

Office of the President PRESIDENTIAL COMPLAINT CENTER Malacañang, Manila

11 August 2022

Dir. LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director
Regional Office IV-B (MIMAROPA)
Department of Environment and Natural Resources
DENR by the Bay Building
1515 Roxas Boulevard, Ermita
City of Manila

Madam:

Respectfully forwarding the attached follow-up letter dated 03 August 2022, with enclosure/s, addressed to your goodself, copy furnished the Center, for appropriate action, consistent with existing laws, rules and regulations on the matter, from **Mr. ARDON A. LIBARRA** of Sitio Toto, New Busuanga, Busuanga, Palawan, seeking intercession relative to issues and concerns which, as stated therein, may be best coordinated/addressed by that Office.

A reply direct to the party/ies concerned, copy furnished the Center, Code No. PCC-MLS-03-26-2021-130, will be highly appreciated. action is requested in accordance Expeditious with the provisions Republic Act No. 11032, otherwise known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 as implemented and enforced by the Anti-Red Tape Authority. Please be reminded that failure to timely respond to the public's concern shall be a ground for administrative sanctions under existing laws and regulations.

Our cordial regards.

Very truly yours,

JAIME LLAGUNO MABILIN

Director IV

Encl.: a/s

cc.: party/ies concerned PCC-NEM-08-11-2022-014

/nem

Note: all enclosure/s forwarded

IMPORTANT

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MUNICIPALITY OF BUSUANGA

Sitio Toto, New Busuanga, Busuanga, Palawan

LORMELYN E. CLAUDIO, CESO IV
Regional Executive Director
DENR-MIMAROPA Region



August 03, 2022

Madam:

Pagmamahal ng Panginoong Jesus ang tunay na ipadama sa taong nangangailangan ng kalinga, tulong at pag-asa.

Sa matagal ng panahon, ang aming pamilya ay dumudulog sa inyong ahensiya; DENR Cenro, Penro at maging ang Regional Office kung paano nangyari na ang lupa ng aming tatay na matatagpuan sa Sitio Toto, New Busuanga, Busuanga, Palawan na may Lot No. 579, Cad-1150-D na may sukat na 85, 418 sq. m. ay natituluhan ni <u>SERRANO CURBA</u> represented by <u>NENITA SARIO</u> na may <u>Patent Number 045 307-09-25886</u> na hindi sila ang tunay na may-ari at actual occupant.

Ang aming pagdulog ay nagsimula sa aming tatay na si <u>DOMINGO LIBARRA</u>, <u>February 24, 2009</u> noong siya ay nagsumite ng sulat kamay kay **Sir FELIZARDO B. CAYATOC**, dating CENRO ng Coron, Palawan ng salaysay kung paanong ang lupa na ito ay napunta sa kanyang pangangalaga. Ito ay sa kadahilanang nagkaroon ng <u>CURBA vs LIBARRA</u> sa Tax Declaration at hindi na siya pinahihintulutan ng Municipyo ng Busuanga na magbayad ng Tax sa kadahilanang meron ng **VERSUS** sa tax declaration.

Nag follow-up siya ng tugon ukol sa kanyang sulat dala ang kopya na kanyang isinumite November 30, 2010 ngunit walang malinaw na paliwanag lalo ang humahawak ng section ng lands ng CENRO-Coron Palawan na pinangungunahan noon ni **MS. JUDITH P. QUIRIT**. Sa pagbalik- balik ng aming tatay sa kanyang tanggapan hindi sinabi ni **MS. QUIRIT** na ito ay napatituluhan na noong **April 13, 2009** mas nauna pa ang pagsusumite ng aming tatay ng kanyang salaysay kaysa pagpapatitulo nito. Paanong ipinagpatuloy parin ang pagpapatitulo sa kabila ng meron ng tutol at paanong si **Ms. Quirit** ay hindi nagsabi na ito ay natituluhan na samantalang siya ang nagbigay ng **CERTIFICATION** na walang selyo ng opisina at ito ay pirmado niya upang magamit na maka apply ng titulo si **SERRANO CURBA** represented by **NENITA SARIO**? Namatay ang aming tatay, December 16, 2011 na hindi niya nalaman na ang lupa na kanyang pinahalagahan, binungkal at tinamnan ay napatituluhan na ng iba.

Dahil wala na ang aming tatay, kami ay nagsiyasat kung ano ang kalalagayan ng aming lupa. Sa aming pagpunta sa aming municipyo (Busuanga) dito namin nalaman na ito ay napatituluhan na. Nagpadala kami ng sulat sa DENR-CENRO, Coron, Palawan noong April 16, 2013 address kay **Sir ERIBERTO SAÑOS** at sa aming follow-up, ang nasabing lupa ay napatituluhan na ni **SERRANO CURBA** represented by **NENITA SARIO** dahil di umano natalo kami sa kaso na kahit kailan wala kaming natanggap na court decision at noong kami ay humingi ng kopya sa opisina ng DENR-Cenro Coron ay wala ding maibigay na kopya ng nasabing court decision.

Dahil dito, sumulat muli kami upang humingi ng court decision, mga katibayan na ang DENR-Cenro Coron ay nagsagawa ng imbestigasyon sa pangunguna ng imbestigador na si MR. ARNEL CABANILLAS LMO II, kung nag Ocular Inspection bago ang pag- isyu ng titulo ngunit kami ay nabigo. Wala ring ipinaskil na "NOTICE" sa barangay kung saan sana nabigyan kami ng pagkakataon na maghabol sa nasabing aplikasyon bilang totoong naka-posisyon sa Lot No. 579, Cad-1150-D. Nagbigay ng CERTIFICATION ang barangay Captain noon na si Hon. SHIELA ECHAGUE kasama ng mga opisyales ng barangay na walang posting ng aplikasyon. Gumawa rin ng sinumpaang salaysay si LAMIE LIBARRA tungkol sa kanyang pirma sa Application for Free Patent ng LOT No. 579, CAD- 1150-D noong ika 2-17 noong Hunyo 2008 na ang pirma na nakasaad sa nasabing dokumento ay hindi niya sulat kamay.

Sumulat kami ng protest letter noong May 07, 2013 na hindi kami komunsulta sa abogado dahil sa kakulangan sa pinansiyal na pangangailangan at ipinadala namin sa DENR- Regional Office. Kahit hindi valid ang aming protest, noong August 02, 2013, sumagot si SIR OSCAR C. DOMINGUEZ, Regional Technical for Lands na imbestgahan si MR. ARNEL CABANILLAS at MS. JUDITH P. QUIRIT dahil sa aming complaint.

Pero paano iimbestigahan ang kanilang sarili na sila din yung gumawa ng gusot? Nag advise din si **Sir Dominguez** na magsumite kami ng valid protest.

Nagsumite kami ng valid protest August 16, 2013 at noong July 22, 2015 napadalhan kami ng mga kopya ng sulat na galing sa opisina ni Sir **OSCAR DOMINGUEZ** ng paulit-ulit na **Order of Investigation** kung tutoo ba na kami ang nag ookupa, nagbubungkal at nagtatanim sa contested na lupa. May iba't ibang annotations ang mga kopya na aming natanggap pero hindi po naming alam kung ano ang naging resulta ng mga ito.

Noong September 04, 2015, sinagot ang **Order of Investigation** na ito na may naka attached na **Court Decision** na kami daw ay natalo sa kaso, **Civil Case no. 65 for Forcible Entry for Plaintiff Serrano Curba versus Defendant Domingo Libarra**. Paano kami kakasuhan ng **Forcible Entry** samantalang kahit kailan ay hindi nakapasok sa aming lupa ang pamilya ni **SERRANO CURBA**? Mula 1918 hanggang sa ngayon kami ang naka ookupa at hayag na nagkukultiba ng lupa.

Isa pang hakbang na ginawa ng DENR- Cenro Coron upang resolbahin ang kaso at ilihis sa Order of Investigation para sa dalawang empleyado na si MR. ARNEL CABANILLAS at MS. JUDITH QUIRIT at patuloy na pag-iwas na magsagawa ng Ocular Inspection kung sino ba talaga ang nag ookupa sa lugar at nagdedevelop ay ang pagsagawa ng diyalogo ang DENR-Cenro Coron sa pangunguna ni late DMO IV BERNARDO CASTILLO sa dalawang partido; NENITA SARIO at mga kapatid kasama kami, ARDON LIBARRA at aking kapatid noong November 09, 2015 at nagkasundo ng Relocation Survey dahil sa sinasabi ng DENR-Cenro Coron, Palawan na maaaring iba ang natituluhang lupa nina SERRANO CURBA sa lupa na aming tinitirahan hanggang sa ngayon.

Nagpadala din po kami ng sulat sa **OMBUDSMAN**, November 06, 2017 dahil sa tagal ng proseso ng aming paghihintay ng kasagutan sa aming mga katanugan pero dahil sa may ginagawa daw na aksiyon ang DENR-Cenro Coron, ipinapaubaya sa kanila ang pagdedesisyon. Ito ay dahil sa Investigation Report na isinumite nina **JUDITH P. QUIRIT**, LMO III, **ARNEL D. CABANILLAS**, LMO II, **BERNARDO F. CASTILLO** DMO IV (deceased), attested by **ERIBERTO B. SAÑOS**, **CESE**, ang CENRO noong panahon na iyon. Sumulat din po kami sa Presidential Complaint Center, DENR Regional Office ngunit ang mga resulta ng mga ito ay lingid po sa aming kaalaman.

Sa matagal na paghihintay, nangyari ang **Relocation Survey** noong **April 01, 2019** na ginawa ni **Engineer Vicente L. Paningbatan** kasama ang magkabilang partido at ang gastos batay sa napagkasunduan ay maghati ang dalawang pamilya. Dito naging maliwanag na ang lupa na napatituluhan ng **SERRANO CURBA** represented by **NENITA SARIO** ay ang aming lupa na kinukultiba at tinitirhan nang mahabang panahon.

Muli kaming sumulat sa DENR-Cenro, Coron, Palawan kung ano ang gagawin hinngil sa problemang ito na iisa ang lupa na aming inaangkin.

Nagpadala ang DENR-Cenro Coron ng kanilang mga personnel. Magkasamang muli ang magkabilang partido, **NENITA SARIO** at mga kapatid, ako, **ARDON LIBARRA** at aking mga kapatid. Nagsagawa ng **Ocular Inspection at Final Investigation** kung sino nga ba ang naka posisyon, nakapagtanim at nagdevelop sa nasabing lupa. Ang mga DENR-Cenro, Coron, Palawan Personnel na gumanap nito ay sina **Cristina J. Sabangan**, Forester I/LIO, **Maria Danica L. Patron**, Special Investigator/LIO, **Angelie U. Pascual**, Land Mgt Inspector/LIO, **Patrick Israel T.Panlilio**, Forest Technician I, **Dennis T.Jagmis**, Forest Technician I. Ito ay ginanap halos pagkatapos lang ng Relocation Survey ng 2019. Pagkatapos ng **Ocular Inspection** at **Final Investigation** na ito, lihim parin hanggang ngayon ang kanilang findings at recommendations tungkol dito.

Sa halos dalawang taon na lumipas at patuloy ang aming paghihintay kung ano ang resulta ng Ocular Inspection and Investigation. Noong March 16, 2021, sumulat kami sa DENR- Cenro, Coron, Palawan upang alamin ang naging resulta at ito ay address kay Sir ARNOLD A. BLAZA, JR. ngunit wala pong tugon. Nagpadala ulit kami ng liham noong April 23, 2021 at nakatanggap po kami ng tugon na sulat na may petsang April 27, 2021 na nagsasaad na ang opisina ng DENR-Cenro, Coron, Palawan ay hindi makapagbigay ng kopya ng report dahil sa Department Administrative Order No. 2016-29 "Exception for Non-Disclosure of Information". Pagkatapos po ng lahat ng mga aktibiti na ginawa ng DENR-Cenro Coron wala po ba kaming karapatan na malaman kung ano po ang naging resulta?

Nagpadala din po kami ng sulat address kay Sir ROY A. CIMATU, DENR-Secretary noong March 22, 2021 na maaaring ang tugon bagamat wala kaming natanggap na liham ay dumating ang mga personnel ng Regional Office noong March 08, 2022, muli ang DENR- Regional Office ay nagsagawa ng imbestigasyon ngunit si NENITA SARIO ay hindi nakadalo (bagamat siya ay nasabihan) dahil ayon sa kanyang mga kapatid, pumunta siya ng Coron (karatig bayan ng Busuanga).Nagkaroon muli ng Ocular Inspection at Investigation kung sino ang tunay na nag ookupa, nagkukultiba at nagtatanim sa nasabing lupa. Ito ay isinagawa ng mga Regional Personnel na sina MARGIE U. OCHOA,(Team Leader) DMO III, Compliance Monitoring and Investigation Section, BIBIANA LYN T. AGUHA, DMO II, Enforcement Division, and other CENRO, Coron Representatives.

Mula February 24, 2009 (sa aming ama na namayapa na kasama na lahat ng tatlong mga mamatandang witnesses sa aming protest) hanggang sa kasalukuyan (more or less 13 years) wala paring linaw ang aming ipinaglalaban.

Sumulat po kami para alamin ang naging resulta ng lahat ng naganap na **Investigation** at **Ocular Inspections** na ginawa ng DENR- Coron, Palawana at ang Regional Office sa pamamagitan ng mga ipinadalang mga personnel at nakita nila na kami ang aktwal na nakatira at nagkukultiba ng lupa. Umaasa po kami na sa tagal ng panahon ay mabibigyang hustisya ang aming problema.

Salamat po sa inyong tugon at mabuhay ang Department of Justice at Department of Environment and Natural Resources. More power at God bless po sa inyo.

Lubos na gumagalang,

ARDON A. LIBARRA Heir of Domingo Libarra

Copy furnished:

DENR, Central OfficeHon. Secretary Maria Antonia Y. Loyzaga

Department of JusticeAtty. Jesus Crispin Remulla

Legal DivisionAtty. Ghandi Gagni-Flores

Presidential Complaint Center

PENRO Felizardo B. Cayatoc

CENRO Coron Rodney G. Verian



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

MEMORANDUM

AUG 0 9 2021

TO

THE PENR OFFICER

Sta. Monica, Puerto Princesa City

ATTENTION :

THE CENR OFFICER

Coron, Palawan

FROM

THE REGIONAL EXECUTIVE DIRECTOR

SUBJECT

LETTER DTD 05/19/2021 FROM CHERYL MONTILLA RE: DOMINGO LIBARRA CIVIL CASE NO. CRN - 1053 HEIRS OF SERRANO CURBA PRESENTED NENITA SARIO C/O EA OP WITH PCC CODE NO. PCC-MLS-O3-26-2021-130 (DENRCO -

OSEC - 2021 - 002220)

This pertains to the Memorandum dated June 22, 2021 (with enclosures) from the Assistant Secretary for Field Operations – Luzon, Gilbert C. Gonzales, CESO III regarding the letter of Dir Jaime Laguno Mabilin, Presidential Complaint Center (PCC) of the Office of the President indorsing the email of Cheryl Montilla regarding the letter of Ardon A. Libarra, Heir of Domingo Libarra relative to issues and concerns regarding Civil Case no. CRN – 1053 for recovery of Possession with Damages, filed by the heirs of Serrano Curba presented by Nenita Sario that allegedly was not acted upon by the CENRO Coron.

Please be informed that based on our records, ... your Office was instructed thru the Memorandum dated July 18, 2017 (copy attached) to conduct an investigation and submit report in CSW format with categorical recommendation which will be used as basis for further action. But as of this date this office has not received any action taken on the matter.

Moreover, be reminded that action on documents and request/s received by government agencies must be in accordance with Section 9 of Republic Act no. 11032 Re: The Ease of Doing Business and Efficient Government Service Delivery Act of 2018. In this regard, we would like to reiterate our previous instruction. Directly update Mr. Libarra on his issues and concerns immediately and furnish the Office of the Assistant Secretary for Field Operations – Luzon, Office of the Presidential Complaint Center and this office your action taken for monitoring purposes.

For strict compliance.

Cc:

Gilbert C. Gonzales, CESO III
The Assistant Secretary for Field Operations-Southern Luzon
DENR Central Office Visayas Ave., Diffman, Quezon City

Dir. Jaime Llugano Mabilia Presidential Complaint Center Office of the President, Malacañang

Adon A. Libarra
Heir of Domingo Libarrau
c/o Cheryl Montilla
cherykmontilla85@gmail.com



Je namin sa amin mga magasang, ang lagar ong to ay To To any Pangalon, Si Tomas Fibana oy may anak na hobae na ang Pangalan maria mag kapatiel sila mi Teofelos sa modaling ditaria si Toma na tunilary ama ay may diklarasion na 16 iktorio ang 16 iktaria na ito ay binahagi ng karilang amata tig g iktoria ang katabi ng lapangjay lapa ni Tebaracio Barakasa, ang mga lapang ito parilo na hindi nasarakat ngonit may baandan Ang Lofang its ni Barakass ang Pangalan ay Bacongan ang lopang ito Barakoro, ifinog bili ma kay Jose Libarra na anok ni Joma. Libarra ang naka tera dan ngayon tatlong anak ni Jose na si Basilio Pablo at mpuno Kaya ang lapang ito ay makatati magkatabi ito Po Panay lopa ng mga Libarra, ang Joto, of Bacongan, Pag dating Fargang hadastral repireasakat namin ang aming dirision na mag kakapated kong sobra ibigagså mga manogang o anak na desimon maga apo, its ang Jose maria at Teafito Libarra CRED MADELLE AMARO SRA MELLO

i nong hendi Pa nasasok ang lapang ito ay 11. boopa ng Papeles. 16 iktariang lahat ito. : Pag dating ng foodastral hinate ito, sa ang 14 iktoria na ito. ang 8 kay mariat Darol of ang 8 Kay Teofilo hibarra, na kapated nit maria. ito ang kanilang manahin sa kanilang ama na si Tomas Libarra, ang Pangalan ng nogal ay Toto. si maria Darol ang kanyang asawa ay si Telepe Daros, silay may & na anok, se Consepsion, lahat selvy dean ipinanganak sa rogal na Toto. ito naman si Jebelo, ay may anaf na & ang Panganay ay sé Doming Libarra, amancis, mayles, omedio, adonia, abelia, Denjamen, Gelang lahat og dian ipinanganak sa kar rogal na sa Toto. hangan ngayon dion naka tira si pommy o no anak mi beofilo Libarra. sarogal na Toto ang fangalan to Swaiteng Sa hongan ngayon dian siga nakatira sa ragal na Toto. Si Doming na anak ni Jeofilo Libarra. Semola ng ma lilit Pa kome Dian kami te nakatara sa minana mang lopapmin magalang na si Teorbilo Libarra ngayon akong Domingo Libarra ang pinakapanganay ay may idad na 77. mais na its Po, any amintanong sa mga mæy kapangyarihan sa goberno.

· Paydi bang aplayand ng ibang too ang lapang may diklarasina ? ito po ang katanongan sa may mga Kupangyarihan sa otin goberno. ma sona ma bigion regard solosiones nivers ny katarongan.
its, Sa onang stalaysay va si Tomas Sibarra ay
may lopa sa Toto na (6 ikhoria, yon asso himati sadalawang anak na si maria at Zeofelo dibara. its po, ay binahagi Tyy Karilang ma to Temas ama, ang 1848 nong 1941 nag Kagira sa Philipinas ong hapon labon sa Pilipino. ang mga Papilis ng mga lopa ay nagkawala, ang Pariahan nayon ang mag asawang maria Pelipe Darol selay may Senarakang lopapald Busuanga, motogal ng Ponahan sila dom en Pagkatapas ng 195 gira Binago barros ang lahat ng mga Papilis ng mga lap Samo Sinabi ni maria sa kanyang kapated na si Teofelo Libarra; ikabit moi nalang ang amin lopa Kong bagohise ang mga Papilis mang mga lapa kasi, hindi foramin markafaron, malayo komi at may sinåsaka Kaming løpa ni Forgy Formelie ta old Busnanga kaya lapang ito sa Pangalan Pami Teobelo hibarra na kapatid ni maria barol na asawa n' felipi parol. Kaya ang lopangito, Semola Paang 1918 to 1946 hang ngayon 20008 on afon magazor Kofahan ni Doming Libaera na Pamantellin ma ni maria na anok ng kanyang Kapated na si Tedfolo Libara. Se maria Patay navin at ang Kanyan mga anak. Kaya ang megranasito ay ang mga apo ni maria na asawa ni Felipe Daral.

part IV ngayon and and lapang ito pinasokat na ni nivita Saria, na anak ni Serano Corba, na kindi Palintolot na mag sakat ang DIR votag sakat walang fortal aray manisapia Pakintal atang manisepio, hindi nag daan sa cafitan ng amin barangay. na sia ang natrakadlang lahat na ma lopa så kanyang nasusakapan & ng barangay new Busuanga Buranga Pasawang na Sangayon frami ang sa portronsa lopang ito na ntaga inga afo ni Tomas Libana, na mayanak og marabara Jeofilo Libarra. namefor r manakut Tomas dahil wala navin ang amin mgo magolang na mag kapated, na si maria na asi arawa mi Felepe at Teofilo Libarra. na kafoted ni maria saka mayon kamiring hawak na diklarasion ng lapang toto, ito anim ang labo na si Tomas Libarra: na tatay ni maria at Teafelo Libarra. ito sng inaagao ni ninita ta Baris na anak-ra Serano Corba, kaya itoy pinapa obat namin Sa matetags na may kapanana kapangagas yarihan sa goberno. Kong sino may karapatan, kamu ang may may karapatan Dahil ngitaylapa ng anxing aning mga magolang, walang ibong man lopa si maria ni Leafelo Tibarra na mga arrak ni Tomas Liberrai nong masakat ng ng kadartaa linagion besto ng beisos, ina sinasali to mitage nikong bingjan sila ng lopa ni Tomas Libana silang bingian ng aming lato Tomas ny lopa sa rogal na Tato.

part. L . Tog mag Ponta si kapitan Selah sa monesipio sa aseson, liftaran na toktoran ma ang lapa sa Loto ay sa pangalan na ni quenta sario hindi ma Teafelo Libarra malis na ang terros yan ang hindi namin ma tang ap na taga mana ang lopa ng amin mga magalang. Fi in simaria at Teafelo Libarra ito ang salay say ni Domingo Litarra Domingo Litarra na ma anafny Teabilo Litarra na apo ni Tomas Libarra. na may idad na 77 anies na horgan ngayon dian sia sarogal na Toto, kaya, itoy pinapaabot namin sa mga many kapayarihan saatin goberno: opang ma ayar sa madaling Panahow, ito property sagatin sa. ni asisor sa Kayang ginawa na inolis nia ang birsor na nakalagayi gomagalang Phile & Culago Prenony Bareingry Stee Minhaef 1. Domingo Libery Domingo Libura med Busing Michael 2. Sabroso mutid Shili alhan plecered Mechan

CENRO FELIZARDOB. CAYATOC DENR- CENCO-C*CAMIANEE CORON, PACAWAN

CEREP MARCIAL AMAROJA.

DENR- RILL - MIMAROPA

PENRO JUAN DELACRUZ DENR PTU. PRIN. Cify

Follow up

Jas -inwan

ERIBERTO B. SANOS DENR-CENRO Coran : Palawar



Sir.

Naway pagpapala at biyaya ng Diyos ang inyo pang nararanasan sa araw-araw.

Gumawa po kaming sulat na ito turgkol sa lupa na nilakad ng aming ama sa inyong opisina sa kadahilanang wala kaming natanggap na aksyon turgkol dito.

Dahil kaming nag-alala na kung and ang ranggan sa lupang ipinoglalaban ng aming amin nagsadya. po ako (kectoliban) sa assessor's office. Nagulat po ako bahil sa bagong tax declaration na ang dating occupants na SERRANO CUBA (Pwede po bang SERRANO CURBA ito na hindi nauran tanang apilyedo niga?) vs. D. LIBARRA (siya po ang aming ama) ay naging owner na po ang SERRANO CURBA na ito at authmae representative na ang kangang anak na si NONITA C. SARIO.

Lubos po ang aming kalungkutan dahil matngal nu panatng pabalik balik ang aming ama sa inyo pang tanggapan (PENK) ngunit walang rangyan sa kanyang idinudulogi na problema tungkol sa lupa na simulat - sapul siya, kasama ng kanyang lupang ito ng Joto. Bung buhay mya inilaan niya sa lupang ito ng Joto. Bung buhay mya inilaan niya sa lupang ito ng aksyon sa problemang kanyan ng buhay di siya nakutanggap siya ay bawian ng buhay di siya nakutanggap sirasabi ko pang walang ratanggap na aksyon dahil kalakip po ang sulat na ito ay ang sulat kamay ng aming lindaysay po niya di so na mula sa kanyang ama, sa

Kanija na walong magkakapatid at kami siyam (9) ra anak ni Domineo Liberert oy tumira at ipinarganak sa lugar og Toto na ngayon natituluhan na ail naging pag-aari na ng iba.

Dumulog po Kami romg April 11.2013 sa injarg opisina at personal po naming nakowsap si MAAM JUDIAH QUIRIT. Ayon sa kanya, may title na ary lupa. Paarong may title na? Di bat di pwederg gawan ng titulo ary may versus?

Sirabi po niya sa amin na nagkaroon po sila ng kaso cit ratalo dan any aming ama (DomiNGO HBARRA) at rando itory SERRAND CURBA. Sinabi po nigang may court decision na at ito any naging basehan ny iyang tanggapan upang gawan

Tirarory po ramin kung ang intory tanggapan ay may kopya ng court decision, dahil sa cuming Pagkakaalam ito ay mahatagang dokumento na kung sakaling maghabol ang nasaling natalo (ito daw po ang aming aina DanINGO UBARENA)

ay meron katibayan ra kanilarg ipapakita. Wala daw kopya ang inyo pang tanggapan, Itinulak po kami sa assessor's office Sa aming munisipyo og Busuarga. Kahit alam po namin na

hindi po ito trabaho roj assessor's office, pumunta po kami at nagtarorg. Di ra po kami nagtaka nurg sabihin sa amin

na wata. Nag request nalarg po kami rg kopya rg certification no ibinigay ng inyong opisina at nakita po namin na ito nga ay ibinigay na kay SERRANO CURVA (iba na naman po ang spelling ng apilyedo) na rinepnesent ni NENITA SARIO dahil siya ay namatay ra.

Malaki para problema kung paano kami makakuha ng court decision. Kahit case number ay walary record ng injury tanggapan. Nargako po si MAAM JUDITH QUIRIT na Kami po ay tutulurgang makahanap ng sinasabirg court decision. Pero di po ba dapat arg inyo parg opisina ay meron po nito dahil isa itorg importantero dokumento?

(i)

151:

Kawawa raman ang aming ama na naipagkait sa kanya ang anasabing conf draision na naging dahilan ng pagkawala ng lupa na kanyang pinogyawan hanggang siya ay bawan ng bubay.

Ang malaking Katanungan po sa amin ay kung pa ano ang inyong tanggapan ay nagbigay ng application sa pamilya CURBA sa nasabing lupa na noon pa man mula sa aming mga ninuno ay occupantes na doon? (So. Toto, New Busuanga, Busuanga, Palawan) pi po ba bago bigyan ng application and isang two ay kailangan munary imbestigation kung meron ng occupants sa nasabing lupa? Paareng si MR. ARNEL CABANILLAS ay nag imbestiga bilang imbestigator na di nija nalaman na meron ng nakapwesto at binigyan pa ng application itong mga CURBA sa lupa va ito ? Avorg Klaseng imbestigador itong si MR. ARNEL CABANILLAS? Di ba dumaan sa tamang proseso itang si MR. ARNEL CARDANILLAS at di niya ralawan ra arg lupa ry Sto. Joto na matatrg. pian sa New Busuarga ay meran rg. matagal na occupants at may mga papel rg hinahawakan bilarg Katibayan. Sa aming pagkakaalam, dapat dadaan sa minisipyo, sa kapitan upang alamin kungang nasabing lupa ay walang nagmanay- ari bago big yan ng application para dito. Ang aming ama po (DamINGO LIBAKERA) ay walang alam sa ginawa ng injong tanggapan; ang pag survey at pagsukat sa nasabirg lupa, Gusto pang malanan ng aming pamilya kung itang si MR. APRNEL CABANILLAS ay tataarg nag-imbestiga bilarg imbestigadar rg lupa ra ito.

Arg aming ama po ay navnatay noong December 16,2011 Noong siya ay hindi pa nagkasakit, siya ay paulit-ulit na dumudulog sa opisina ng DENR at hanggarg siya po ay bawian ng buhay wala po siyang natanggap na aksyon tungkol sa kanyang problema. Hindi rin po niya natanggap ang

Marke 1

Sinearsaloing court de cist i na ragpapaturautra daw ra ratalo siya sa kaso dalil hanggarg siya ay bawian ng buhay paulit-ulit niyang sinasabi na atagaaan ang tupa sa Toto.

Sa sinabi po ni MAAM JUDITH QUIRIT na meran ng

title ang lupa at nakapangalan na kay SERRANO CURBA, bakit hindi kami pinapaalis sa nasabirg lupa harggarg ngayan Kung sila ay may papel ng katibayan na pagmamay-an na nila arg lupa, bakit hirahayaan larg Karning pinapaunlad ang lupa sa pamamagitan ng pagtatanin ng puno. paglilinis, pagtatanin ry palay at ning sa nasaling lupa?

Sara matulungan nijo kami sir sa aning ipinadalaha Kalakip po ang sulat na ito ay mga katibayan nu any aming

anna ay higit na may karapatan sa luparg ito,

Lubos pang nagpapasalamat ang aming pamilya sa aksyon na inyo porgitutigon sa aming sulat na ito. Maraming salament po at God bless! MABUHAY ANG IN YO PONG DEPARTAMENTO - DENK-CINKO, Coron, Palawan.

> Lubos na gumagalang, ARBON LIBARRAS
> (anak jolaningo libarra) PTR RECTO ELIB ARRYA (arak ni Paningo Libarra)

: (51 +

COPY FURNISHED JUAM DELA CRUIZ DENR- PENRO Sta. Monica, Puerto Princesa City

EDGARDO 6 - GALEON Executive Director DENR-Region IV-B MIMEROP Roxas Boulevard, Frimitz Manila



Republic of Philippines
Department of Environment and Natural Resources
Region IV-MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Coron, Palawan



April 16, 2013

Hrs. of Domingo Libarra Represented by: MR. ARDON LIBARRA Bgy, New Busuanga, Busuanga Palawan

Dear Mr. Libarra:

Greetings!!!

This is in connection with you letter of even date regarding Lot 579, Cad-1150-D with an area of 8.5418 hectares listed as Serrano Curba versus D. Libarra, which was applied by The Hrs. of Serrano Curba, represented by Nenita Curba-Sario, under FPA-045307-1470 by virtue of a Court Decision dated Augst 25, 1997 filed in this office and was issued a title on April 3, 2009.

Please see attached photocopy of Plan showing the geographical position of the lots adjoining the lot in question. From Lot 568 of Nenita Sariego with an area of 25.0408 hectares is <u>Lot 577</u>, <u>with an area of 8.1951</u> is listed to TEOFILO LIBARRA and is covered by a tax declaration you submitted to this office, this lot remained unapplied from 1995 to present. After Teofilo Libarra are <u>Lot Nos. 576 and 578</u> listed to AMANCIO LIBARRA and IGMEDIO LIBARRA with an area of <u>3.6298 and 5.5570</u> hectares, respectively. Another lot was listed in your name (Ardon Libarra) which you applied for title particularly <u>Lot 581</u>, <u>Cad-1150-D with an area of 5.1229</u> hectares which is at the back portion of Lot 579 (the lot in question) with an area of <u>8.5418</u>.

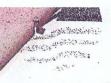
All the lots along that area which are all under LIBARRA's names has a <u>total area of 22.5048</u> hectares, excluding the lot in question. Please be informed that the area reflected on old Tax Declarations without the Cadastral Lot Number are considered more or less until after the formal survey is done to show the exact area.

It is advised that you hire a licensed Geodetic Engineer for a relocation survey to determine if your actual occupation is within Lot 579 or you may file a "PROTEST" in due form (under oath) and pay the necessary Protest Fee in this office.

We hope that this letter will enlighten you somehow and our office is open for further verification and/or clarification. Thank you.

EKWERTÓ-WSAÑOS

CENRO



Department (* Environment and Natural Resources MIMAROP. egion COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE Coron, Palawan cenro_coron@yahoo.com

April 30, 2018

MEMORANDUM

FOR

The OIC, Regional Director

DENR MIMAROPA Region Roxas Blvd., Ermita, Manila

FROM

The Community Environment &

Natural Resources Officer

SUBJECT

REQUEST FOR COPY OF COMPLETE SET OF FPA-045307-1470

COVERING LOT NO. 579, CAD-1150-D WITH AN AREA OF 8.5418 HAS. LOCATED AT BARANGAY NEW BUSUANGA, BUSUANGA, APPLIED BY THE HRS. OF SERRANO CURBA, PALAWAN

REPRESENTED BY NENITA CURBA-SARIO.

Respectfully requesting for a copy of the above-mentioned application as the Original records are kept in that Office.

For whatever reasons, files retained in this Office lack the Application for Free Patent, Affidavit and Joint Affidavit in support of the application. Said documents are being required by the office of the Ombudsman.

For information, record and consideration.

/jpq*x

Copy Furnished:

The PENRO **DENR-PENRO** Palawan

ERIBERTO SAMOS DENR. CENRO Cora, Palawan



Sir

Mapagpalary araw po!

Nais po naning humingi ng permiso ra
makakuha ng kopya ng application ni
SERRAND CURBA sa lupa na matatogpian
sa Sitio Joto, New Busuarga, Busuarga,
Palawan.
Palawan.
Maraning salamat po!

Guragalargs ARDA LIBARDA

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

Land Management Services Coron, Palawan

CERTIFICATION DEL-07-007-14-018

TO WHOM IT MAY CONCERN:

Prev. Plh. 066-07-007-11-003

THIS IS TO CERTIFY that based from the records of this Office Lot 579, CAD-1150-D located at Bgy. New Busuanga, Busuanga, Palawan with an area of 85,418 square meters is listed to Serrano Curva as survey claimant who is already deceased, his daughter NENITA C. SARIO who represents as his heirs filed a corresponding application for title under FPA-045307-1470.

This certification is issued upon request of Ms. Nenita C. Sario for whatever lawful purpose it may serve him/her best.

. ISSUED this zeth day of May, 2008 at CENRO, Coron; Palawan

VERIFIED CORRECT:

ELIZABETH A. PADON

Administrative Aide III

Acting Administrative Officer I

ATTESTED BY

JUDITH P. QUIRIT

Spl. Investigator/OIC Chief, LMS In charge, Office of the CENRO

Note This is not valid without CENRO Official seal

Republika ng Pilipinas) Coron, Palawan) S.s.

SINUMPAANG SALAYSAY



Ako, si **LAMIE LIBARRA**, Filipino, may-asawa, nasa hustong gulang at residente ng Barangay New Busuanga, Busuanga, Palawan, matapos manumpa ayon sa batas ay malaya at kusang loob na nagsasaad, NA:

- Na, ako ay sumusumpa na walang akong alam o pinirmahan na dokumento tungkol sa Notice of Application for free patent ng Lot No. 579, CAD 1150-D noong ika-2-17 ng Hunyo, 2008;
- Na, ang pirma o lagda na nakasaad sa nasabing dokumento ay hindi ko sulat kamay;
- 3. Isinagawa ko ang salaysay na ito upang patunayan ang mga nakasaad sa itaas.

| BILANG 9 B | MAY | ako | ay | lumagda | ngayong | ika- | Non-comparison described in the American | ng |
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Cami Ligher K -LAMIE LIBARRA NAGSASALAYSAY

Page No. 29 HOUSE PURIL Series of 2019.

* Notary Public until Dec. 31, 2021

PTR No. 4520363 Nov. 27 2018 PALAWAN

IBP No. 057399 Dec. 19, 2018 PALAWAN

Roll No. 50112

DATE: COM JOSO DE CONTROLO DE

MUNICIPALITY OF BUSUANGA New Busuanga, Busuanga, Palawan

CERTIFICATION

This is to certify that I, <u>SHIELA D. ECHAGUE</u>, the Barangay Captain of New Busuanga, Busuanga, Palawan during the posting of the application of land title of the HRS. of SERRANO CURBA represented by NENITA SARIO to (LOT 579,CAD.1150-D) containing an area of 85,418 square meters.

This further certifies that there was **NO copy** of any **NOTICE** posted by the DENR-Coron in the name of **MR. ARNEL D. CABANILLAS** at any conspicuous place of the barangay where the land applied for which is located on bulletin boards, and/or at the door of the municipal building or barangay office from June 2-17, 2008.

Affixed herewith is my signature together with the Barangay Officials during the aforesaid dates of posting.

This is issued upon request of MR. ARDON A. LIBARRA this day August 15, 2019 at Barangay New Busuanga, Busuanga, Palawan to whatever it may serve him.

SHIELA D. ECHAGUE Barangay Captain

Barangay Kagawad

GLENNA E. MONTILLA

DIOMEDES T. JACKIS J

ANNALIZAC. AGNES

FLORESTO MACMAG

NOTICE OF APPLICATION FOR FREE PATENT Notice is hereby given that Rep. by: Henita Sario filed with the Director of Lands an application, under the Provisions of Republic Act No. 732, Chapter VII of Commonwealth Act No. 141, amended and Republic Act No. 6940 for a Free Patent to an agricultural land situated in the Barangay of New Bustanga, Municipality of Bustanga, Province of Palawan, Philippines described as follows: 10 # 570 Cod. 1150-D , containing an area of 85,418 square meters.
All adverse claims to the tract of land above-described must be filed in the DENR-CENR Office on or before the 17th day of June , 2000 Any claim not so filed will be forever barred Republic of the Philippines) Province of Palawan Municipality of Coron) Henda Sario married to Benits Sario
Being first duly sworn to depose and say, THAT he is the same person who made an application for the above-mentioned land, THAT a copy of this NOTICE was posted at a conspicuous place of the barangay where the land applied for is located (on the bulletin board and/or at the door of the municipal building on 2nd day of June, 2008 and remained posted until the 17-th day of June, 2008. Applicant SUBSCRIBED AND SWORN to before me this 17th day of June .2008. affiant exhibiting his/her Community Tax Certificate No. Busciama, Pahwan on Authorized Officer to Administer Oath

CERTIFICATION

THIS IS TO CERTIFY that this Notice of Application for Free Patent was posted at the Bulleting Board of this Barangay on June 2

June 17, 2008.

Barangay Captain/or Barangay Kagawad Barangay LEN ELENANG Coron, Pal.

/ipq* 072505

SN Ble. 1019552

REPUBLIKA NG PILIPIDAN
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PANGASIWAAN DA PATALAAN NG LUPAN
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ANNEX

Tantibayun ng Orihinal na Titalo

Miller St. Section Same

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Let No. 579, Cad - 1150 -D

Beginning at a point number "1" of Lot 570, Cad-1150-D being N. 46 - 15W., 9,465,20 m. from B.L.L.M. No. 1 . Cod 1150-D. Bosnsaga. Palawan to corner 1, thence

9. 41 - 47 E. 113.51 m. to point 2. S. 2 - 40W. 173.76 m. to point 3. S. 76 - 12W. 66 38 m to point 4: S. 11 - 52 v. 106.24 m to point 5; N. 60 - 15 the 245, 10 m to point 6: N. 22 - 21 E. 273, 44 m to point 7: N 39 - 39 E. 161.35 m to point % 16 15-32 Dec 125.43 c. to point 2; Point of boginuiss.

Comming an area of EIGHTY FIVE THOUSAND FOUR HUNDRED EIGHTEEN (85,418) souve miders.

All point referred to are indicated on the plan and are marked on the ground by B. L. Cyl. Conc. Mons.

Bounded on the NE., along line 1-2 by Lot 578. Cad-1150-D; on the E. along line 2-3 by Gutob Bay and along lines 3-4-5 by Lot 583, Cad-1150-D, on the SW., along line 5-6 by Lot 582, Col-1150-D; and on the NW., along line 6-7 by tot 581, along line 7-8 by Lot 580; and along line 8-1 by Lot 574 and 575 all of Cad-1150-D

Begings 110e.

This lot was surveyed in accordance with law and existing regulations promulated thereunder by Engr. Levnardo V. Wanin Geodetic Engineer on , June 4 to July 15, 1903 and was approved on October 11, 1905.

NOTE: This lot is covered by FPA-045307-1470.

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It is hereby certified that this is a true electronic copy of the document on file in Registry of Deeds of Province of Palawan, which consists of 4 page(s). This is a system generated Certified True Copy, and does not require a manually-affixed signature. Issued at Registry of Deeds of 4 page(s). This is a system generated Certified True Copy, and does not require a manually-affixed signature. Issued at Registry of Deeds of Province of Palawan. Requested By: JENNIFER ALGONIS

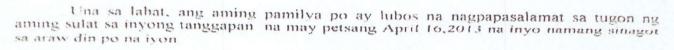
Republic of the Philippines MUNICIPALITY OF BUSUANGA New Busuanga, Busuanga, Palawan

May 7, 2013

100 g 18.

ERIBERTO B. SAÑOS DENR- CENRO Coron, Palawan

Sir



Nakasand po sa inyong sulat na amin pong gagawin ay magpasukat sa isang licensed Geodetic Engineer para sa relocation survey ng matiyak ang actual occupation naming o mag file ng PROTEST (under oath) at magbayad ng kaukulang fee para dito sa inyo pong opisina.

Kami po na mga anak ni DOMINGO LIBARRA ay nagproprotesta sa titulo na inisyo ng inyo pong opisina sa Lot 579. Cad-1150-D na may sukat na 8.5418 hectares na napunta kay SERRANO CURBA represented by NENITA CURBA-SARIO na di umano dahil sa Court Decision (wala pong natanggap ang aming ama na si DOMINGO LIBARRA) dated August 25, 1997 at nagawan ng titulo noong April 3, 2009.

Kalakip po ng protesta na ito ang mga dokumento (tax declaration at pirma ng aming mga matatandang kabarangay) na nagpapatunay na kami ang higit na may karapatan sa lupa na ito sa kadahilanang kami ang nag-ookupa at nag-papaunlad sa naturang lupa.

Nalulungkot po ang aming pamilya sa kadahilanang kami na ang biktima, kami pa ang gagawa ng solusyon sa problema na ito. Kung naging patas, ginawa ang tamang proseso ang pag- iimbestiga ni MR. ARNEL CABANILLAS hindi humantong sa ganitong sitwasyon ang aming pamilya. Bilang imbestigador MR. ARNEL CABANILLAS, dapat taglayin ang pagiging malinis, tapat at walang kinikilingan upang walang masaktan sa anumang resulta ng imbestigasyon. Sinukat ito ng walang paalam at nagawan ito ng titulo na walang kaalam-alam ang nag ookupa sa lupa na ito. Nag papakita ito ng walang respeto at pagpapahalaga sa karapatan ng isang tao

Noong dumulog po sa inyong (November 30, 2010) opisina ang aming ama na si DOMINGO LIBARRA, bakit di agad inaksiyonan ni MR. ARNEL CABANILLAS ang problema na ito? Ano ang ginawa niya sa sulat ng aming yumaong ama/ Bilang imbestigador, sa kanya na indorso ang sulat pero ano ang ginawa niya? Ipinagsawalang bahala niya dahil alam niya na ang aming pamilya ay walang alam sa batas at walang kakayahang mag reklamo.

Sa aming pag-sisiyasat kung ano ang nagyari sa nasabing lupa, nakakuha po kami ng tax declaration sa aming assessor's office ng aming munisipyo na nakapangalan na kina SERRANO CURBA pero imbes na SERRANO CURBA, CUBA ang apilyedo na nakalagay rito. May copya din po kami ng certification na inisyu po ng inyong tanggapan. Dalawa lang po ang asignatories dito, Verified by LLZABETH A. PADON, Administrative Aide III, Acting Administrative Officer I, attested by JUDITH P.

The Contraction of

QUIRIT, Special Investigator, OIC Chief, LMS. In Charge ng Office of the CENRO Ang tanong po namin, pwede bang mag isyu ng CERTIFICATION ang In Charge ng Office of the CENRO'Di po ba napakamaselan itong papel at ang CENRO lang ang dapat mag isyu? Isa pa po, iba tin ang spelling ng apilyedo ni SERRANO CURBA Di kaya dahil sa pagmamadali unbes na CURBA ay naging CERVA na ito? Kung tunay nga na IBINASE ni MS. JUDITH P. QUIRIT ang pag desisyon sa COURT DECISION na natanggap niya di umano sa pagbibigay ng titulo, dapat spelling ng apilyedo ni CURBA ay na check po niya

Bakit sinasabi ni MS, JUDITH P, QUIRIT na pinag-aralang mahati m CESRO FELIZARDO CAYATOC ang pag isyu ng titulo na hindi naman siya ang pumirma sa CERTIFICATION na inisyu ng inyo pong tanggapan? Kung inyo pong maalala sir, sinabi po niya sa loob mismo ng inyo pong opisma neong Abril 16, 2013

Sa mga nakasaad dito, labis na upang harangin, pigilan, ipagsawalang bisa ang titulo na inisyu ng inyo pong tanggapan..

Nais po naming malaman kung ano ang tugon m MR. ARNEL CABANILLAS sa mga katanungan po namin sa kanya tungkol sa kanyang pag imbestiga sa aming lupa kasama ito ng aming mga tanong sa kanya sa nauna na naming liham noong Abril 16, 2013.

Kung invo pong mamarapatin, gusto rin po naming malaman ang reaction ni MS. JUDITH P. QUIRTI sa pag isyu niya ng CERTHICATION na hindi pirmado ni CENRO FELIZARDO CAYATOC na sinasabi niyang pinag-aralang mabuti ito ng CENRO ang pagbibigay ng titulo.

Lubos pong nagpapasalamat ang aming pamilya sa muli po ninyong pagtugon sa aming hinaing tungkol sa aming ipinaglalaban na lupa. Panalangin po naming malutas na po ito sa lalong madaling panalion. Umaasa po kami na maturulungan niyo ang aming pamilya

Nawa'y patuloy po kayong pagpalain ng Panginoon sa inyo pong pamumuno Mabuhay po ang DENR-CENRO, Coron, Palawan! God bless!

Lubus na gumagalang.

Ė

ARDON A. LIBARRA (anak pi Domingo Libarra)

Cynik of Domingo Libarra)

Princesa, this ____ day of ______ day of ______ a Notary Public of Palawan and City of Puerto _____ affiant exhibited to me their proofs of

Identity mentioned above under their name.

Doc. No. 37;

Book No. X/

Series of 2013.

AND PUBLIC FOR PALMENT IN TIL DESTAL NO.57527

SP NO 610416: E-28-67

agy, New Busuange, Felaws

<u>KATUNAYAN</u>

Kami, na sina ESTHER C. ANAPADA, BASILIO LIWARRA, FELITO S. DACO, na nag-patunay na si Eng. DOMINGO LIBARRA, ang binigyan ng karapatan o mag-okupa ng lupa na matategpuan sa sitio. TOTO, Bgy. New Bus.Pal. na may lapad na humigit kumulang sa walong hektaria ang lapd..

At ito po aming lalagdaan na nag patunay sa nasabing lupa.

| 10. | ESTHER C. ANAPADA | 56 Bother C. Chapada |
|-----|-------------------|----------------------|
| 2.) | BASILIO LIBARRA _ | Baselio Litane 82. |
| 3.) | FELITO S. DAGO | APP Returney |

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MEMORANDUM

TO

The PENR Officer

Sta. Monica, Puerto Princesa City

ATT'N.

The CENR Officer Coron, Palawan

FROM

The Regional Technical Director for Lands

SUBJECT

LETTER PROTEST OF THE HEIRS OF DOMINGO LIBARRA REGARDING THEIR LAND PROBLEM OVER LOT 579, CAD. 1150-D LOCATED AT TOTO, NEW BUSUANGA,

BUSUANGA, PALAWAN

DATE

0 2 AUG 2013

Referred herewith is the letter, with its enclosures, dated May 7, 2013, of Messrs. Ardon A. Libarra and Recto A. Libarra as Heirs of Domingo Libarra, regarding their land problem over Lot 579, Cad. 1150-D located at Toto, New Busuanga, Busuanga, Palawan.

The said heirs alleged that they are the actual occupants who introduced improvements on the lot in question which is now patented to one Serrano Curba. They are therefore seeking the cancellation of the said patent. Protestants are also complaining about CENRO personnel namely: Mr. Arnel Cabanillas and Ms. Judith P. Quirit particularly the manner of their handling the case.

Wherefore, it is hereby directed that you cause the conduct of an immediate investigation to ascertain whether there is sufficient ground to warrant the filing of formal charges against the said personnel. Submit a report with categorical recommendation. Also advise the party of the requirements of a valid protest.

FOR STRICT COMPLIANCE.

CC

Mr. Ardon A. Libarra Mr. Recto A. Libarra Toto, New Busuanga, Busuanga, Palawan

JAS/KST Gr 13-05-0030 p. 352



Republic of the Philippines

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

REGION IV-B, MIMAROPA

1515 L & S Bldg., Roxas Boulevard, Ermita, Mania, ---

SUBJECT:

ARDON A. LIBARRA,
Protestant.

-versus-

FP No. 045307-09-25886 HRS. OF SERRANO CURBA, Rep. By Nenita Sario, Protestees. Lot No. 579, Cad 1150-D

Area: 85, 418 sq.m

New Busuanga, Busuanga

Palawan

horse four to conduit of course investigation

ORDER OF INVESTIGATION

A protest was filed by Ardon A. Libarra pursuing the cancellation of Free Patent No. 045307-09-25886 in the name of the Heirs of Serrano Curba, represented by Ms. Nenita C. Sario covering Lot No. 579, Cad. 1150-D, situated at New Busuanga, Busuanga, Palawan.

Protestant alleged in substance that he is one of the heirs of Teofilo Libarra who had been in actual, adverse and continuous occupation of the contested parcel of land as far back as 1920s. Protestants alleged further that during the lifetime of his predecessor, he fully cultivated the whole area into a productive agricultural farm yielding substantial harvests and was likewise used as a dwelling place for the family. Upon the demise of Teofilo Libarra, his son, Domingo Libarra (now deceased) continued the cultivation and occupation of the portion of the said land and declared the land for taxation purposes. Protestant continued the occupation and cultivation of the area adversely, openly and continuously in the concept of owner. Protestant alleged finally strategy and stealth succeeded in occupying a portion of the said parcel of land and eventually a certificate of title was issued in the name of the Protestee.

It appearing that the protest is sufficient in form and in substance and the required protest fee was paid for.

The CENRO in Coron, Palawan is hereby directed to cause the conduct of an investigation thereon in accordance with Section 7 of Lands Office Circular No. 68, and thereafter, submit the corresponding report to the Regional Executive Director for dispositive action.

SO ORDERED.

Manila, Philippines 2 2 JUL 2015

Cc: Mr. Ardon A. Libarra New Busuanga, Busuanga, Palawan

Ms. Nenita C. Sario New Busuanga, Busuanga, Palawan

The PENR Officer Sta. Monica, Puerto Princesa City

The CENR Officer Coron, Palawan OSCAR C. DOMINGUEZ
Regional Director



MS, Emplished in info corting of the SUBJECT:

DEPARTMENT OF ENVIRONMENT AND NATURAL

1515 L & S Bidg , Roxas Boulevard, Ermita, Manile

PALAWAN RECORDS

RECENTER

DATE: 8-27-15 CN15-177

ARDON A. LIBARRA, Protestant

-versus-

FP No. 045307-09-25886 HRS. OF SERRANO CURBA, Rep. By Nenita Sario.

Protestees

Lot No. 579, Gad 1150-D

Area: 85, 418 sq.m

New Busuanga, Busuanga Palawan

ORDER OF INVESTIGATION

A protest was filed by Ardon A. Liberra pursuing the cancellation of Free Patent 40. 5045307-09-25886 in the name of the Heirs of Serrano Curba, represented by Ms. Ne lita W. Sario covering Lot No. 579, Cad. 1150-D, situated at New Busuanga, Busuanga, Palawan.

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SO ORDERED.

Manila, Philippines 2 2 JUL 2015

Ce: Mr. Ardon A. Libarra New Busuanga, Busuanga, Palawan

Ms. Nenita C. Sario New Busuanga, Busuanga, Palawan

The PENR Officer "Sta. Monica, Puerto Princesa City

The CENR Officer

OSCAR C. DOMINGUEZ
Regional Director



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Republic of the Philippines Department of Environment and Natural Resources PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE Sta. Monica, Puerto Princesa City

| ARDON A. LIBARRA, Protestant, | Case No. |
|---|---|
| -versus- | (In re: Letter Protest dated May 7, 2013 over Lot, 579, Cad 1150-D situated at New Busuanga, Busuanga, Palawan) |
| SERRANO CURBA and all Persons claiming rights under min. Protestee. | |
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PROTEST

Undersigned Protestant, unto this Honorable Office, respectfully states, THAT:

I. PREFATORY STATEMENT

- 1. Undersigned represents the heirs and heiress of the late TEOFILO LIBARRA and DOMINGO LIBARRA on this Protest concerning the unjust, illegal and fraudulent approval of the Free Patent of the Protestee and the eventual issuance of the certificate of title covering a parcel of land located at New Busuanga, Busuanga, Palawan, identified as Lot No. 579, Cad 1150-D;
- Also, the undersigned respectfully requests the Honorable Office to treat this
 protest as an addendum and modification to the earlier letter-protest
 submitted with the Office of the CENRO of Coron, Palawan, and which was
 forwarded to this Office for appropriate action;
- Undersigned likewise manifests that he received on July 16, 2013 a copy of the letter of directive from this Honorable Office dated June 26, 2013, to submit the foregoing protest within the reglementary period of thirty (30) days, duly subscribed and in due form;



II. THE PARTIES

- 4. Undersigned Protestant ARDON A. LIBARRA is a Filipino citizen, of legal age, married and a resident of New Busuanga, Busuanga, Palawan. Hey may be served with notices, orders, pleadings/motions from adverse party and all other legal processes at the said given address;
- Protestee SERRANO CURBA is a Filipino citizen, of legal age, and a resident of New Busuanga, Busuanga, Palawan. He may likewise be served with notices, orders, pleadings and all other legal processes at the said given address;

III. STATEMENT OF FACTS

- 6. Undersigned is one of the heirs and successors in interest of the late TEOFILO LIBARRA, the original owner and occupant of a parcel of land subject of this protest, which is identified in the approved cadastral survey as Lot No. 579, Cad 1150-D located at New Busuanga, Busuanga, Palawan;
- Protestant's predecessor, TEOFILO LIBARRA had been in actual, adverse, and continuous occupation of the disputed land as far back as 1920s;
- 8. The land was used to be a contiguous tract of lands consisting of around ONE HUNDRED SIXTY THOUSAND (160,000) SQUARE METERS or 16 hectares more or less. The said deceased during his lifetime had fully cultivated the whole area into a productive agricultural farm yielding substantial harvests. He and his family likewise used to dwell in said land;
- 9. After the demise of TEOFILO LIBARRA, his son, DOMINGO LIBARRA (who is also now deceased), continued the cultivation and occupation of a portion of the said land measuring around 8.5 hectares or EIGHTY FIVE THOUSAND (85,000) SQUARE METERS (as the remaining portion went to the successional share of the other heirs/heiress of the lateTEOFILO LIBARRA);
- 10. Protestant was able to procure a copy of one of the oldest tax declarations of the land from the Municipal Assessor's Office of Busuanga, Palawan issued



in the year 1977 declaring the subject parcel of land and improvements in the name of DOMINGO LIBARRA as the heir of the late TEOFILO LIBARRA. A copy of which is likewise reproduced herewith as Annex "A";

- 11. Aside from the attached tax declaration, the Protestant likewise attached 4 more copies of tax declarations (Annexes "B" to "E") in the name of DOMINGGO LIBARRA and TEOFILO LIBARRA covering the same parcel of land, as proofs that the predecessors in interests of the herein Protestant had been paying the realty taxes due on the land and its improvements.
- 12. On this score, the Protestant would also like to point out the numerous decisions of the Supreme Court of the Philippines to the effect that while tax declarations are not proofs of ownership, they are nevertheless, good indicia of ownership and possessory rights;
- 13. At any rate, after the demise of Domingo Libarra, the Protestant continued the occupation and cultivation of the area adversely, openly, and continuously in the concept of owner. As a matter of proof, the joint affidavit of 3 disinterested individuals who are likewise old time residents of New Busuanga, Busuanga, Palawan, attest to the veracity of this claim of ownership and possession. A copy of their sworn statement is herewith attached as Annex "F".
- 14. Sometime in the year 2006, thru strategy and stealth, the Protestee Serrano Curba succeeded in occupying a portion of the said parcel of land, specifically, that portion which is close to the shoreline measuring around 3 hectares, more or less.
- 15. Subsequently, on the same year, Curba in obvious cahoots with the Municipal Assessor's Office succeeded in procuring the Tax Declaration in his name covering the identical parcel of land. A copy of said Tax Declaration is herewith attached as Annex "G";
- 16. On the basis of his unlawful occupation, which is traceable to year 2006, the DENR-CENRO Coron, Palawan gave due course to his application for free patent and eventually a certificate of title was issued in his name;



- 17. With all due respect, it is the humble submission of the undersigned that there is illegality and irregularity in the approval of the said free patent and the issuance of all subsequent documents and title in favor of the Protestee owing to his lack of eligibility pursuant to the Public Land Act;
- 18. First and foremost, he was and has not been in actual possession of the 85,000-square meter disputed lot as required by law.
- 19. The tax declaration, which the undersigned believe, is the only piece of document, which supports his physical possession was only issued in the year 2006. Besides, the issuance of the said tax declaration was in clear violation of the law, as there is an existing Tax Declaration in the name of the Heirs of Teofilo Libarra when it was issued;
- 20. It also appears that the said tax declaration was issued without any certification from the DENR, in clear violation of Presidential Decree 705, restraining the Assessor to issue Tax Declaration for lands which have no corresponding certification of it's A and D status;
- 21. Additionally, even assuming for the sake of argument that a tax declaration is valid in the Protestee's name, the Protestee still lacks the required length of residency under the Public Land Act for the approval of his free patent. In other words, if the tax declaration would be made as basis of possessory and ownership rights, the Tax Declaration of the Protestant, which are obviously older than that of the Protestee stand in a way better position than that of the 2006 issued Tax Declaration of the Protestee;
- 22. Protestant also vehemently and firmly raised opposition to the findings of the DENR personnel who was tasked to do the investigation of this protest, specifically, as to his finding that the basis of approval of said free patent application is the alleged court order;
- 23. The court proceedings are entirely separate and distinct from the proceedings being undertaken by the administrative agencies of the government, including



the DENR. Court actions or any judicial finding is not among the requirements in the grant of the free patent. Besides, the judicial issue on said court action pertains only to possession, but not to ownership.

24. Furthermore, if said purported court action was indeed one of the legal basis for the grant of the Protestee's free patent application it should be made part of the records. In this case, it appears that even the DENR-CENRO has no copy of such alleged decision from the Court.

IV. PRAYER

WHEREFORE, premises considered, it is respectfully prayed of this Honorable Office that after due notice and hearing, the free patent issued to the Protestee be cancelled.

Protestant also prays for such other reliefs which are just and equitable under the circumstances.

Coron, Palawan, August 16, 2013.

ARDON A. LIBARRA
PROTESTANT

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(PROVINCIAL FORM No. 140- (Revised 1973) Property Index No.

DECLARATION OF REAL PROPERTY

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DECLARATION OF REAL PROPERTY (FILED UNDER REPUBLIC ACT NO. 7160)

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TAX DECLARATION NO. 007-0475-A PROPERTY INDEX NO. 066-07-007-14-028 Prev. Pin. 066-07-007-14-025

DECLARATION OF REAL PROPERTY

(FILED UNDER REPUBLIC ACT NO. 7160) REPUBLIC OF THE PHILIPFINES Address New Busuanga, Busuanga, Palawan ()wner Occupant: Serrano Cuba Vs. D. Libarra Administrator... Address New Busuanga, Busuanga, Palawan DESCRIPTION AND OTHER PARTICULARS OF PROPERTY property Location of Property New Busuanga. Busuanga, Palawan (Number & Street) (Harangay/District) (Musicipality City Province) Certificate of Title No. (adastral Let No. 579, Cad. 1150-D to the Assessor's Lot No _ Boundaries ALN 020 North: as title ALN 058 South. Seashere, ADN 059 East. ALN 027,029,057 West ___ (State streets, lots, or streams by which bounded, or names of owners of adjoining lands) I (a) LAND (AGRICULTURAL/MINERAL) OWNER'S DECLARATION ASSESSOR'S FINDINGS Kind Value Class Unit Value Market Value Upland R/L 8.5418 2nd 30,000.00 256,254,00 pc not and should 256,254.00 I (b) PLANTS & TREES OWNER'S DECLARATION ASSESSOR'S FINDINGS numoses No. Area Value No Area Unit Value Kind Market Value Market Valor Adjustments tal Along armo -12 ed fromtage nonexel (5) kms. to 200 idl weather to to thenk by +8 markes (nob) Total Adjustments Issued Adjusted Market Value Tutar IMPORTANT Total for land, plant and trees Adjusted value for land, plants and frees II LAND (RESIDENTIAL, COMMERCIAL, INDUSTRIAL, SPECIAL) ASSESSOR'S FINDINGS OWNER'S DECLARATION Market Value Kand Value Arca DOT PETCON DIN A JUST SAME EFFECTIVE ANNOTATED A

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MIMAROPA IV - B and Natural Resources

COMMUNITY ENVIRONMENT AND NATURAL RESOUR

Calamianes Island, Coron, Palawan Email address: cenro coron@yahoo.com

DEMR PENRO PALAWAN RECORDS

MEMORANDUM

FOR

The Regional Director

DENR-IV-MIMAROPA

Roxas Blvd., Ermita, Manila

ATTENTION

Legal Division

THRU

The PENR Officer

DENR, Sta. Monica, PPCity

FROM

The CENR Officer

SUBJECT

ORDER OF INVESTIGATION RE:ARDON A: LIBARRA

VERSUS FP NO. 045307-09-25886 HRS. OF SERRANO CURBA

REPRESENTED BY NENTTA SARIO COVERING LOT NO. 579, CAD-1150-D LOCATED AT NEW BUSUANGA, BUSUANGA,

PALAWAN

Date

September 4, 2015

This is in connection with the Order of Investigation dated July 22, 2015 received by this Office on even date.

Please be informed that a Decision (copy attached) regarding the said case was rendered by the then Municipal Judge Domingo Vitto for Civil Case No. 65 for Forcible Entry for Plaintiff Serrano Curba versus Defendant Domingo Libarra (Father of the herein Protestant Ardon Libarra) for your perusal and information.

In this regard, this office recommends for a Relocation Survey simultaneous with the Investigation preferably to be conducted by Technical Geodetic Engineer from the Regional Office to ascertain if the area being claimed by Ardon Libarra in this instant case (Lot 579, Cad-1150-D, 8.5418 has.), is different from the area that he sold to one Antonio Garalde (Lot 581, Cad-1150-D, 5.1229.72 has.) or the Lot listed to one Teofilo Libarra (Lot 577, Cad-1150-D, 8.1957 has., unapplied up to this writing) or Lot 580, Cad-1150-D, 3.0143 (Public Land, applied by Welger Echague) all within the vicinity of the property under protest.

For your information and consideration.

UBERTQ B. S

Copy Furnished: Mr. Ardon A. Libarra Mrs. Nenita C. Sario New Busuanga, Busuanga, Palawan

The PENRO, denr Sta. Mpnica, PPCity

THE PHOTOTERAL CONTROL OF BUSHANDA CERTIFIED TRUE COPY

BERRANO OHRBA. Plaintiff,

" ALLBIIB -

CIVIL CAST NO. 65 NOT: NORGIBLE FORRY. CLEMIT OF COURT I

Colleo Libania. Defendent.

DEGISION

The case at bar and under consideration is for sorcible entry or Detentacion", an action classified as a special proceeding - sugmary in nature, assigned by the provisions of Rule 70 of the Rules of Court to the exclusive juristiction of Municipal and city Courts. Forcible entry is also known as "Accion interdictal" under the former law of the brought at anytime within one year after the unlawful deprivation or withholding of possession complained of has takenplace, otherwise before the court of First Instance which has jurisdiction thereof.

sion of a land or building is deprived of that possession by another through force, intimidation, threat, strategy, or stealth (Sec. 1, mule 70, Rules of court). The only issue in this case is the physical possession of real property - possession de facto and not possession de jure.

show extent of possession (sec. 4. Rule 70. Rules of court).

Consequently, the judgment rendered shall be effective with respect to the possession only and in no wise bind the title of affect the ownership of the land. Such judgment shall not bar an action between the same parties respecting title to the land, nor shall it be held conclusive of the facts therein found in a case between the same parties upon a different owner of action not involving possession (sec. 7, nules 70. Rules of Court).

- K -

ments of Rule 70, Rules of Court to the instant onse in dealding the same, the Court have to examine carefully with bian towards none the evidence established by the respective party as the records clearly shows

the land in question in this case had been already the subject of a forcible entry case between him (serrano curba) and Circiaco parol in 1965, as evidenced by Txh. "O" in which he was the prevailing party. His possession since 1943 to 1965 up to the present had been peaceful, continuous and unint rrupted, save on Feb. 17, 1970, when the defendant in this case, through force, strategy or stealth, illegally entered the normal partial by errecting a bardwire fence and a house without plaintiff's knotledge or consent. This fact of possession is supported by Tax Declaration No. 847 in the name of perrano curba ("xhs. "A" and "A-l"). This extent of possession is supported also by the fact that during the pendency of that case between Serrano Curba and Ciriaco parol in 1965, defendant in this present case Domingo Libarra, did not intervence.

Plaintiff's improvements introduced in the premises - a house of light materials, fruit-bearing coconut trees, kasey and bamboo groves further desents the fact of his peaceful possession.

bis withesees claiming own-rebip, proved during the hearing that the subject in question is a part and parcel of the entire parcel of land of his deceased father in sitio to.

Busuangs, Falawan of which he is the administrator as evidenced by fax Declaration bo. 1977 in the name of Teofilo

Librara marked as exp. "1". Front, if at all, plaintiff ***

came to passes a piece of land in said sitio and numberality.

it was because when he and his entire family during the Jape

m 8 m

nie father then, worlde liberra still living, dearted orrelly to the plaintiff that place of land, the ext of and
boundaries of which are stated in the document of denation
boundaries of which are stated in the document of denation
reduced later into writing. That plaintiff expended the
piece donated to him by twice destroying his fence and ocquiece that part in question beyond that which was given
to him. That defendant, during the pendency of the onse
to him. That defendant, during the pendency of the onse
between Servano curbs and ciriaco Darol in 1965 was untherefore was unable to intervene. That said fence of basboo, having been twice destroyed by plaintiff, defendant decided to errect now a barbwire fence which caused perhaps,

in his possession during the trial to show the extent and boundin his possession during the trial to show the extent and boundin his possession during the trial to show the extent and boundin of that piece donated, defendant has to view that not as
suppressio veri, or prevarisation, that is, suppressing evidence which when produced would be adverse to the party unppressing. That defendant was the one who reduced the load of
conation into writing with two mitnesses, so that he could
not be mistaken as to the extent and boundary of that piece identiried by him and his witnesses during the occular inspection of
the place. That he would never allow the plaintiff to get beyond what was given to him in good with, otherwise, such act
would be construed as extreme ungratefulness for the love
and affection to plaintiff's wife his. Service Service, his
auntie, upon which the donation was based.

In the light of the foregoing facts that the parties lite ignate have fortified their respective size, the burden of considering which side is weighty and meritorious, is now upon the court to study, weigh and decide ispartially.

The main issue and the only issue that the court has to consider, rely and resolve, is the issue as to which party

· ... 4 ...

party at a blush seemed to entisty this test of actual possession, but a deep, serious and unbiased taking into account of the respective stand of both side, the cound is inclined to believe the ratio decidendi of possession in favor of the plaintiff.

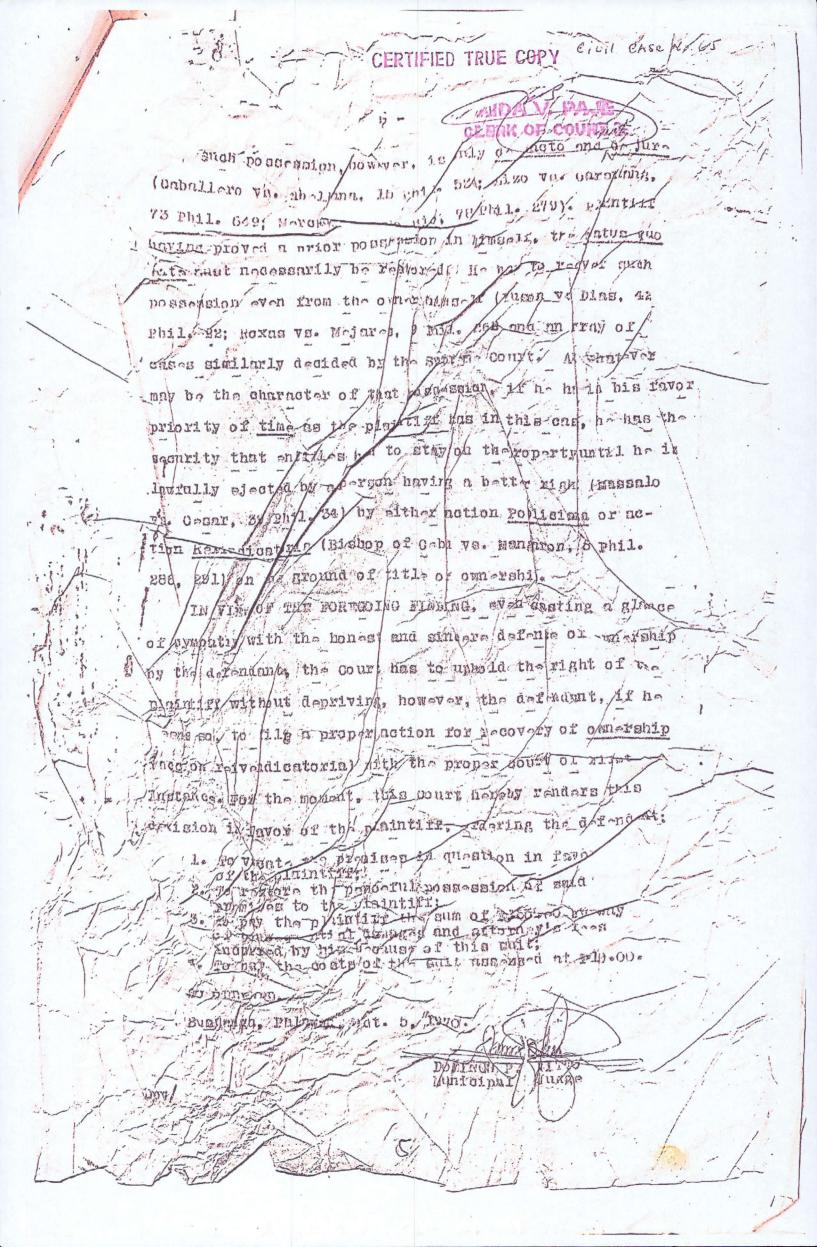
pert and parcel of the entire property processes of the defendant as administrator and as one of the heirs of his decoused father, his predecessor in interest, yet, his failure
to intervene in that former case between serrano curba and
Ciriaco Darol involving the same subject matter in this case.

Venue a fatal break in the solidarity and imperviousness
of his defense. Defendant's allegation that he was not aware
of the action, and that he was away at that time is hard to
believe, it being a belated alibi that holds no water of reliability. That is so, because, defendant, kering has a house in
the place living with his family, and therewith too, are his
co-heirs, Ignedio, Plisco, Amancio, Benjamin, Maile and Adonia,
all surnamed Libarra.

with this tacituralty on the part of the defendant, undoubtedly, he has acquiesced in favor of the plaintiff unconditionally that possession of the premises from 1943 up to 1965, thenceforth, continuously to persuary 17, 1970, when the defendant has awakened from his deep slumber for many many years. The truth of the Latin maxim cannot be otherwise, which says; "Vegilantibus sed non durmentibus jubat lex" - the law helps the vegilant and not the sleepy. Hence, said possession for more than 37 years disturbed only recently by the defendant must necessarily be restored to the plaintiff, for -

respected in his possession; and should he he disturbed therein he shall be protected in and restored to said a spession by the means established by the loss and the suites of Court (Art. 539, 1st par., Civil Code).

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Republic of the Philippines Ocpartment of Environment and Natural Resources MIMAROPA IV - B

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

cenro_coron@yahoo.com

KASUNDUAN

KAMI SI Ardon A. Libarra at Nenita C. Sario ng Brgy. New Busuanga, Busuanga, Palawan ay pumapayag at nagkasundo na magkaroon ng relocation survey base sa Order of Investigation na napapaloob sa kaloob na Patento Bilang 05307-09-25886 na may Lot No. 579, Cad 1150-D at napagkasunduan na anumang gastusin sa nasabing relocation survey ay aming paghahatian.

Lalagdaan naming ngayong ika-20 ng Nobyembre, 2015, sa DENR-CENRO, Coron. Palawan.

ARDON A. LIBARRA

Maga Saksi:

BARRA

ANTONIO A. RO

Land Mgt. Inspector

IA CUSTODIÓ

BERNARDO F/CASTILLO DMO IV/Presiding Officer



Republic of the Philippines Department of Environment and Natural Resources MIMAROPA IV - B

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE

stamators Island, Coron Palascan

cenro coron(a)yahoo.com

MEMORANDUM

FOR

The Regional Director

DENR, Region IV-MIMAROPA

L and S Bldg., Roxas Blvd., Emita, Manila

THRU

The Provincial Environment and

Natural Resources Officer

FROM

The Community Environment and

Natural Resources Officer

SUBJECT

REPORT ON THE CONDUCT OF HEARING ON THE ORDER OF INVESTIGATION SIGNED BY RD DOMINGUEZ DATED JULY 22, 2015 RE:ARDON LIBARRA VERSUS FP NO. SERRANO CURBA 045307-09-25886 HEIRS OF REPRESENTED BY NENITA SARIO COVERING LOT 570,

11

CAD-1150-D LOCATED AT NEW BUSUANGA, BUSUANGA.

PALAWAN

DATE

December 1, 2015

Submitted herewith is the memorandum report dated November 30, 2015 together with relevant enclosures of DMO IV Bernardo F. Castillo who acted as Hearing Officer relative to the above-cited subject matter.

As per report conducted by the Hearing Officer, the undersigned concurs to the recommendation of the Hearing Officer that a Relocation Survey be conducted in the subject contested area to be rendered by a Licensed Geodetic Engineer coming from that Office who will give way to the final resolution of said land controversy, which was discussed in the attached report.

For information and record.

OMBUDSMAN FOR LUZON
CRMU

NUV 2 2 2017

R H C E I V E TIME

By

MUNICIPALITY OF BUSUANGA Salvacion, Busuanga, Palawan

November 6, 2017

THE OMBUDSMAN:

Pagpapala ng Dios ang sumainyong lahat!

Kami: ARDON ABORATIGUE LIBARRA at PACITA ABERQUINO DAVATOS parehong biktima ng mga empleyado ng DENR- Coron na kung saan ang aming mga lupa ay parehong natituluhan na kami ang matagal nag nag-ookupa. Humingi ng tulong sa inyo na kung maaari imbestigahan ang mga taong sina JUDITH PANLILIO QUIRIT head ng LANDS sa DENR-Coron na gumagawa ng paraan na ang mga lupang ito na natituluhan ng iba, BETH PADON, Administrative Aide na kasama ni JUDITH PANLILIO QUIRIT na pumirma ng certification kaya nakapag-apply sina NENITA SARIO ng titulo , ARNEL CABANILLAS, ang imbestigador sa aming lupa (Ardon Libarra) na hindi ginampanan ang kanyang trabaho dahil hindi siya pumunta sa aming lugar kaya hindi niya nakita na kami matagal ng occupant sa lupa kaya natituluhan ng iba , BERNARDO CASTILLO- DMO IV ng DENR-Coron na aking mismong nakita na tumanggap ng suhol (pera) galing sa kabilang partido (NENITA SARIO) na gumawa ng imbestigasyon na ang kanyang mismong rekomendasyon ay kanyang nakalimutan dahil sa haba ng panahon at iba pang empleyado ng gobyerno katulad nina AURELIA T. PANLILIO, principal ng New Busuanga National High School, Busuanga, Palawan at ang kanyang anak na si TIMOTHY JEROME T. PANLILIO na empleyado rin ng DENR-Coron, BERNADETTE PARMELLE at ANGELETA RONQUILLO, na lahat ay may kaugnayan kay JUDITH PANLILIO QUIRIT na sila ang mga nakapangalan sa lupa na pagaari ni PACITA ABERQUINO DAVATOS.

Upang lalo pong maliwanagan ang aming mga idinudulog sa inyo, kung maaari po ay basahin ang aming mga magkahiwalay na sulat upang maunawaan ang aming sitwasyon.

Kalakip ng aming sulat na ito ay maibalik sa amin ang aming lupa at mapanagot ang mga taong nasa likod ng aming mga problema na ito.

Kami, kasama ang aming mga mahal sa buhay ay umaasa na sa pamamagitan ng inyong tulong makakamit ang hustisya. MABUHAY PO ANG GOBYERNONG TUMUTULONG SA MGA NAAPI AT PINAGKAKAITAN NG KATARUNGAN!

Lubos na gumagalang,

APDON A LIBARRA

PACITA DAVATOS

NVESTIGATION REPORT



Cad-1150-D, Busuanga Cadastre, Case No. 4, Barangay New Busuanga, Busuanga, Palawan was conducted in June 4 to July 15, 1993 and was approved on October 11, 1995. Lot No. 579, Cad-1150-D is listed in the list of claimants as Serrano Curba versus D. Libarra, with an area of 8.5418 hectares, located at Barangay New Busuanga, Busuanga, Palawan.

Application for title was filed on August 25, 1997 thru the then OIC Chief, LMS Sim A. Luto by the Hrs. of Serrano Curba, represented by Nenita C. Sario under FPA-045307-1470. The application was left pending in this Office until a copy of a Court Decision dated August 25, 1997 in June, 2008. The Notice of Application for Free Patent was posted from June 2 to June 17, 2008 by then Engineering Aide/DPLI Arnel D. Cabanillas and certified by a Barangay Kagawad. The application was transmitted to the PENRO on June 27, 2008. The Order of Approval of Application and Issuance of Patent is dated April 13, 2009.

Mr. Ardon Libarra first wrote to this office on April 16, 2013 asking for a copy of the application of the Hrs. of Serrano Curba. On the same day Mr. Ardon Libarra and Pastor Recto A. Libarra sent a letter/protest for the said application. On the same day this Office acted on the letter/protest advised them to submit a Protest in due form and pay the corresponding protest fee and/or hire a private Geodetic Engineer for a relocation survey to ascertain their allegations.

On April 11, 2013 this Office requested for a copy of the Court Decision thru the PENRO which is attached to the application upon knowing that no file copy was retained and said request was forwarded by the PENRO to the Regional Executive Director on May 2, 2013.

On May 17, 2013 this Office received the Protest in due form forwarded same to the PENRO through memorandum dated May 22, 2013. On May 20, 2013 a copy of the same Protest was received at the Office of the RED and the Land Management Division on May 21, 2013.

On June 26, 2013 the PENRO wrote Mr. Ardon A. Libarra to be specific about their protest whether their protest is about the land or about the propriety or impropriety of the personnel of this Office.

On September 2, 2013 OIC LMS Judith P. Quirit prepared a memorandum which was indorsed by the CENRO to the RED, thru the RTD requesting for a Legal Opinion on the Court Decision attached to the application of the Hrs. of Serrano Curba.

On **September 19, 2013** the PENRO requested for issuance of Order of Investigation from the Regional Executive Director. The Order of Investigation was issued on **July 22, 2015**.

On August 2, 2013 the Regional Director referred the Protest to the PENRO with instruction to cause the conduct of immediate investigation. On August 22, 2013 the same instruction was forwarded by the DENRO to this Office.

On September 4, 2015 this Office sent a memorandum to the RED thru PENRO relative to the Order of Investigation Issued for the Instant case recommending a Relocation Survey simultaneous with the Investigation to be precise. Same memorandum was indorsed by the PENRO to the RED on October 19, 2015.

On November 9, 2015 this Office furnished a copy of the Order of Investigation which was long overdue due to the hectic schedule of this Office relative to the Rationalization Plan. On November 20, 2015 the parties were invited to this Office of the dialogue. A "Kasunduan" for the Relocation Survey expens was finalized on the same date, all agreed to shoulder the expenses on equal sharing, copy of the minutes of the dialogue, attendance sheet and Kasunduan are attached.

On November 30, 2015 acting Hearing Officer/DMO IV Bernardo F. Castillo submitted a report on the conducted dialogue/hearing indorsed by the CENRO to the RED on December 1, 2015.

On December 7, 2015 the Regional Executive Director sent a memorandum to the ARD for Technical Services attention the OIC Survey & Mapping Division reiterating the request of this Office for the Relocation of the subject lot.

On December 11, 2015 the PENRO forwarded to the Regional Director memo dated November 15, 2015 from this Office reiterating our previous request dated September 4, 2015. On December 16, 2015 PENRO OIC S/ECOMS again forwarded memorandum dated December 1, 2015 from this Office reiterating our previous request.

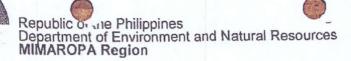
On January 7, 2016 the OIC Chief, Surveys and Mapping Division issued a memorandum addressed to the OIC Chief, Original and Other Surveys Section directing the latter to conduct the verification survey and to coordinate with the requesting party to pay the necessary survey fees to the Cashier of the Regional Office for travelling expenses and per diems.

On February 23, 2016 this Office sent a memorandum to the Regional Director asking if the survey order for Engr. Alan Valle is still in effect considering that he was reassigned in Romblon as Chief, of the Technical Services section.

On April 14, 2016 the ARD for Technical Services issued a memorandum to the PENRO, to assign a Geodetic Engineer from PENRO to do the relocation survey for the instant case, due to the reassignment of Engr. Alan L. Valle as OIC Chief, TSD in Romblon.

On May 25, 2016 this Office received a follow-up letter from Mr. Ardon A. Libarra dated May 24, 2016 on the recommended Relocation Survey, same letter was forwarded by this Office to the PENRO through a memorandum on the same day. On May 30, 2016 the same follow-up letter was received at the Office of the RED.

On July 14, 2016 the ARD for Technical Services referred the follow-up letter from Mr. Ardon Libarra to the PENRO reiterating memorandum dated April 14, 2016 to



On August 11, 2016 the PENRO issued a memorandum to the CENRO directing Engr. Aldrin Cabasares to conduct the verification survey for the subject lot.

On November 10, 2016 this Office received another follow-up letters from Mr. Ardon Libarra which was referred to the Office of the PENRO giving the contact numbers of the parties, particularly Pastor Libarra and Emeline Custodio as the contact persons for the herein case.

Sometime this first quarter LMO III Judith Quirit called S/ECOMS Johnny P. Lilang about the schedule of the relocation survey and he verbally recommended for the parties to hire a private GE to do the survey which was verbally relayed to Mr. Ardon Libarra on one of his visits in this Office.

On February 24, 2017, this Office wrote the parties asking if the Relocation Survey was already done but no response.

Prepared by:

JUDITH P. QUIRIT

LMO III

Concurred by:

ARNEL D. CABANILLAS

LMO II

Reviewed By:

BERNARDO F. CASTILLO

DMO IV

Attested by:

ERIBERTO B. SANOS, CESE

CENRO



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Coron, Palawan

OMBUDSMAN FOR LUZON
CRMU

MAY 0 7 2018

RECEIVED
Time: 3.32

02 May 2018

RAQUEL ROSARIO M. CUNANAN-MARAYAG

Director

Public Assistance and Corruption Prevention Bureau

RE: RAS-L-17-590

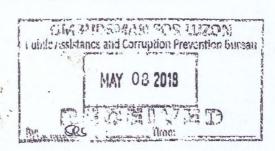
In Re: Complaint of the Heirs of Domingo C. Libarra as represented by Ardon A. Libarra

Madam:

Greetings in the Name of Public Service!

This is in response to and in compliance with your request as contained in your correspondence dated March 6, 2018, the undersigned, as employees of DENR-CENRO Coron, are respectfully submitting to your Office the following documents:

- a. Decision penned by Honorable Judge Domingo Vitto of the Municipal Court of Busuanga dated October 5, 1970 in Civil Case No. 65 (Serrano Curba vs. Domingo Libarra) where the court ordered the defendant Domingo Libarra to vacate the disputed property in favor of the plaintiff;
- Investigation report based on documents submitted and acquired by the office from the provincial assessor's office (Prepared by Judith P. Quirit, LMO III In-Charge, LPDU);
- c. Investigation Report prepared and submitted by ARNEL CABANILLAS, DPLL Investigator favorably recommending the grant of Patent to the applicant;
- d. Order approving the application and issuing the Free Patent;
- e. Report on the conduct of hearing on the order of investigation by RD Dominguez dated July 22, 2015 RE: Ardon Libarra Versus FP NO. 045307-09-25886 heirs of Serrano Curba represented by Nenita Sario covering lot 570,CAD-1150-D located at New Busuanga, Busuanga, Palawan; and



topcay

f. Kasunduan between Ardon A. Libarra and Nenita Sario on the relocation survey based on the order of investigation contained in Patent No. 05307-09-25886 Lot No. 579, CAD-1150-D

We regret to inform your office that as of now we cannot furnish you with the copy of the application for Free Patent for the same has been submitted to the Provincial Environment & Natural Resources Officer, DENR-PENRO, Sta. Monica, Puerto Princesa City. Rest assured, however, that we will promptly provide you with the copy of the said application as soon as we secure a copy thereof.

Anent the allegations of the Heirs of Domingo C. Libarra, represented by Ardon Libarra, we will answer said allegations the moment that we receive a subpoena or order from your Office.

Thank you as we look forward to your preferential attention on this matter.

Very respectfully yours,

JUDITH P. QUIRIT

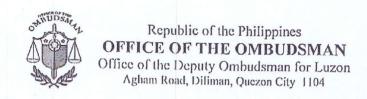
BETH PARON ELIZABETH A. PAR

ARNEL CABANILLAS

BERNARDO CASTILLO

DENR-CENRO

Coron, Palawan



IN RE: ALLEGED ISSUANCE OF LAND TITLE TO OTHER PERSON

RAS-L-17-590

FINAL REPORT

This refers to the complaint of Mr. Ardon Libarra, representative of the Heirs of Domingo C. Libarra, against Judith P. Quirit, Beth Padon, Arnel Cabanillas and Bernardo Castillo, all from the Community Environment and Natural Resources Office (CENRO), Coron, Palawan, allegedly for issuing land title to a certain Serrano Curba, represented by his daughter, Nenita Sario, over the property being cultivated by his father, Domingo Libarra.

The complaint was evaluated by the Case Records Evaluation, Monitoring and Enforcement Bureau as a request for assistance and docketed as RAS-L-17-590. The same was subsequently referred to the Public Assistance and Corruption Prevention Bureau for appropriate action.

By way of assistance, in our letter dated March 6, 2018, we requested the above- cited CENRO-Coron, Palawan employees to provide us several documents for the enlightenment and clarification of the matter.

In reply, Ms. Beth Padon stated that the assignment of application number for Free Patent Application of the Heirs of Serrano Curba was during the time of the then Records Officer Brenda G. Ermita in 1997; the she was designated as Acting Records Officer on October 18, 2004. Mr. Bernardo Castillo claimed that an Order of investigation was issued by then Regional Director Oscar Dominguez dated July 22, 2015 re: Ardon Libarra versus Free Patent No. 045307-09-25886, Heirs of Serrano Curba represented by Nenita Sario covering lot 579, CAD-1150-D located at New Busuanga, Busuanga, Palawan. Accordingly, he facilitated the hearing wherein a "Kasunduan" for the relocation survey shall be conducted and the

Final Report RAS-L-17-590 Page-02-

corresponding expenses shall be equally divided by the parties; that his participation is limited only on that aspect.

As can be gleaned from the documents submitted by Ardon Libarra, it appears that a Protest over Lot 579 CAD 1150-D was already filed by him with the Provincial Environment and Natural Resources Office (PENRO), Puerto Princesa City, Palawan. Accordingly, we inquired from PENRO, Palawan about the action taken on the matter. Ms. Laura Ortega provided us with a copy of several documents evidencing their actions taken. For purposes of information and guidance, we sent Mr. Libarra a copy of all documents we received concerning the matter.

In view of the above and since the PENRO-Palawan is already taking the appropriate action on the issue, the undersigned respectfully recommends that this request for assistance be closed..

Quezon City, Philippines, May 2, 2018.

EDITHA DEL ROSARIO-DIZON Graft Investigation Officer I

Approved/Disapproved:

Public Assistance and Corruption Prevention Bureau

cc: Mr. Ardon Libarra New Busuanga, Busuanga Palawan

COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PROVINCE OF PALAWAN

Email address: cenro_coron@yahoo.com

DIR. RAQUEL ROSARIO M. CUNANAN-MARAYAG Public Assistance and Corruption Prevention Bureau Office of the Ombudsman Office of the Deputy Ombudsman for Luzon Agham Road, Diliman, Quezon City 1104



Madam;

This pertains to your letter dated March 6, 2018 which was received by the undersigned yesterday (April 17, 2018) thru email re: complaint of the Heirs of Domingo C. Libarra, represented by Mr. Ardon Libarra against the undersigned on the alleged violation of Anti-Graft and Corrupt Practices Act (with reference number RAS-L-17-590).

The undersigned was designated as Acting Records Officer of DENR-CENRO, Coron, Palawan on October 18, 2004 vice the then Records Officer Brenda G. Ermita who was promoted as Administrative Officer II. Being an Acting Records Officer my tasks are a.)to verify in the records (allocation book) the information contained in the carpeta/folder of the applicant which was submitted by the Land Investigator or the Deputized Public Land Investigator (DPLI), if who is the listed claimant of the said lot, b.) to assign application no. on the carpeta of the applicant and reflect same on entry book, c.) entering of data in the index card and d.) issuance of certification to the lot claimant based on records.

Please be informed that the processing or assigning of application no. for the Free Patent Application of the Heirs of Serrano Curba represented by Nenita Sario was during the time of the then Records Officer Brenda G. Ermita on 1997 and not during my stint as Acting Records Officer. That the certification issued by the undersigned was based on the records that Lot No. 579, CAD-1150 located at Brgy. New Busuanga, Busuanga, Palawan with an area of 85,417.98 was applied by the Heirs of Serrano Curva represented by Nenita Sario. In the allocation book the then Records Officer had remarked that the said lot was applied by Hrs. of Serrano Curba by "virtue of the court order and approve plan" (08/25/97).

Please be informed further that ground verification and inspection is beyond my tasks as Acting Records Officer.

Now therefore, the undersigned hereby denies the allegation filed by the Heirs of Domingo Libarra represented by Mr. Ardon Libarra against her and therefore be dismissed due to lack of substance.

Anticipating that this letter will enlighten you about the matter.

Very respectfully yours,

ELIZABETH A. PADON
Forest Technician II



Republic of the Philippines OFFICE OF THE OMBUDSMAN

Office of the Deputy Ombudsman for Luzon Agham Road, Diliman, Quezon City 1104

May 02, 2018

Mr. Ardon Libarra New Busuanga, Busuanga Palawan

RE: RAS-L-17-590

Dear Sir:

We are furnishing you a copy of the letters we have received from Ms. Elizabeth A. Padon and Mr. Bernardo Castillo, as well as the actions taken by Mr. Felizardo B. Cayantoc, Provincial Environment and Natural Resources Office-Puerto Princesa City, Palawan, for your information and guidance.

We trust we have been of service to you.

Very truly yours,

Director

Public Assistance and Corruption Prevention Bureau

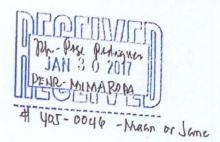
/edd

MUNICIPALITY OF BUSUANGA Busuanga, Palawan

January 6, 2017

CARLITO M. TUBALLA

OIC, Regional Pirector
DENK-Region IV-B MINHROPA
Rexas Poulchard, Ermita, Manila



Sir:

Mapagpalang araw po sa inyo!

Kami po ay nagpadala ng sulat sa inyo pong tanggapan dahil wala na po kaming alam na higit na makatutulong sa amin kung hindi kayo. Sa tinigal-tagal na panahon na aming paghihintay ng kasagutan sa aming problema na idinudulog sa Department of Natural Resources dito sa amin sa Coron, Palawan ay wala pa pong nangyayari.

Matagal at maraming beses na kaming pabalik-balik sa DENR-Coron, Palawan upang maayos ang arning suliranin pero wala pa pong malinaw na aksyon upang maayos ang problema namin sa lupa.

Nagsimula pa po noong nabubuhay pa ang aming ama na si DOMINGO C. LIBARRA nilakad na po niya na maayos ang lupa. Sa katunayan base sa aming nakita na patotoo, nagsimula ang aming tatay na dumulog sa opisina ng DENR-CENRO Coron, Palawan noong February 29, 2009 at siya ay nagsumite ng kasaysayan kung paanong ang lupa na ito ay napasa kanyang pangalan bilang administrador sa mga tax declaration na batayan ng kanyang pagbabayad ng tax pagpapatunay na siya ang may higit na karapatan sa nasabing lupa.

Noong November 30, 2010, muli siyang bumalik sa opisina ng DENR-CENRO Coron, Palawan at siya ay nabigong muli dahil pinabayaan lamang ng mga taong dapat mag-ayos at magpaliwanag kung ano ang tunay na kalagayan ng lupa na kanyang idinudulog.

Maraming beses na siya ay pabalik-balik ngo pisina ng DENR-Coron, Palawan hanggang siya ay nagkasakit at namatay noong December 6, 2011.

Dahil kaming magkakapatid ay nag-alala sa nangyari sa lupang ipinaglalaban ng aming ama, nagsadya po ang aking kapatid (PTR. RECTO A. LIBARRA) sa aming munisipyo (Busuanga, Palawan). Nagulat po kami dahil sa bagong tax declaration ng lupa na aming inuukupahan at pinagyayaman na dating nakapangalan sa aming ama at kanyang binabayaran ng tax sa mahabang panahon ay nakapangalan na kay SERRANO CURBA at authorize na representative ang kanyang anak na si NENITA SARIO.

Lubos po ang aming kalungkutan dahil sa matagal na panahon na pabalik-balik ang aming ama sa tanggapan ng CENRO Coron, Palawan lalong higit sa opisina ni MS. JUDITH P. QUIRIT hindi niya nalaman na meron ng titulo na inisyo kina SERRANO CURBA represented by NENITA SARIO noon pang April 13, 2009.

Dumulog po kami sa opisina ni MS. JUDITH P. QUIRIT noong Abril 11, 2013. Noong nakausap namin siya, saka lang niya sinabi na meron na ngang title dahil natalo daw ang aming ama sa kaso. Dahil ba pumanaw na ang aming ama ay madali na lang sabihin na natalo siya sa kaso? Humingi po kami ng kopya ng court decision dahil kami ay hindi nabigyan ngunit pati ang opisina ay walang maipakit na court decision pati angkopya ng application ni SERRANO CURBA sa lupa na aming ipinaglalaban.

Ang sabi po ni MS. JUDITH P. QUIRIT, matagal na pinag-aralan ng CENRO ang desisyon kung pahintulutan ang pamilyang SERRANO CURBA kungkarapat-dapat silang gawan ng titulo sa nasbing lupa. Kung totoo nga, bakit ang opisina walang kopya ng court decision pati application sa lupa? At bakit siya ang nakalagda sa CERTIFICATION upang magawan sila ng titulo?

Dahil wala po kaming makuha na kahit anong papeles kung paanong sinasabi nilang napunta kina SERRANO CURBA ang aming lupa, bumalik po kami sa aming municipyo, (Busuanga, Palawan) at nakakuha kami ng CERTIFICATION na mismong si MS. JUDITH P. QUIRIT ang nag-isyo upang makapag-apply sila ng title. Di po ba CENRO lang ang may kapangyarihan nito? Nakalagay po sa baba ng CERTIFICATION ang, NOT valid without Official Seal, wala pong seal pero nagamit po nila upang makapag-apply ng title. Verified Correct po ni MS. ELIZABETH A. PADON na administrative aide III.

Ginawa po naming lahat ang aming makakaya upang makakuha ng court decision. Kahit case number ay walang record ang tanggapan ng CENRO-Coron, Palawan. Importateng dokumento upang makapag-isyu ng title ay wala pong hawak ng nabanggit na opisina.

Ang malaking katanungan po sa amin, paanong nabigyan ng application si SERRANO CURBA sa nasabing lupa? Di po ba bago bigyan ng application ay kailangan munang imbestigahan kung meron ng occupants? Paanong si MR. ARNEL CABANILLAS bilang imbestigador ay hindi niya nalaman na meron ng nag-ookupa sa nasabing lupa? Kung pumunta siya, bakit di niya nakita na meron ng nag-ookupa? Di kaya table survey ang nangyari?

Sa aming pagkakaalam, bago bigyan ng application ng isang tao, dadaan muna sa municipyo, dadaan sa barangay, tingnan mismo ang lupa kung meron ng nakatira dito. Simula pa po sa aming mga ninuno, sa aming mga magulang at kaming labing-isa na magkakapatid na pawang lahat ay ipinanganak sa lugar na iyon, pati ang aming mga anak na doon narin lumaki. Paanong si MR. ARNEL CABANILLAS ay hindi niya nakita noong nag-imbistiga siya. Malaking katotohanan ito na hindi niya ginampanan ang kanyang obligasyon bilang imbestigador. Kung sana pumunta siya, nakita niya noon paman hanggang ngayon binubungkal, tinatamnan at pinagyayaman namin ang lupa at umaasang ang pagsisikap ng aming ama, kami ay maibabalik sa amin ang karapatan sa lupa.

Hindi po kami tumigil sa aming ipinaglalaban sa kabila ng sinasabi ni MS. JUDITH P. QUIRIT na meron ng title ang lupa. Dumulog po ulit kami sa opisina ng DENR-CENRO Coron, Palawan kasabay ng pagpapadala naming ng sulat sa Region kay Sir Oscar Dominguez. Nakatanggap po kami ng sulat ng Region at sinabihan po kaming gumawa ng PROTEST (under oath) noong May 7, 2013. Lumapit po kami sa isang abogado noong August 16, 2013 kasama po ang tatlong mga matatanda bilang saksi na ang aming ama ang may karapatan sa nasabing lupa. Nabigyan po kami ng pag-asa noong sumagot ang Region sa pamamagitan ni Sir Oscar C. Dominguez na merong substance ang aming ipinaglalaban. Ipinag-uutos pa niya na imbestigahan si MR. ARNEL CABANILLAS at JUDITH P. QUIRIT kung meron silang pagkukulang sa kanilang ginawa sa aming lupa at kung dapat silang kasuhan. Dalawang beses po itong nakalagay sa sulat galing sa Region ngunit sa aming pagkakaalam ito ay walang nangyaring imbestigasyon dahil sa mahabang panahon hindi nila inintindi itong ginawa nilang problema sa amin.

Sa lahat ng sulat ng Region na gawin ng PENRO, CENRO na sinasabing mag-imbestiga kung sino talaga ang nag-ookupa ng lupa, walang ginawa ang CENRO Coron, Palawan kundi patagalin, hinayaan ang problema namin sa pag-aakalang kami ay susuko, magsasawa sa aming ipinaglalaban. Maaari rin pong pinapabayaan ni MS. JUDITH P. QUIRIT dahil malapit na siyang magretiro at pag wala na siya sa serbisyo, hindi na naming siya mahabol dahil wala na siya sa trabaho.

May natanggap po kaming sulat na may petsang November 9, 2015 na kaming pamilya ni DOMINGO LIBARRA at SERRANO CURBA ay magkikita sa opisina ng CENRO, Coron, Palawan upang mag-usap. Isinaad po sa sulat na kami ay mag-usap November 20, 2015.

Napagkasunduan po na ipa relocation survey ang lupa at maghati ang dalawang partido ng gastos. Maraming beses po kaming sumulat sa Region at maraming beses din kaming nakatanggap ng reply pero hanggang ngayon wala parin nangyayari.

Ngayong November 9, 2016, muli po kaming bumalik sa opisina ng CENRO, Coron, Palawan upang kumustahin ang relocation survey na kanilang ipinangako. Mismong ang nag-conduct ng imbestigasyon na si MR. BERNARDO F. CASTILLO ay nakalimutan na ang kasunduan na magparelocation survey. Dahil ba sa inabot na pera ng kabilang partido habang nakatayo ako sa may pintuan kaya nakalimutan isagawa ang napag-usapan? Diba sila ang may trabaho na pangunahan ang ginawa naming kasunduan dahil sila ang may trabaho nito? Nakakalungkot ang mga emplyedo ng gobyerno na katulad ni MR. BERNARDO F. CASTILLO na pagkatapos magsagawa ng imbestigasyon at nagmunkahi ng hakbang na gagawin ay pababayaan lamang.

Mula pa noong February 24, 2009 hanggang November 10, 2016 na huli naming pagpunta sa opisina ng DENR-CENRO Coron, Palawan wala parin kalinawan ang aming problema.

Sinabihan po kami ni MS. JUDITH P.QUIRIT na kami ang personal na makipag-ugnayan sa mga engineer na kanyang binabanggit na magsukat. Kami ba ang dapat mag-ayos sa problema na ginawa nila sa aming pamilya?

Umaasa po kami na sa inyo pong tanggapan ay hindi po kami mabibigo at makakamit napo namin ang katarungan. Naniniwala po kami na sa bagong administrasyon, hindi po papayag ang Presidente na may maapi, pagkaitan ng karapatan at ayaw niya ang abusado at corrupt na manggagawa ng gobyerno.

Ang pamilya po namin ay miyembro ng Indigeneous Peoples (IPS) at alam po naming na ito rin po ang programa ninyo na matulungan na ipaglaban ang karapatan ng mga kasapi na inaapi at inaalisan ng karapatan

Kung maaari po magyiyasat po kayo sa opisina ng DENR-CENRO Coron, Palawan upang makita ang laman ng kanilang libro/listahan o mapa ng mga lupa na inagaw ng SERRANO CURBA dito sa Busuanga, Palawan. Halos lahat ay kanilang VERSUS at nais mapasakanila ang lupa.

Dito sa Salvacion, Busuanga, Palawan meron din pong reklamo kay MS. JUDITH P. QUIRIT dahil sa pag-isyu ulit ng titulo ng lupa ng may tao ng nag-ookupa. pinatituluhan na lupa na meron ng matagal na nag-ookupa.

Wala po kaming yaman na pwede naming itumbas sa aming kalaban ngunit umaasa po kami sa tulong ng Dios sa pamamagitan ninyo na Makita ninyo ang aming kalalagayan sa lupa na ito. Maraming salamat at MABUHAY ANG DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES!

Kalakip po ang sulat na ito ang lahat ng mga dokumento upang inyo pong magamit upang pagaralan at makita ang katotohanan ng aming ipinaglalaban. Panalangin po naming na kayo ay higit na pagpalain ng Poong Maykapal upang mas madami kayong matulungan lalong higit sa mga taong naaapi.

Lubos na gumagalang

ARDOM A. LIBARRA



Republic of the Philippines Department of Environment and Natural Resources Visayas Avenue, Diliman, 1106 Quezon City (632) 927-6726; (632) 929-6626 loc. 2113; 2071; Fax (+632) 928-9732 E-mail: web@denr.gov.ph; Website: www.denr.gov.ph

MEMORANDUM

TO

THE OIC, REGIONAL DIRECTOR

DENR, Region IV-B

1515 L & S Building Roxas Boulevard

Ermita, Manila

FROM

THE ASSISTANT SECRETARY

Field Operations - Luzon

SUBJECT :

IMPLEMENTATION OF RELOCATION SURVEY TO ASCERTAIN THE TECHNICAL ISSUES/CONCERNS OF LOTS UNDER PROTEST RE: HEIRS OF DOMINGO LIBARRA REPRESENTED BY ARDON LIBARRA VERSUS

FP NO. 045307-09-25886 HEIRS. OF SERRANO CURBA REPRESENTED BY NENITA SARIO COVERING LOT NO.

579, CAD-1150-D LOCATED AT NEW BUSUANGA, BUSUANGA, PALAWAN (ASRMD 2017-0002521)

DATE

2 2 JUN 2017

Referred herewith is the letter to Sec. Regina Paz L. Lopez dated January 30, 2017 of Mr. Ardon A. Libarra of New Busuanga, Palawan, attached herewith are photocopied documents to support his protest pertaining to the above subject.

For appropriate action on the above subject in accordance with pertinent laws, rules and regulations on the matter and in coordination with concerned offices. Inform Mr. Libarra on the status/updates on any action taken on his request, submit to this Office within fifteen (15) days from receipt hereof your Complete Staff Work (CSW) report on the matter citing document no. ASRMD-2017-0002521 for monitoring and record.

For compliance.

ATTY. JUAN MIGUEL T. CUNA

Cc:

Mr. Ardon Libarra New Busuanga, Busuanga, Palawan



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

JUL 1 8 2017

MEMORANDUM

TO

The OIC, PENR Officer

Sta. Monica, Puerto Princesa City

ATTENTION: The CENR Officer

Coron, Palawan

FROM

The Assistant Regional Director for Technical Services

SUBJECT

IMPLEMENTATION OF RELOCATION SURVEY TO ASCERTAIN OF LOTS THE TECHNICAL ISSUES/CONCERNS PROTEST RE: HEIRS OF DOMINGO LIBARRA REPRESENTED BY ARDON LIBARRA VERSUS FP NO. 045307-09-25886 HEIRS OF REPRESENTED BY NENITA CURBA COVERING LOT NO. 579, CAD-1150-D LOCATED AT NEW BUSUANGA, BUSUANGA, PALAWAN (ASRMD-2017-0002521)

This pertains to the Memorandum dated June 22, 2017 of Atty. Juan Miguel T. Cuna, Assistant Secretary for Field Operations-Luzon referring the letter (with enclosures) dated January 30, 2017 of Mr. Ardon A. Libarra addressed to then Secretary Regina Paz Lopez regarding the above-noted subject.

In relation thereto, please conduct investigation and submit report in CSW format with categorical recommendation in accordance with law, rules and regulations on the matter, which will be used as basis for further action. Please directly inform Mr. Libarra of any action taken copy furnished the Office of the Assistant Secretary for Field Operations-Luzon and this Office for monitoring purposes.

For immediate action, please.

VICENTE B. TUDDAO JR., Ph.D., CESO IV

Copy furnished:

The Assistant Secretary for Field Operations-Luzon DENR, Visayas Ave., Diliman, Quezon City

Mr. Ardon Libarra New Busuanga, Busuanga, Palawan



Republic of the Philippines

Department of Environment and Natural Passurces HIMAROPALEGION EROPINCIAL UN DEONMENT AND HATURAL RESOLUCES OFFICE HOW SEO PERM

25 August 2017

MEMORANDUM

TO

The Community Environment and

Natural Resources Officer

Coron, Palawan

FROM

The Provincial Environment and

Natural Resources Officer

SUBJECT

IMPLEMENTATION OF RELOCATION SURVEY TO ASCERTAIN THE TECHNICAL ISSUES/CONCERNS OF LOTS UNDER PROTEST RE: HEIRS OF DOMINGO LIBARRA REPRESENTED BY ARDON LIBARRA VERSUS FP NO. 045307-09-25886 HEIRS OF SERRANO CURBA REPRESENTED BY NENITA SARIO COVERING LOT 579, CAD 1150-D AT NEW BUSUANGA

BUSUANGA, PALAWAN

Referred is the memorandum of the Assistant Regional Director for Technical Services of July 18, 2017 attached the copy of the letter from Ardon A. Libarra requesting assistance on a land problem involving Lot 579, Cad 1150-D at New Busuanga, Busuanga, Palawan.

Please comply the instruction and advise direct the party as to result of action taken on the matter.

Copy furnished:

The ARD for Technical Service DENR-R4-MIMAROPA 1515 L&S Bldg, Roxas, Blvd. Ermita, Manila

Mr. Ardon Libarra New Busuanga, Busuanga, Palawan

/Imo*

IZARDO B. CAYATOC GENH PENNO CALAWAN RECORDS

11 CIE. 9-05-17

Sta. Monica, Puerto Princesa City

Touriax (OMS 33-4618/cmail a dissensociati anii safe-orom

NOV 1 7 2017

MUNICIPALITY OF BUSUANGA Salvacion, Busuanga, Palawan

November 6, 2017

THE PRESIDENT'S ACTION CENTER:

Pagpapala ng Dios ang sumainyong lahat!

Kami: ARDON ABORATIGUE LIBARRA at PACITA ABERQUINO DAVATOS parehong biktima ng mga empleyado ng DENR- Coron na kung saan ang aming mga lupa ay parehong natituluhan na kami ang matagal nag nag-ookupa. Humingi ng tulong sa inyo na kung maaari imbestigahan ang mga taong sina JUDITH PANLILIO QUIRIT head ng LANDS sa DENR-Coron na gumagawa ng paraan na ang mga lupang ito na natituluhan ng iba, BETH PADON, Administrative Aide na kasama ni JUDITH PANLILIO QUIRIT na pumirma ng certification kaya nakapag-apply sina NENITA SARIO ng titulo , ARNEL CABANILLAS, ang imbestigador sa aming lupa (Ardon Libarra) na hindi ginampanan ang kanyang trabaho dahil hindi siya pumunta sa aming lugar kaya hindi niya nakita na kami matagal ng occupant sa lupa kaya natituluhan ng iba , BERNARDO CASTILLO- DMO IV ng DENR-Coron na aking mismong nakita na tumanggap ng suhol (pera) galing sa kabilang partido (NENITA SARIO) na gumawa ng imbestigasyon na ang kanyang mismong rekomendasyon ay kanyang nakalimutan dahil sa haba ng panahon at iba pang empleyado ng gobyerno katulad nina AURELIA T. PANLILIO, principal ng New Busuanga National High School, Busuanga, Palawan at ang kanyang anak na si TIMOTHY JEROME T. PANLILIO na empleyado rin ng DENR-Coron, BERNADETTE PARMELLE at ANGELETA RONQUILLO, na lahat ay may kaugnayan kay JUDITH PANLILIO QUIRIT na sila ang mga nakapangalan sa lupa na pagaari ni PACITA ABERQUINO DAVATOS.

Upang lalo pong maliwanagan ang aming mga idinudulog sa inyo, kung maaari po ay basahin ang aming mga magkahiwalay na sulat upang maunawaan ang aming sitwasyon.

Kalakip ng aming sulat na ito ay maibalik sa amin ang aming lupa at mapanagot ang mga taong nasa likod ng aming mga problema na ito.

Kami, kasama ang aming mga mahal sa buhay ay umaasa na sa pamamagitan ng inyong tulong makakamit ang hustisya. MABUHAY PO ANG GOBYERNONG TUMUTULONG SA MGA NAAPI AT PINAGKAKAITAN NG KATARUNGAN!

Lubos na gumagalang,

ARDON A. LIBARRA

Pacita Da Jos PACITA A. DAVATOS



Republic of the Philippines DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Visayas Avenue, Diliman, 1100 Quezon City Tel Nos: (632) 929-6626 to 69, (632) 929-6252 929-6620; 929-6633 to 35; 929-7041 to 43

Website: www.denr.gov.ph

MEMORANDUM

TO

THE REGIONAL EXECUTIVE DIRECTOR

DENR, Region4-MIMAROPA

1515 L & S Building, Roxas Boulevard

Ermita, Manila

FROM

THE ASSISTANT SECRETARY

Field Operations - Luzon

SUBJECT

REQUEST OF MR. ARDON A. LIBARRA FOR ASSISTANCE

REGARDING A PARCEL OF LAND SITUATED IN

BUSUANGA, PALAWAN

DATE

OCT-0 1 2019

Referred herewith is the Letter dated 30 August 2018 from ASEC Jaime Llaguno Mabilin, Head of Office, Presidential Complaint Center, Malacañang forwarding the letter from Mr. Ardon A. Libarra relative to the above-cited subject.

As mentioned in the letter of Mr. Libarra, former RD Oscar C. Dominguez allegedly issued instruction to conduct investigation regarding his occupied lot including the two (2) personnel from CENRO Coron, Palawan, however, concerned PENRO and CENRO failed to comply with the instructions. Hence, the regional office is instructed to conduct investigation on the matter and take appropriate action consistent with existing laws, rules and regulations. Submit a report with Completed Staff Work (CSW) to the Undersecretary for Field Operations copy furnished this Office within fifteen (15) calendar days, citing document tracking number ASRMD-2018-0026622, for records and monitoring purposes.

For strict compliance.

JOSELIN MARCUS E. FRAGADA, CESO III,

Copy furnished:

 ASEC Jaime Llaguno Mabilin Presidential Complaint Center Bahay Ugnayan, Jose P. Laurel St. Malacañang, Manila GL-CYR-08-30-2018-047

- Mr. Ardon A. Libarra

Brgy. New Busuanga, Busuanga, Palawan

- The Undersceretary for Field Operations

The Undersecretary/Chief of Staff

Civil Service Commission ARTA

Ginoong Cimatu,

Mapagpalang araw po sa inyo!

lto po ay may kaugnayan sa "summon" na aming natanggap patungkol sa Civil Case No. CRN-1053 FOR: RECOVERY OF POSSESSION WITH DAMAGES na isinampa ng heirs of

Nais po naming ipaalam na simula pa noong February 24, 2009, ang amin pong ama na si DOMINGO LIBARRA ay makailang ulit na lumapit sa opisina ng Department of Environment and Natural Resources- Coron (DENR) upang idulog ang aming suliranin na hakatungtong sa sinasabing lupain.

Mula 2009 hanggang sa namatay ang aming ama noong 2011 ay walang naging aksyon ang opisina ng DENR CENRO Coron. Ang katanungan pong ito ay hindi pa rin nasasagot magpahanggang ngayon. Kung sana ay nagawan ng imbestigasyon kaagad ay di sana umabot sa mapatitulohan ang aming lupa.

Kalakip po nito ang sulat ng aming ama na may petsa February. 24, 2009 at ang aming sulat sa Ombudsman na may petsa November 4, 2017.

Lubos na gumagalang,

ARDON A. LIBARRA Heir of Domingo Libarra

Sto. Toto, New Busuanga, Busuanga, Palawan

March 16, 2021

FORESTER ARNOLDO A. BLAZA, JR. OIC-CENRO DENR-CENRO Coron, Palawan

Sir:

Greetings in God's Most Faithful Name!



May I request from your good office a copy of the Ocular Inspection and Investigation Report conducted by your personnel Forester Cristina J. Sabangan, Special Investigator Maria Danica L. Patron, Land Management Inspector Angelie U. Pascual, Forest Technician I Patrick Israel T. Panlilio and Forest Technician Dennis T. Jagmis to Lot No. 579, CAD 1150-D located at Sitio Toto, Barangay New Busuanga, Busuanga, Palawan which sometime held in 2019 for future reference.

With grateful appreciation for a positive response regarding this humble request.

Sincerely yours,

ARDÓN A. LIBARRA Heir of Domingo Libarra

MUNICIPALITY OF BUSUANGA Sitio Toto, New Busuanga, Busuanga, Palawan

FORESTER ARNOLDO A. BLAZA, JR. OIC-CENRO DENR-CENRO Coron, Palawan

Sir:

Greetings in God's Most Faithful Name!

I am writing to formally follow-up the status of my request letter dated March 16, 2021 which was received by your office also on March 16, 2021.

May I remind the good office that under the Ease of Doing Business Law, all applications or requests submitted shall be acted upon by the assigned officer or employee within the prescribed processing time stated in the Citizen's Charter which shall not be longer than three (3) working days in the case of simple transactions and seven (7) working days in the case of complex transactions from the date the request and/or complete application or request was received.

I am hoping for a favorable response on this follow-up request since more than 30 days had already passed.

ARDON A. LIBARRA
Heir of Domingo Libarra

April 23, 2021



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
Community Environment and Natural Resources Office
Coron, Palawan

April 27, 2021

MR. ARDON A. LIBARRA Heir of Domingo Libarra New Busuanga, Busuanga, Palawan

Sir.

Good day. This is in response to your letter dated April 23, 2021 which was received by the Records Section today, requesting for a copy of ocular inspection & investigation report of this office sometime on 2019 in your contested area at So. Toto, Barangay New Busuanga, Busuanga, Palawan. We regret to inform you that this office cannot provide the copy of the said report, as per our Department Administrative Order No. 2016-29, Annex "C" List of Exceptions for Non-Disclosure of Information "Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case."

Attached is a copy of DAO No.2016-29 for your reference.

For your information and guidance.

ARNOLDO A. BLAZA,

ANNEX "C"

LIST OF EXCEPTIONS (NON-DISCLOSURE OF INFORMATION)

- 1. Any information that directly relates to national security or defense and its revelation may cause grave damage to national security or internal or external defense of the state.
 - At the very least, this jurisdiction recognizes the common law holding that there is a governmental privilege against public disclosure with respect to state secrets regarding military, diplomatic and other national security matters.
- Executive privilege involving information relating to the President as Commander-in Any information
- 3. Any information pertaining to the foreign affairs of the Republic of the Philippines, when its revelation or disclosure, shall unduly weaken the negotiating position of the government in an ongoing bilateral or multilateral negotiation or seriously jeopardize the diplomatic relations of the Philippines with one or more states.
- Any information or inter-government exchanges prior to the conclusion of treaties and executive agreements may be subject to reasonable safeguards for the sake of national
 Disclosure of the sake of national
- Disclosure of information on the Presidential communication's privilege.
- 6. Any information requested which pertains to internal or external defense, law enforcement and border control, when the disclosure thereof may:
 - 6.1 Lead to the disclosure of the identity of a confidential source, including a government, or foreign agency or authority or any private institution which furnished information on a confidential basis and, in the case of a record or information compiled by a law enforcement authority or agency, in the course of an intelligence investigation involving national security.
 - 6.2 Disclosure of legitimate techniques, procedures and guidelines for law enforcement investigations or prosecutions if such disclosure could reasonable result to circumvention of the law.
 - 6.2.1 Endanger the life, safety and security of any individual.
 - 6.2.2 Deprive a person of the right to a fair trial and impartial adjudication.
- On criminal matters such as classified law enforcement information relating to the apprehension, prosecution and detention of criminals, which the courts may not inquire into prior to such arrest, prosecution and detention.
- 8. Disclosure of confidential source, investigation proceedings, and records of assigned hearing officers, investigators, and deputized inspectors, when the premature disclosure thereof may result to the endangering the life, safety and security of any individual, and pre-empt the resolution of a case.

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES Office of the Regional Director MIMAROPA Region Frinta, Manila

TRAVEL ORDER

MAR 03 2022

Name

BIBIANA LYN T. AGUHA

ENFORCEMENT

Position

DAKOII

Div/Sec/Unit Official Station

DENR. MIMAROPA Regional Office

Departure Date

March 7, 2022 Coron, Palawan

Arrival Date

March 12, 2022

Destination

1 To conduct investigation /validation and evaluation of a parcel of land clasmed by Spouses Angel Giray particularly described as Lot 676 CAD 1150-D, consisting and containing an aggregate area of 1,383,460.21 square meters located at Sitio Cambaya,

Purpose of Travel

To conduct investigation relative to the complaint of the heirs of Dominggo C. Libarra as represented by Ardon A. Liburra against concerned CENRO Coron employees on the approval and resumnce of Free Patent

Per Diems/Expenses Allowed

PhP 2,200.00

Assistants or Laborer Allowed

Appropriations to which travel should be charged

Enforcement Division Fund

Remarks or special instructions

Certifications:

This is to certify that the travel is necessary and is connected with the functions of the official/employee of this Division/Section/Unit.

ameadiag-Approvat:

Approved:

EASTE B. TUDDAO, JR., Ph.D., CESO IV

ARD for Technical Services

LORMELYN E. CLAUDIO, CESO IV

OIC Regional Executive Director

AUTHORIZATION

I hereby authorize the Accountant to deduct the corresponding amount of the unliquidated cash advance from my succeeding salary for my failure to liquidate this travel within the prescribed thirty-day meriod upon return to not permanent official station pursuant to Item 5.1.3 COA Circular 97-002 dated

New Busuanga, Busuanga, Palawan

KAMI, mga residente sa New Busuanga, Busuanga, Palawan ay nagpapatunay na ang mag-asawang DOMINGO C. LIBARRA at LUCIA D. LIBARRA (parehong namayapa na) sampu ng kanilang mga anak ang nag- ookupa ng lupa , hayag na nagtatanim at pinapalago ito. Kami rin ay nagpapatunay na kahit kailan hindi nakapasok o tumira ang pamilya ni SERRANO CURBA o sinuman sa kanyang mga anak. Ang lupang ito ay matatagpuan sa Sitio Toto, New Busuanga, Busuanga, Palawan na may• Lot No. 579, CAD 1150-D.

Bilang patunay, isusulat namin ang aming pangalan kasama ng aming lagda.

| Pangalan | Lagda |
|------------------------|-----------------|
| Lami Libarra M. | Land Likaria |
| gosefa D. Libarri | J. Libarra |
| Gemma L palacio | Copalacio |
| Laida delocrez | L. Dalacra |
| Edmando dela orez | E dilacrez |
| Doningo L. Sabooso sr. | Del Sabrisa sy. |
| Rosis (Valeyo | Develys |
| Michael L Sabross | All |
| Rome o L. Libarra | - R |
| Todel filsavra | 4 |
| Emertito C. Litama | /Echibana |
| Amando P. Saloroso | 1/200 |
| Librada J Sabroso. | Aff. |
| Merlo of Canto | Mc |
| Leonita L. Cerentes | L. Curintes |
| Orlando R. Gruntes 58 | |
| martiniana B Libana | MBlibana |
| Benjamin CLibana | Bey Libana |
| Emelita A. Enbana | 46 |
| Reynaldo R. Juanico | Egame |
| Igmedio e Libero | C. f. orne |
| | V |

New Busuanga, Busuanga, Palawan

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Bilang patunay, isusulat namin ang aming pangalan kasama ng aming lagda.

| Pangalan | Lagda |
|----------------------|---|
| ROSELYN ECHAGNE | Robby |
| Esperman D. Patiro | - le separen |
| UN LIBARRA | |
| Mula Labarra | m Libarro |
| Onne Sibana | Let ne |
| GERVACIO D. DAPAR SR | Hadagar |
| Rolly L Daw | Romo |
| THELMA L. RODRIGUEZ | Ollrodriguez |
| Ederliga M. Wtra | unultia |
| CruSson to Paco | On some less |
| Danta A Tabangay | De la companya della companya della companya de la companya della |
| Rudy Daes | Plo |
| Willie Bert mac mac | and the second |
| Inulda M. Daco | Indra |
| MECHIRIL M. MALIGANG | California |
| MARY JANE M. CABROSO | Mabroer |
| Alma D. Villanum | Aun |
| JOMAR E. DACO | - tal aw |
| Enstagno daco | Es Jugnes |
| Esther Daco | Choco |
| Gonny E. PACO | End |
| | |

New Busuanga, Busuanga, Palawan

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| Pangalan | Lagda |
|-------------------|------------------|
| Machy & Capaque | Mapagre |
| Estela Melono | & Miloro |
| Jul Ti Liba ma | <u> Atlibama</u> |
| pilda Sanfillar | NS |
| Resida D. alima | Pakina |
| Ismael SE abina | I abina |
| James & fabon | Jo fabon |
| Mateo Salvoso | Maleroso |
| REWELL RONDERO | Konder |
| Lydia Ronden | Fykndew |
| Salvacia T. Daw | STDAW |
| edro Daco Vo. | Jedro Oak |
| Ester Dapar Bacoy | Edbaray |
| Luis Dars | 1 Dado |
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New Busuanga, Busuanga, Palawan

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Bilang patunay, isusulat namin ang aming pangalan kasama ng aming lagda.

| Pangalan | Lagda |
|----------------------|----------|
| Esperansa Libarra | |
| Carifo Leboura | |
| Welina & Liboria | Ho |
| Vooring M. Mannae | 4 |
| Exangeline de Macmas | Emadmac |
| Man Jupl | And |
| Blace Siber | 270 |
| asonic Murman | Ocamo |
| Loona Hontilla | SHOW . |
| LEWIELY TXARDON | |
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Office of the President of the Philippines

PENALTY FOR PRIVATE OR UNAUTHORIZED USE TO AVOID PAYMENT OF POSTAGE, P500

Malacañang, Manila Official Mail

AREHAND MY RETYPO AND 1 7 2022

Dir. LORMELYN E. CLAUDIO, CESO IV

Regional Executive Director
Regional Office IV-B (MIMAROPA)
Department of Environment and Natural Resources
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1515 Roxas Boulevard, Ermita
1000 City of Manila

