FOA)**

LOT NUMBER	MON. TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA SQUARE METER
1291	continuation...	N20-29E 447.95				199245
1293	N12-24E 3409.95	S80-06W 147.03	N 3-08W 53.42	N58-06W 280.22	N32-40W 51.78	
		N24-38E 24.10	N53-40E 64.33	S87-58E 67.01	S56-26E 123.95	
		S41-00E 276.69				50547
1294	S44-21E 12573.53	S 1-10E 256.22	N78-51W 403.15	N16-11W 96.61	N60-05E 116.65	
		N87-50E 245.57	N75-44E 73.00			76906
1295	S41-44E 12626.08	N 1-02W 247.38	S79-21E 397.65	S 0-04E 250.53	N78-47W 394.16	96586
1296	S23-04E 12426.68	N60-21E 272.89	N62-33E 198.58	N82-09E 88.16	S 8-57W 194.54	
		S30-05W 248.88	S57-42W 79.41	S47-20W 41.55	S70-50W 193.80	
		N14-12W 261.10	N 1-01W 50.07			152165
1300	N35-14W 1314.01	N24-36W 134.87	N24-17W 283.54	S71-23E 278.90	S21-02E 100.02	
		N68-24E 100.11	N21-03W 100.01	S68-24W 100.11	N71-23W 278.90	
		N65-19E 250.01	N61-05E 244.00	S33-18E 48.12	S30-18W 34.47	
		S 8-48W 86.20	S 8-43E 162.79	S29-18E 103.09	S54-05W 194.22	
		S65-19W 200.02				162925
1301	N31-21W 2025.82	N65-19E 200.00	N58-56E 302.47	S50-12E 19.43	S16-28E 68.00	
		S24-11E 139.52	S11-30W 35.31	S36-06E 66.05	S51-05W 244.00	
		S65-19W 250.01	N25-31W 117.82	N23-12W 184.26		153335
1302	N31-21W 2025.82	N23-20W 261.68	N24-47W 426.63	N25-05W 236.34	N65-19E 200.00	
		N65-19E 200.00	N66-15E 125.09	N70-46E 23.00	S33-11E 53.65	
		S44-55E 110.33	S 0-15W 125.53	S32-50E 37.67	S42-15W 60.60	
		S17-26E 98.89	S56-26E 192.57	S53-54W 57.12	S40-51E 90.54	
		S65-19E 140.84	S37-57W 143.36	S18-04W 18.11	S58-56W 302.47	
		S65-19W 200.00				496603
1303	N28-51W 3215.18	N65-19E 200.00	N65-19E 200.00	N57-50E 328.71	S 4-40E 29.37	
		S12-58W 21.17	S56-35W 124.12	S12-02E 193.34	S35-30E 66.49	
		S70-46W 23.00	S66-15W 125.09	S65-19W 200.00	S65-19W 200.00	
		N25-12W 270.12				158329
1304	N28-51W 3215.18	N24-35W 259.12	N65-19E 200.00	N55-52E 287.12	N65-12E 141.00	
		S38-59E 70.92	S45-30E 88.03	S10-15E 48.64	S69-15E 92.05	
		S65-19W 200.00	S65-19W 200.00			182368
1305	N28-12W 3792.75	N65-19E 200.00	N65-19E 200.00	N63-16E 170.88	S38-14E 130.00	
		S38-14E 121.44	S14-57E 34.59	S65-12W 141.00	S55-52W 287.12	
		S65-19W 200.00	N26-42W 131.36	N23-10W 188.64		182196

CERTIFIED CORRECT:

NOTE: ALL TIE LINES ARE FROM BLLM # 1- COR. 1

Surveyed May 27, 1953, 195  
May 24, 1954

By \_\_\_\_\_

For the Director of Lands:

**NICANOR G. JORGE**

Chief, Division of Surveys  
Bureau of Lands

BY:

**AMANDO A. SALVADOR**

Chief, PLS Surveys Section

Copied by **N.S. VICERAL** Date OCT., 1956

Checked by \_\_\_\_\_ Date \_\_\_\_\_, 1956 **JULIAN BAYONETO**

Deputy Public Land Surveyor

Checked by \_\_\_\_\_ Date \_\_\_\_\_, 1956

Verified by **P. R. RUIZ** Date 11-7, 1956

79 Sheets

Sheet No. 73



REPUBLIC OF THE PHILIPPINES  
OFFICE OF THE OMBUDSMAN  
Agham Road, Diliman, Quezon City 1104



ALMA COSTALES, BOBBY  
COSTALES, RODERICK CUZON  
MAGALONG, JONALYN F. TOPALES,  
JOY DIOLATA, ROCKY G. VALDEZ,  
VIVIAN A. ESQUILLO, IMELDA C.  
TOMAS, JOHNSON A. BINIHAGAN,  
JULIE B. BINIHAGAN Sr., DANILO Q.  
INSIGNE, DIOSDADO B. ALEJO, Jr.,  
REGALADO B. ALEJO, DENNIS D.  
PAGUAGAN, DIOGENES E. DIOLATA  
Sr., JOSHUA A. ALONSABE, APOLO  
C. DIOLATA, GAVINO G. GREGORIO,  
RANDY Z. DIOLATA, RODOLFO  
MAGALONG Sr., RODOLFO C.  
MAGALONG Jr., ANASTACIO T.  
CALUYA Sr., JOEL C. CUZON,  
LAUDELINO D. TAPALES,  
REYCHARD V. TANGLAO, EDUARDO  
M. PARTIDA, LILIBETH D. PARTIDA,  
JULIUS G. TOMAS, and IMELDA C.  
TOMAS (MAGSASAKA NG BARANGAY  
MULAWIN), all are herein  
represented by ALMA COSTALES,

Complainants,

ADMIN CASE No. \_\_\_\_\_

For: Conduct Unbecoming of  
a Public Officer

versus

CAESAR E. QUEBEC,

Respondent,

X-----X

## AFFIDAVIT-COMPLAINT

I, **ALMA C. COSTALES**, of legal age, married, Filipino, and a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro and unto this Honorable Office, respectfully states, THAT:

1. I and the other complainants would like to file an administrative case for Conduct Unbecoming of a Public Officer or any appropriate administrative or criminal case as may be warranted under the premises against **CAESAR E. QUEBEC**, CENRO Officer, COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) MIMAROPA REGION, National Road, Sto. Niño, Sablayan, Occidental



Mindoro, where he can be served with subpoena and other notices of the Honorable Office. I represent all the other complainants who are resident farmers of EEA Crossing, Brgy. Mulawin, Sta. Cruz, Occidental Mindoro where they can be served with notices of the Honorable Office. My authority is evidenced by a Special Power of Attorney, copy of which is hereto attached as **Annex "A"**.

2. The Complainants are farmers residing in Brgy. Mulawin, Sta. Cruz, Occidental Mindoro, they are actually tilling a public land with an area of 158,329 square meters which is Lot 1303 of Psu - 140805 based on Public Land Subdivision with Pls-22. The above-named farmers have decided to take legal steps for the titling of Lot 1303 so that the same be registered in their names. A copy of the approved plan as well as Lot Description are hereto attached as **Annexes "B" and "B-1"**. The said Lot was declared as public land as per Certification dated September 10, 2019, copy of which is hereto attached as **Annex "C"**. The said Certification is based on the Order of the Municipal Trial Court of Sta. Cruz, Occidental Mindoro, copy of which is hereto attached as **Annex "D"**, wherein transferees can now process the titling of the same in their names;
3. The complainants had been in possession of the subject lot since time immemorial. In fact, they established their residence over the said property for a long time already. Being the actual occupants, herein complainants can now apply for the titling over the portion of the subject property that they actually occupied. This is the reason why the complainants previously requested the CENRO for the survey of the property as evidenced by a Request for Survey Authority, copy of which is hereto attached as **Annex "E"**. Request is likewise made for the issuance of a Certification whether the subject lot is alienable and disposable, copy of such request is hereto attached as **Annex "F"**;
4. The complainants made a request again on August 2019 whether the subject land is alienable and disposable, copy of handwritten request is hereto attached as **Annex "G"**. Thereafter, a Certification was issued dated August 27, 2019 that the subject land is alienable and disposable, copy of the Certification is hereto attached as **Annex "H"**;
5. Despite the application for free patent has not yet started by the CENRO headed by the respondent, the latter made a letter to the Municipal Assessor of Sta. Cruz, Occidental Mindoro requesting the Tax Declaration in the name of Isabel Abeleda be transferred to the actual occupants because according to him, that is the only way that the requested authority to survey be given due course, copy of the said request letter is hereto attached as **Annex "I"**. Thereafter, the assessor made a written note on the said request letter stating that the matter should be referred to DENR for free patent application, the same is hereby bracketed and marked as **Annex "J"**;



REPUBLIC OF THE PHILIPPINES)

CABANATUAN CITY)Sc.  
X - - - - - X

**VERIFICATION WITH CERTIFICATION OF NON-FORUM SHOPPING**

I, I, **ALMA C. COSTALES**, of legal age, married, Filipino, and a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro after having been duly sworn to in accordance with law, hereby depose and state:

1. That I am one of the complainant in the instant case and I have caused the preparation and filing of the foregoing Complaint;
2. That I have read and understood the contents thereof;
3. That the allegations therein are true and correct of my own personal knowledge and based on authentic records;
4. That the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
5. That the factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
6. That I have not heretofore commenced any other action or proceeding or filed any claim involving the same issues or matter in any court, tribunal, or quasi-judicial agency, and to the best of our knowledge, no such action or proceeding is pending therein;
7. That if I should thereafter learn that the same or similar action or proceeding has been filed or is pending before the Supreme Court, Court of Appeals, or different divisions thereof, or any other court, tribunal, or quasi-judicial agency, I hereby undertake to report such fact within five (5) calendar days from notice to this Honorable Court.

IN WITNESS WHEREOF, I have hereunto affixed my signature this JAN 26 2021 in CABANATUAN CITY.

*Accostales*  
**ALMA C. COSTALES**

Complainant/Attorney-in-fact of other complainants  
ID NO. C05-19-003681

**SUBSCRIBED AND SWORN** to before me in the CABANATUAN CITY, this JAN 26 2021, by affiant who has satisfactorily proven her identity to me through valid proof of identification appearing below her name and who signed the document in my presence and avowed under the penalty of law to the whole truth of the contents of the foregoing instrument.

DOC. NO. 358  
PAGE NO. 73  
BOOK NO. 74  
SERIES OF 20 21

*L. Villaflo*  
**ATTY. FELICISIMO C. VILLAFLO**  
NOTARY PUBLIC  
valid until June 30, 2021, per SC En Banc  
Resolution dated December 1, 2020 on B.M. No. 3795  
(Requested for Extension of Existing Notarial Commissions)  
Attorney's Roll No. 27589  
PTR. No. 6656888/01-04-21  
IBP No. 136265/12-21-2020  
No. 0286335-SC-EP/12-15-2020  
MCLE COMPLIANCE NO. VI-0006551  
NOTARIAL COMMISSION NO. 13-19  
CABANATUAN CITY, NUEVA ECJA



SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

WE, **BOBBY COSTALES, EDNA BELARMENTE, IMELDA C. TOMAS, JULIUS G. TOMAS SR. , JULIUS C. TOMAS JR. , EDUARDO M. PARTIDA, LILIBETH M. PARTIDA, RODOLFO F. MAGALONG SR. , RODOLFO C. MAGALONG, DENNIS D. PAGUAGAN, APOLO C. DIOLATA, REYCHARD V. TANGLAO , DANILO Q. INSIGNE, VIVIAN A. ESQUILLO, APRIL M. SENO, MELVIN D. AQUINO SR. , BENJAMIN D. AQUINO JR. , RIZZA M. TAPALES, JOWEL C. CUZON, DIOGENES DIOLATA JR. , JOSELITO C. OMALAY, ANASTACIO T. CALUYA SR. , JULIE B. BINIHAGAN, LAUDELINO D. TAPALES, REGALADO ALEJO, ROCKY G. VALDEZ, JOSEPH V. DE GUZMAN, GAVINO G. GREGORIO, RODERICK C. MAGALONG, JOSHUA ALONSABE, RESTIE B. UMIPIG, and JOFFREY D. AQUINO**, all of legal age , Filipinos, and residents of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro, do hereby **name, constitute and appoint** **ALMA COSTALES**, also of legal age, married, Filipino citizen, and also a resident of EEA- Crossing, Barangay Mulawin, Santa Cruz, Occidental Mindoro, to be our true and lawful attorney-in-fact, to do and perform the following acts to wit:

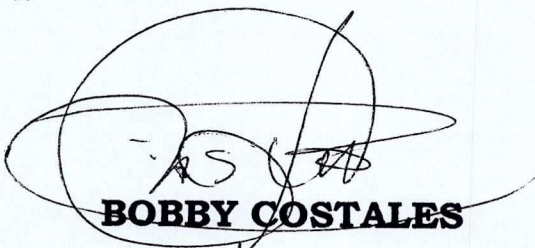
1. To represent us in filing a case (criminal or administrative) against CEASAR E. QUEBEC, CENRO officer at Santa Cruz, Occidental Mindoro, and any of his cohorts, before the Office of the Ombudsman or any other court, office, or tribunal;
2. To follow-up the said complaint and receive any results or decisions rendered by the Office of the Ombudsman or any other court, office, or tribunal pertaining to my above-mentioned complaint;
3. To determine the necessity or desirability of amendments to the pleadings, possibility of obtaining stipulation or admissions of facts and documents to avoid unnecessary proof; limitation of the number of witnesses advisability or necessity of suspending the proceedings; and such other matters as may aid in the prompt disposition of the action; to enter into a compromise agreement and perform such other acts necessary and proper for the expeditious settlement of the case;
4. To testify for us and in our behalf in the said proceedings;



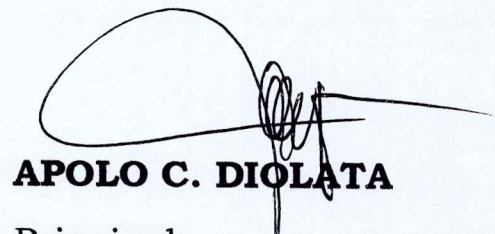
5. To file any pleading, appeal, petition for review, and/or certiorari and sign the verification and certification of non-forum shopping;
6. To sign, execute and indorse such papers and instruments or documents as are necessary and requisite for the accomplishment of the authorities herein conferred upon my attorney-in-fact.

**HEREBY GIVING AND GRANTING** unto our said attorney-in-fact full power and authority to do and perform such other acts which are necessary to carry out the duties and authorities hereunto granted to her, owning the same as our true act and deed which we could lawfully do if we personally present thereat.

**IN WITNESS WHEREOF**, we have hereunto affixed our signatures this \_\_\_\_ day of November, 2020 in \_\_\_\_\_.

  
**BOBBY COSTALES**

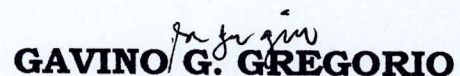
Principal

  
**APOLO C. DIOLATA**

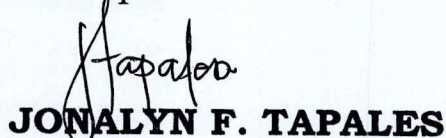
Principal

  
**RODERICK C. MAGALONG**

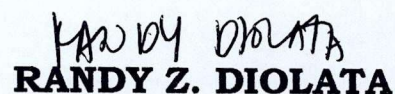
Principal

  
**GAVINO G. GREGORIO**

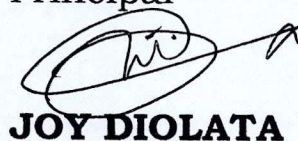
Principal

  
**JONALYN F. TAPALES**

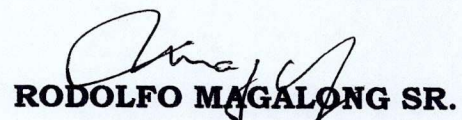
Principal

  
**RANDY Z. DIOLATA**

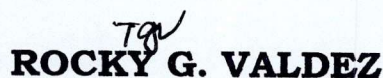
Principal

  
**JOY DIOLATA**

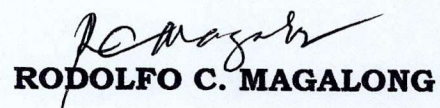
Principal

  
**RODOLFO MAGALONG SR.**

Principal

  
**ROCKY G. VALDEZ**

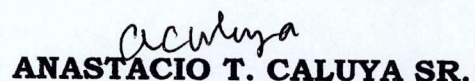
Principal

  
**RODOLFO C. MAGALONG**

Principal

  
**VIVIAN A. ESQUILLO**

Principal

  
**ANASTACIO T. CALUYA SR.**

Principal



*Imelda C. Tomas*  
**IMELDA C. TOMAS**

Principal

*Johnson A. Binihagan*  
**JOHNSON A. BINIHAGAN**  
Principal

*Julie B. Binihagan Sr.*  
**JULIE B. BINIHAGAN SR.**  
Principal

*Daniilo Q. Insigne*  
**DANILO Q. INSIGNE**  
Principal

*Disdado B. Alejo Jr.*  
**DISDADO B. ALEJO JR. SR.**  
Principal

*Regalado B. Alejo*  
**REGALADO B. ALEJO**  
Principal

*Joshua A. Alonsabe*  
**JOSHUA A. ALONSABE**  
Principal

*Julius C. Tomas Jr.*  
**JULIUS C. TOMAS JR.**  
Principal

*Eduardo Partida*  
**EDUARDO PARTIDA**  
Principal

*Kristine Samorin*  
**KRISTINE SAMORIN**  
Principal

*Maila Viray*  
**MAILA VIRAY**

*Jowel C. Cuzon*  
**JOWEL C. CUZON**  
Principal

*Laudelino D. Tapaes*  
**LAUDELINO D. TAPALES**  
Principal

*Reychard V. Tanglao*  
**REYCHARD V. TANGLAO**  
Principal

*Dennis D. Paguagan*  
**DENNIS D. PAGUAGAN**  
Principal

*Diogenes E. Diolata*  
**DIOGENES E. DIOLATA**  
Principal

*Lilibeth D. Partida*  
**LILIBETH D. PARTIDA**  
Principal

*Julius G. Tomas*  
**JULIUS G. TOMAS**  
Principal

*Leonila Omalay*  
**LEONILA OMALAY**  
Principal

*Mary Jane Morena*  
**MARYJANE MORENA**  
Principal

*Edna Belarmente*  
**EDNA BELARMENTE**  
Principal

*Herminia Mendez*  
**HERMINIA MENDEZ**



*Melvin D. Aquino*  
**MELVIN D. AQUINO**

Principal

*Benjamin D. Aquino Jr.*  
**BENJAMIN D. AQUINO JR.**

Principal

*Imee Mariel C. Tomas*  
**IMEE MARIEL C. TOMAS**

Principal

*Mergie D. Guero*  
**MERGIE D. GURO**

Principal

*Josecito C. Omalay*  
**JOSELITO C. OMALAY**

Principal

*Restie B. Umi Pig*  
**RESTIE B. UMIPIG**

Principal

Conforme:

*Alma Costales*  
**ALMA COSTALES**

Attorney-in-fact

*Joffrey D. Aquino*  
**JOFFREY D. AQUINO**

Principal

*Allen T. Souza*  
**ALLEN T. SAUZA**

Principal

*Joy C. Diolata*  
**JOY C. DIOLATA**

Principal

*Joseph V. De Guzman*  
**JOSEPH V. DE GUZMAN**

Principal

*Rizza B. Tapaless*  
**RIZZA B. TAPALES**

Principal

Signed in the presence of:

*Nestor Flora*  
NESTOR FLORA  
Driver's License issued in  
Cabanatuan, N.E. Exp. 2005

*Imee Mariel Tomas*  
IMEE MARIEL TOMAS  
BIRTH # \_\_\_\_\_  
Issued in STA. CRUZ  
Occ. Mindoro



ACKNOWLEDGEMENT

Republic of the Philippines }

STA. CRUZ, Occ. Mindoro Sc.

X-----X

BEFORE ME, a Notary Public for and in the  
Occidental Mindoro, this Jan-19, 2021  
personally appeared:

*redone*  
IMELDA C. TOMAS - SSS UMID ID CRN - 0113-0223049-6  
ALMA COSTALES - Prof. Driver's License - Exp. Dec. 06, 2005 - LTO  
Julius TOMAS, SR - Driver's License - Exp. June 24, 2023 *Cabanatuan*  
Baby Costales - Driver's License - Exp. March 28, 2022 *San Jose, Occ. Mindoro*  
*Cabanatuan*  
*Munda kiga*

known to me to be the same person who executed the foregoing instrument which is a Special Power of Attorney consisting of 5 pages including this pages where the acknowledged to me that the same as their own free act and voluntary deed.

WITNESS MY HAND AND NOTARIAL SEAL.

*Infancia*  
Doc. No. \_\_\_\_; 216  
Page No. \_\_\_\_; 44  
Book No. \_\_\_\_; VIII  
Series of 2020 2021

*16*  
**ATTY. ANTONIO T. MANZANO**  
NOTARY PUBLIC  
UNTIL DEC. 31, 2021  
PTR NO. 8432391  
ROLL NO. 27215  
TIN NO. 116-095-495

*Infancia*



# ANNEX "B"

PS-140605 LOT 11 (Area 100)  
 1304  
 JESUS ABLEDA

1303  
 ISABEL ABLEDA  
 PS-140805 LOT 23  
 (Part)

PS-140606 LOT 23 (Part)  
 1302  
 5.10  
 07.42  
 ESPERANZA  
 DANASO, BERARDO

1316



**CERTIFIED PHOTOCOPY**  
 BRILANTE AGUIBALDO  
 In-charge, Land Records Section  
 DENR-MIMAROPA  
 OR # 4731587

January 16, 1956

ZOHO CASTRILLO  
 DIRECTOR OF LANDS

STA CRUZ PUBLIC LAND SUBDIVISION, PLS 12 (PHILCASA-10A)  
 CM 13°04'N 20°42'E  
 SCALE 1:4000  
 CM 13°24'N



DEPARTMENT OF LANDS  
LOT DESCRIPTIONS ANNEX B

STA. CRUZ PUBLIC LAND SUBDIVISION

Survey No. Pls- 22 Case No. (PHILCUSA-FOA) Municipality of STA. CRUZ Province of OCC. MINDORO  
NEGROS OCC.

LOT NUMBER	MON. TO CORNER	LINE 1-2	LINE 2-3	LINE 3-4	LINE 4-5	AREA SQUARE METER
1291	continuation...	N20-29E 447.95				
1293	N12-24E 3409.95	S80-06W 147.03	N 3-08W 53.42	N58-06W 280.22	N32-40W 51.78	199245
		N24-38E 24.10	N53-40E 64.33	S87-58E 67.01	S56-26E 123.95	
		S41-00E 276.69				
1294	S44-21E 12573.53	S 1-10E 256.22	N78-51W 403.15	N16-11W 96.61	N60-05E 116.65	50547
		N87-50E 245.57	N75-44E 73.00			
1295	S41-44E 12626.08	N 1-02W 247.38	S79-21E 397.65	S 0-04E 250.53	N78-47W 394.16	76906
1296	S23-04E 12426.68	N60-21E 272.89	N62-33E 198.58	N82-09E 88.16	S 8-57W 194.54	96586
		S30-05W 248.88	S57-42W 79.41	S47-20W 41.55	S70-50W 193.80	
		N14-12W 261.10	N 1-01W 50.07			
1300	N35-14W 1314.01	N24-36W 134.87	N24-17W 283.54	S71-23E 278.90	S21-02E 100.02	152165
		N68-24E 100.11	N21-03W 100.01	S68-24W 100.11	N71-23W 278.90	
		N65-19E 250.01	N61-05E 244.00	S33-18E 48.12	S30-18W 34.47	
		S 8-48W 86.20	S 8-43E 162.79	S29-18E 103.09	S54-05W 194.22	
		S65-19W 200.02				
1301	N31-21W 2025.82	N65-19E 200.00	N58-56E 302.47	S50-12E 19.43	S16-28E 68.00	162925
		S24-11E 139.52	S11-30W 35.31	S36-06E 66.05	S51-05W 244.00	
		S65-19W 250.01	N25-31W 117.82	N23-12W 184.26		
1302	N31-21W 2025.82	S44-55E 110.33	S 0-15W 125.53	S32-50E 37.67	S42-15W 60.60	153335
		S17-26E 98.89	S56-26E 192.57	S53-54W 67.12	S40-51E 90.54	
		S65-19E 140.84	S37-57W 143.36	S18-04W 18.11	S58-56W 302.47	
		S65-19W 200.00				
1303	N28-51W 3215.18	N65-19E 200.00	N65-19E 200.00	N57-50E 328.71	S 4-40E 29.37	496603
		S12-58W 21.17	S56-35W 124.12	S12-02E 193.34	S35-30E 66.49	
		S70-46W 23.00	S66-15W 125.09	S65-19W 200.00	S65-19W 200.00	
		N25-12W 270.12				
1304	N28-51W 3215.18	N24-35W 259.12	N65-19E 200.00	N55-52E 287.12	N65-12E 141.00	158329
		S38-59E 70.92	S45-30E 88.03	S10-15E 48.64	S69-15E 92.05	
		S65-19W 200.00	S65-19W 200.00			
1305	N28-12W 3792.75	N65-19E 200.00	N65-19E 200.00	N63-16E 170.88	S38-14E 130.00	182368
		S38-14E 121.44	S14-57E 34.59	S65-12W 141.00	S55-52W 287.12	
		S65-19W 200.00	N26-42W 131.36	N23-10W 188.64		
						182196

CERTIFIED PHOTOCOPY  
BRIAN D. AGUINALDO  
In-charge, Land Records Section  
DENR-MIMAROPA  
047475507

CERTIFIED CORRECT: NOTE: ALL TIE LINES ARE FROM BLIM # 1- COR. 1

Nov. 7, 1956  
For the Director of Lands:  
NICANOR G. JORGE  
Chief, Division of Surveys  
BY: AMANDO A. SALVADOR  
Chief, PLS Surveys Section

Copied by N.S. VICERAL Date OCT., 1956  
Checked by Date , 1956  
Checked by Date , 1956  
Verified by Date 11-1, 1956

Surveyed May 27, 1953, 195  
May 24, 1954  
By JULIAN BAYONETO  
Deputy Public Land Surveyor  
79 Sheets  
Sheet No. 73



Republic of the Philippines  
**MUNICIPAL TRIAL COURT**  
Sta. Cruz, Occidental Mindoro

THE DIRECTOR OF LANDS,  
Petitioner,

CADASTRAL CASE NO. N-6  
LRC RECORD NO. N-240

- versus -

DAMASO ABELEDA, ET AL.,  
Claimants.

**LOT NO. 1303, Pls-22**  
Sta. Cruz, Occ. Mindoro

X-----X

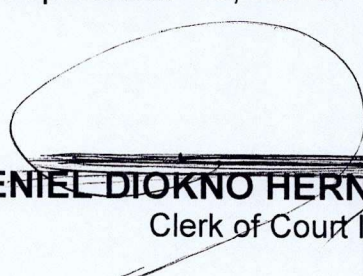
## CERTIFICATION

### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of this Court, it appears that Lot No. 1303, Pls-22, Sta. Cruz Public Land Subdivision, with an area of One Hundred Fifty Eight Thousand Three Hundred Twenty Nine (158329) square meters and with claimant Isabel Abeleda, was declared Public Land per Order dated July 23, 2019 by the then Presiding Judge Julieta F. Fabrero.

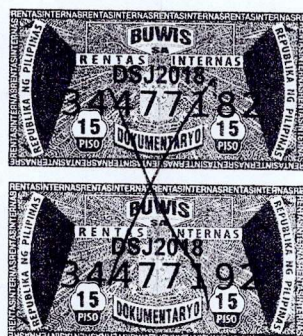
This certification is issued upon the request of Ms. Vivian A. Esquillo, for whatever legal purpose it may serve.

Sta. Cruz, Occidental Mindoro, September 10, 2019.

  
**RENIEL DIOKNO HERNÁNDEZ**  
Clerk of Court II

Fees Paid under O.R. Nos. 0369287 & 0369319  
Issued at MTC, Sta Cruz, Occ. Mindoro  
Issued on September 10, 2019

/irene





Republic of the Philippines  
MUNICIPAL TRIAL COURT  
STA. CRUZ, OCCIDENTAL MINDORO

RECEIVED  
JUL 26 2019  
OFFICE OF THE CLERK OF COURT

THE DIRECTOR OF LANDS,  
*Petitioner,*

-versus-

CADASTRAL CASE NO. N-6  
LRC RECORD NO. N-240

LOT NO. 1303, PLS-22

DAMASO ABELEDA, ET AL.,  
*Claimants*

X-----X

**ORDER**


Posed for resolution of this Court is the letter-request for a Certification and/or Clarification submitted by AMADOR C. ISIDRO Jr., seeking a categorical declaration as to the status of a particular Lot 1303 A, ( a portion of Lot 1303) of the Public Land Survey (PLS), Sta. Cruz, Occidental Mindoro

As a backgrounder, the Director of Lands for and in behalf of the Republic of the Philippines as petitioner in this case filed the instant case sometime in 1958 for registration under cadastral proceedings. Petitioner contended that in the absence of valid claim from interested parties, all lands of the public domain are considered as public lands.


Lot 1303, PIs-22 of Sta. Cruz, Occidental Mindoro is part of the said Public Land Survey conducted for Sta. Cruz, Occidental Mindoro. Our records would show that said Lot 1303 consisting of 15,8329 hectares in area with listed claimant, Isabel Abeleda, was one of those cases under this Court's Cadastral proceedings and was thereafter forwarded to the CFI (now RTC). The Regional Trial Court, Branch 44, Mamburao, Occidental Mindoro, has thereafter certified that there is no pending proceedings before said office, thus, it is presumed that the claimant/s listed therein did not proceed with her claims before the RTC.

Before this Court, there has been no proceedings on this case (Lot 1303) since April 19. 1989, prompting this Court to issue an Order dated 10 November 2010 whereby all claimants should continue proceedings on this case. Despite such effort, nothing happened.

CERTIFIED XEROX COPY

  
AMADOR ISIDRO

Page 1 of 2

  
DANIEL DIONINO HERNANDEZ  
CLERK OF COURT

DATE: \_\_\_\_\_



Considering the length of time, while it appears that there is a listed claimant in the said subject Lot 1303, particularly the Heirs of Isabel Abeleda<sup>1</sup>, there being no proceedings before this Court for any cadastral titling of subject land, the Doctrine of Laches would set in.

"It is based upon a maxim that equity aids the vigilant and not those who slumber on their rights. It is defined as neglect to assert a right or claim which taken together with lapse of time and other circumstances causing prejudice to the adverse party, operates as a bar in court of equity. The neglect for an unreasonable and unexplained length of time under circumstances permitting diligence, to do, what in law, should have been done.

Neglect or omission to assert right, as taken in conjunction with lapse of time and other circumstances, causes prejudice to adverse party; neglect or omission to do what one should do as warrants presumption that one has abandoned right or claim" (*Black's Law Dictionary*, page 875, Sixth Edition)

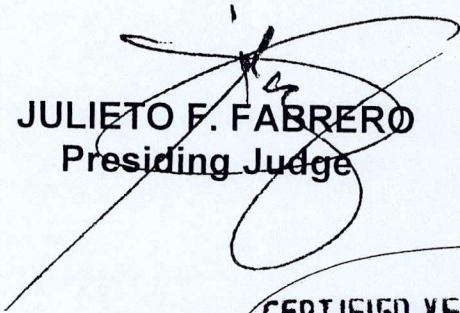
Hence, this Court is constrained to SUSTAIN the contention of herein petitioner.

Lot No. 1303, Pls-22 of the Public Land Subdivision, Sta. Cruz, Occidental Mindoro is hereby declared a PUBLIC LAND. As such, there is no hindrance therefore, for the heirs of ISABEL ABELEDA, and/or subsequent transferees of Lot 1303 or more particularly, a portion thereof such as Lot 1303-A, now being claimed by Amador Isidro, Jr., to cause the survey thereof by a duly licensed surveyor and thereafter, seek titling thereof, outside of this Cadastral Court.

Let a copy of this Order be furnished to all concerned parties.


SO ORDERED.

Sta. Cruz, Occidental Mindoro, 23 July, 2019.

  
JULIERTO F. FABRERO  
Presiding Judge

<sup>1</sup> Page 96, Records book of this Court

CERTIFIED XEROX COPY

  
DANIEL DIONKNO HERNANDEZ  
CLERK OF COURT

DATE: AUG 13 2019

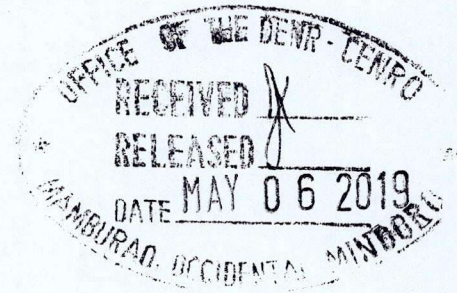


ANNEX **E**

SUBJECT:  
Request for Survey Authority

Mamburao, Occ. Mindoro  
Date: April 6, 2019

BY: Alma C. Costales  
Sta. Cruz, Occ. Mindoro



The Community Environment and  
Natural Resources Officer  
Sablayan, Occidental Mindoro

Sir:

I have the honor to request for authority to cause the \_\_\_\_\_

\_\_\_\_\_ survey of Lot **1302 & 1303**, Pls- **22**

\_\_\_\_\_ by **ABRAHAM MAPINDAN**  
(Address) (Geodetic Engineer)  
of \_\_\_\_\_ Mindoro in favor  
of: \_\_\_\_\_

*Alma C. Costales*  
**ALMA C. COSTALES**  
Requestee

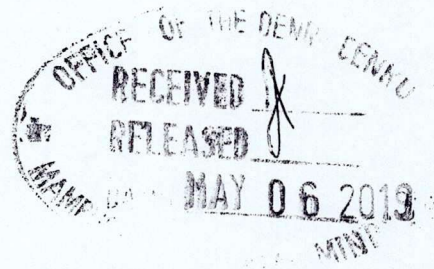
The land subject hereof shall be applied under any appropriate public land application

Anticipating your proper and favorable action hereon, I am.

Very truly yours,

*Alma C. Costales*  
**ALMA C. COSTALES**  
Requestee





April 6, 2019

**ANNEX - F**

**The CENR OFFICER**  
Sablayan, Occ. Mindoro

Sir:

This is to request from your good office a certification as to whether or not the parcel of land covering **Lot 1302 & 1303, Pls-22** Public Land Subdivision located in **Barangay Mulawin, Mamburao, Occidental Mindoro** is within the **Alienable and Disposable lands**.

Hoping for your kind consideration on this matter.

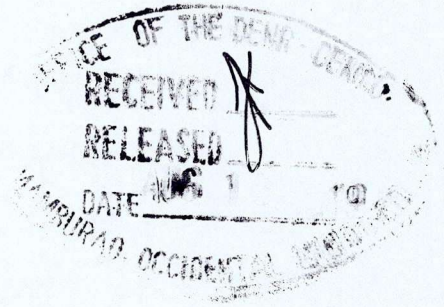
Very truly yours,

**ALMA C. COSTALES**

Applicant



Engr. Cesar Quikio  
CEDRO SABLAYAN



May I request in your  
good office, the A & D certification  
of lot 1303, PL 8-22, located at  
Mulanin Sta Cruz Occ Mindoro.

Nagpapasalamat  
Acceptance  
Alma Castales  
0995519685





ANNEX 4

Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

DENR-IVB, Lands (Lot Verification)  
Brgy. Mulawin, Sta. Cruz,  
Occidental Mindoro

August 27, 2019

C E R T I F I C A T I O N


TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the tract of land under **Lot 1303, Pls-22** located at **Brgy. Mulawin, Sta. Cruz, Occ. Mindoro** containing an approximate area of **158,329 square meters** as shown and described in the sketch plan at the reverse side hereof are verified to be within the alienable and disposable land as per Project No. **15**, L.C. Map No. **652**, certified as such on **May 6, 1927**. The land therefore, is within the administrative jurisdiction and control of the DENR for disposition under public land act.

This certification is issued upon the request of **Ms. Alma Costales** for whatever legal purpose it may serve. The required certification fee in the amount of Fifty Pesos Only (P50.00) has been paid under O.R. No. \_\_\_\_\_ dated \_\_\_\_\_.

Checked by:

Attested by:

  
**ISAIAS A. GUIMOD**  
Forester III/Chief, CDS

  
**CAESAR E. QUEBEC**  
CENR OFFICER





Republic of the Philippines

Department of Environment and Natural Resources

MINDANAO Region

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

ANNEX I

September 20, 2019

Mr. REDENTOR PAGUAGAN  
Municipal Assessor  
Santa Cruz, Occidental Mindoro

Sir:


This is in connection with the Tax Declaration issued by that office in the name of Isabel Abeleda over lot 1303, Pls-14 situated at Barangay Mulawin, Santa Cruz, Occidental Mindoro.

We would like to inform you that the subject lot is now the subject of the claim of the actual occupants of the subject lot and requested this office for an authority to survey so that it can titled in their name.

In this regard, we would like to request that the Tax Declaration issued in the name of Isabel Abeleda be transferred to the actual occupants so that the requested authority will be given due course.

Thank you and regards.

Very truly yours,

  
CAESAR E. QUEBEC  
CENR Officer

RECEIVED:

09-20-2019  
NOTE. PLEASE REFER THE MATTER TO D.E.N.R.  
FOR PROO RATE & APPLICATION ISSUANCE. } J