



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

DENR MIMAROPA RECORDS SECTION
RECEIVED
04 NOV 2022
P-2022-945W-LD
INCOMING ☒ OUTGOING ☐
DATE NO.

October 26, 2022

MEMORANDUM

FOR : The Regional Executive Director
MIMAROPA Region

THRU : The OIC, Assistant Regional Director for Technical Services

FROM : The In-Charge
PENRO, Oriental Mindoro

SUBJECT : **LETTER-COMPLAINT DATED JULY 18, 2022 OF MS. MICHELLE M. GAJETOS, ATTORNEY-IN-FACT OF MR. FRANK ALBERT JULES DEWASTE, ADDRESSED TO THE OFFICE OF THE PRESIDENT RE: LAND PROBLEM IN BARANGAY ANINUAN, PUERTO GALERA, ORIENTAL MINDORO**

This refers to the Memorandum dated September 16, 2022 from the OIC, Assistant Regional Director for Technical Services regarding the above-mentioned subject, directing this Office to furnish a copy of the result of survey conducted by then Geodetic Engineer of this Office, Engr. John Eric C. Garcia, which was submitted to the RTC Branch 40, Calapan City, Oriental Mindoro.

Be informed that based on our records, the Regional Executive Director and the Chief, Legal Division, MIMAROPA Region, were furnished of the said survey report as per Letter¹ dated September 21, 2021. Nonetheless, we are respectfully furnishing you a copy of result of survey submitted to RTC Branch 40 for your reference.

For information and records.

Delia T. Almaz
DELIA T. ALMAZ
Land Management Officer III
In-Charge, Office of the PENRO

¹ Letter dated September 21, 2021 addressed to Hon. Charity Grace A. Rico, presiding Judge of RTC Branch 40, Provincial Capitol, Calapan City, Oriental Mindoro hereto attached as Annex "A".

TSD/RPS

Ilang-ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro
DENR Contact Nos. (043) 288-3017, Tel. Fax No. 288-3006



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

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PERIOD TRACKING NO.	
RECEIVED BY:	<i>[Signature]</i>
DATE:	OCT 24 2022
TIME:	

MEMORANDUM

TO : THE OIC, PENR Officer
Oriental Mindoro

FROM : THE OIC, ASSISTANT REGIONAL DIRECTOR
FOR TECHNICAL SERVICES

SUBJECT : LETTER-COMPLAINT DATED JULY 18, 2022 OF MS. MICHELLE M. GAJETOS, ATTORNEY-IN-FACT OF MR. FRANK ALBERT JULES DEWASTE, ADDRESSED TO THE OFFICE OF THE PRESIDENT RE: LAND PROBLEM IN BARANGAY ANINUAN, PUERTO GALERA, ORIENTAL MINDORO

DATE : SEP 16 2022

This pertains to the letter complaint dated July 18, 2022 of Ms. Michelle M. Gajetos, Legal Representative of Mr. Frank Albert Jules Dewaste addressed to the Office of the President, seeking assistance on their land problem in Barangay Aninuan, Puerto Galera, Oriental Mindoro.

Please be informed that this office issue Survey Order No. 2021-001 dated January 29, 2021 (copy attached) to Engr. John Eric Garcia in compliance with the Order dated November 24, 2020 issued by the Acting Presiding Judge of Regional Trial Court – Branch 40, City of Calapan, Cefelene R. Goco in Civil Case No. CV-19-7420 entitled *Spouses Rosalina T. Tampipi and Franck Albert Jules Dewaste, represented by Michelle Miran Gajetos vs. Spouses Roger A. Gabat and Jocelyn Gabat, and all persons claiming rights and interest under them in an accion reivindicatoria and damages with prayer for the issuance of a writ of preliminary mandatory injunction.*

In this regard, you are hereby directed to furnish this Office copy of the result of survey submitted to RTC-Branch 40 which will be used as basis for further action.

For your immediate action, please.

[Signature]
MAXIMO C. LANDRITO

Cc: Presidential Complaint Center
Malacañang, Manila

DENR Hotline 8888
Visayas Ave., Diliman, Quezon City



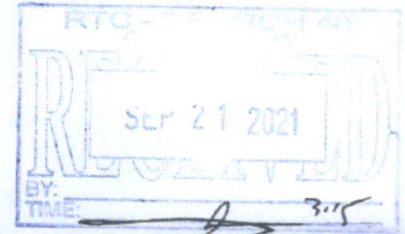


Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
Provincial Environment and Natural Resources Office

21 September 2021

HON. CHARITY GRACE A. RICO

Presiding Judge
Regional Trial Court, Fourth Judicial Region, Branch 40
Provincial Capitol Complex, Calapan City



Dear Hon. Judge Rico:

This has reference to your ORDER served to this office dated August 25, 2021 regarding Civil Case No. CV-19-7420 (Spouses Rosalinda T. Tampipi and Franck Albert Jules Dewaste, rep. by Michelle Miran Gajetos- Plaintiffs versus Spouses Roger A. Gabat and Jocelyn Gabat, and all persons claiming rights and interest under them- Defendants), directing this office to conduct survey over the property subject matter of this case and to submit to the Court its result within thirty (30) days from receipt of said Order.

Relative thereto, we are respectfully submitting the result of the verification/relocation survey of the subject properties/lots located at Brgy. Aninuan, Puerto Galera, Oriental Mindoro covered by the said case (Civil Case No. CV-19-7420) conducted by Engineer John Eric C. Garcia from this office.

Attached are the following documents:

1. Memorandum dated September 13, 2021 from Engr. John Eric C. Garcia to the PENR Officer re: Result of verification/relocation survey of subject properties / lots located at Aninuan, Puerto Galera, covered by Civil Case No. CV-17-7420: SPS. Rosalinda T. Tampipi and Franck Albert Jules Dewaste, rep. by Michelle Miran Gajetos, Plaintiffs, - versus- SPS. Roger A. Gabat and Jocelyn Gabat, and all Persons claiming rights and Interest under them, Defendants, with the following enclosures:

- 1.1 Sketch plan of the said relocation/verification survey conducted;
- 1.2 Geo-tagged photos taken during the conduct of activity/survey; and
- 1.3 Copy of Court Order relative to the case.

Very truly yours,

Mary June F. Maypa
MARY JUNE F. MAYPA
PENR Officer

Copy furnished: 1) The Regional Executive Director
DENR, MIMAROPA Region

2) The Chief, Legal Division
DENR, MIMAROPA Region

3) CENRO-Socorro, Oriental Mindoro

also w/ Engr. Garcia, Atty. Pang - for reference

PENRO Tracking No. 2109000259



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
Provincial Environment and Natural Resources Office

SEP 21 2021

September 13, 2021

MEMORANDUM

FOR : The PENR Officer
FROM : ENGR. JOHN ERIC C. GARCIA
Engineer II / Provincial Survey Team Leader

DENR-MIMAROPA REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
ORIENTAL MINDORO	
PENRO TRACKING NO.	
RECEIVED BY:	
DATE	SEP 22 2021
TIME	

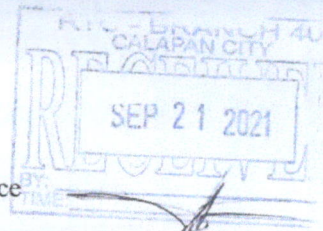
SUBJECT : **RESULT OF VERIFICATION/RELOCATION SURVEY OF SUBJECT PROPERTIES / LOTS LOCATED AT ANINUAN, PUERTO GALERA, COVERED BY CIVIL CASE NO. CV-19-7420: SPS ROSALINDA T. TAMPIPI AND FRANCK ALBERT JULES DEWASTE, REP. BY MICHELLE MIRAN GAJETOS, Plaintiffs, - VERSUS- SPS. ROGER A. GABAT AND JOCELYN GABAT, and all Persons claiming rights and Interest under them, Defendants**

As per Court Order dated August 24, 2021 which was received by this Office on August 25, 2021 directing the PENRO to conduct survey on the subject property at the expense of the plaintiffs, even without the consent of the defendants, the undersigned together with the members of DENR-Provincial Survey Team, as representative of the PENRO Oriental Mindoro, proceeded to the area on September 7, 2021 in Aninuan, Puerto Galera to execute the verification / relocation survey of the subject lots covered by Civil Case No. CV-19-7420.

The undersigned first coordinated with the Sheriff of the Court, the plaintiffs and the defendants, and with the Barangay Captain of Aninuan, prior to the conduct of the survey.

REFERENCES

1. Lot 8029-C-2-B, Psd-04-177159 containing an area of 1,300 square meters which is the property owned by Spouses Roger Gabat and Jocelyn Gabat, located at Aninuan, Puerto Galera, Oriental Mindoro;
2. Lot 9, Pcs-04-018574 with an area of 1,312 square meters, and Lot 2, Pcs-3954 (LRA) with an area of 1,703 square meters, both properties owned by Spouses Rosalinda T. Tampipi and Franck Albert Jules Dewaste, located at Aninuan, Puerto Galera, Oriental Mindoro;
3. Court Order dated August 24, 2021 signed by Presiding Judge Charity Grace A. Rico of RTC Fourth Judicial Region, Oriental Mindoro Branch 40, Calapan City, "directing the PENRO to conduct survey on the subject property at the expense of the plaintiffs, even without the consent of the defendants";
4. Reference / common points used (see red circle in the sketch plan):
 - Corner 3 of Lot 3-C, Psd-E201600 (LRA)
 - Corner 1 of Lot 3-D, Psd-E201600 (LRA)
 - Corner 1 of Lot 8029-C-9, Psd-04-175696
 - Corner 4 of Lot 2, Pcs-39541
 - Corner 2 of Lot 8, Pcs-04-018574
 - Corner 5 of Lot 4, Pcs-04-018574
 - Corners 9-12 of Lot 4, Pcs-04-018574



FINDING/S:

Based on the projection using the above-cited reference/common points, it was ascertained that:


- ❖ The actual position of the house/building (see figure with light blue lines in the sketch plan) containing an area of 228 square meters, more or less, owned by Spouses Roger Gabat and Jocelyn Gabat, defendants, falls within Lot 8029-C-2-B, Psd-04-177159, and it does not overlap with the adjoining properties owned by Spouses Rosalinda T. Tampipi and Franck Albert Jules Dewaste.

Attached herewith are the sketch plan of the said relocation/verification survey, court order, and geo tag photos during the conduct of activity/survey.

For information and reference.


ENGR. JOHN ERIC C. GARCIA

Noted:


MARY JUNE F. MAYPA
PENR Officer

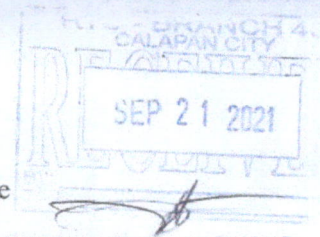


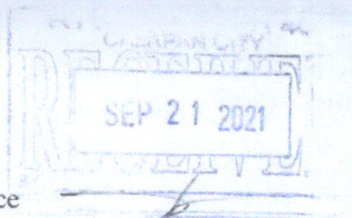
PHOTO DOCUMENTATION DURING THE ACTUAL CONDUCT OF SURVEY



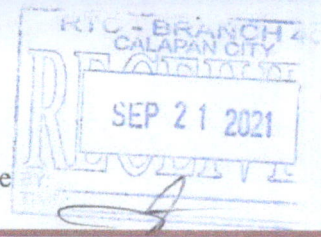
Engr. John Eric Garcia during the actual survey of subject lot



From Left: Mr. Roger Gabat (defendant – wearing black long sleeve), Mr. Gerardo Viray (Sheriff of Court – wearing white shirt), Engr. Garcia (DENR Geodetic Engineer wearing green shirt together with members of Survey Team)



Actual conduct of survey (frontsight)



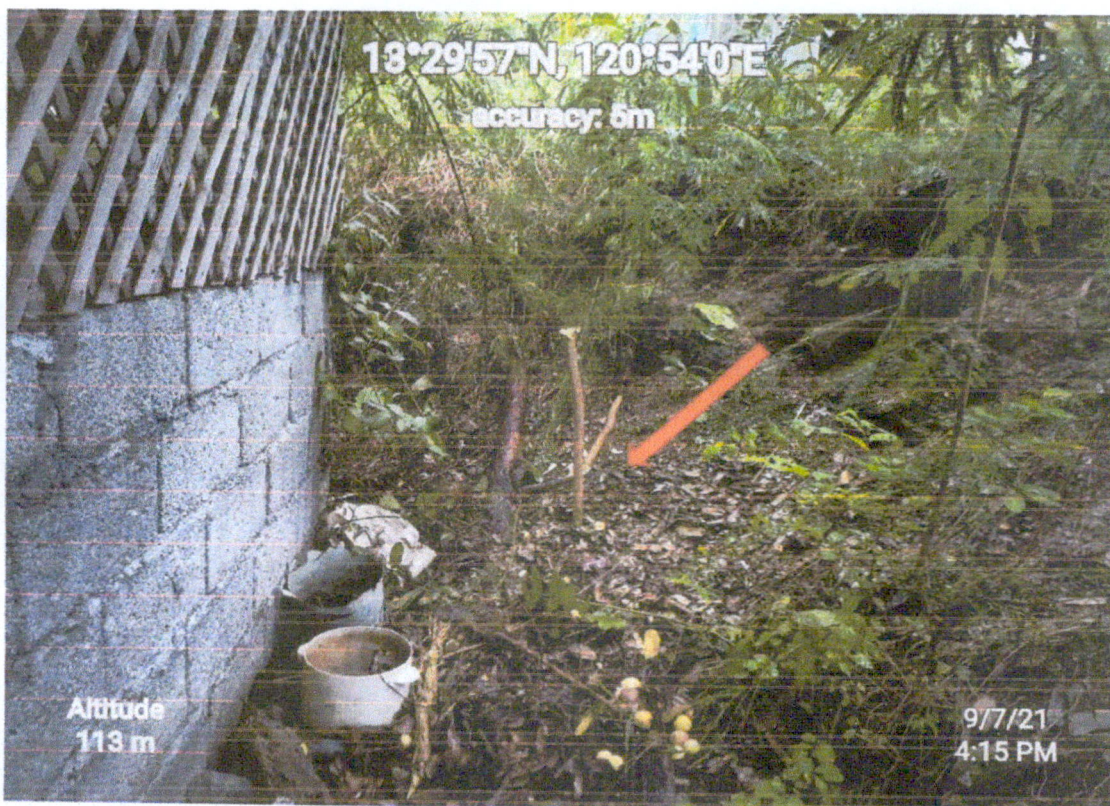
Backsight



Actual conduct of survey



Actual conduct of survey



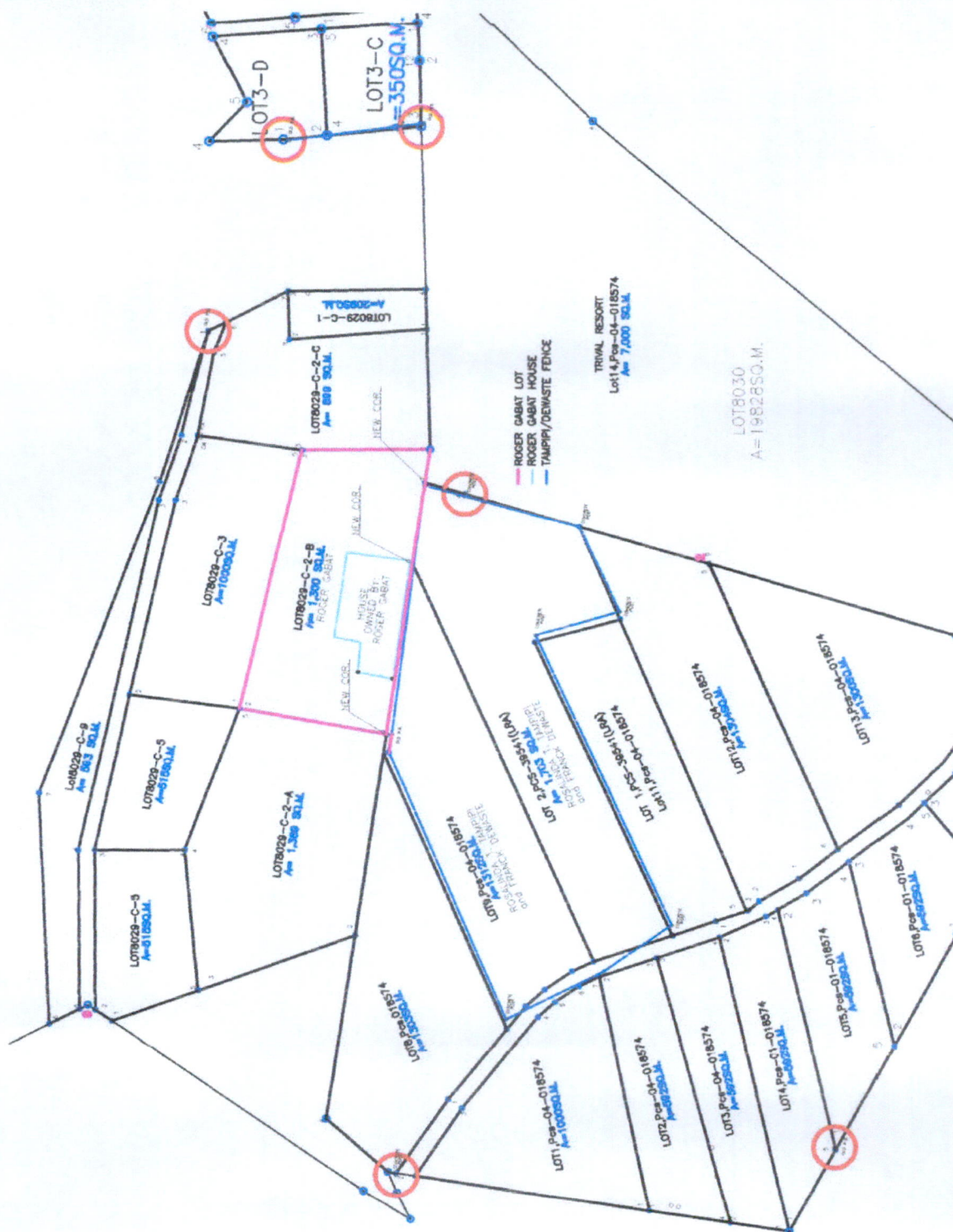
Mark pointing the boundary of the properties of both parties



SEP 21 2021



Building/structure owned by Mr. Roger Gabat (defendant)



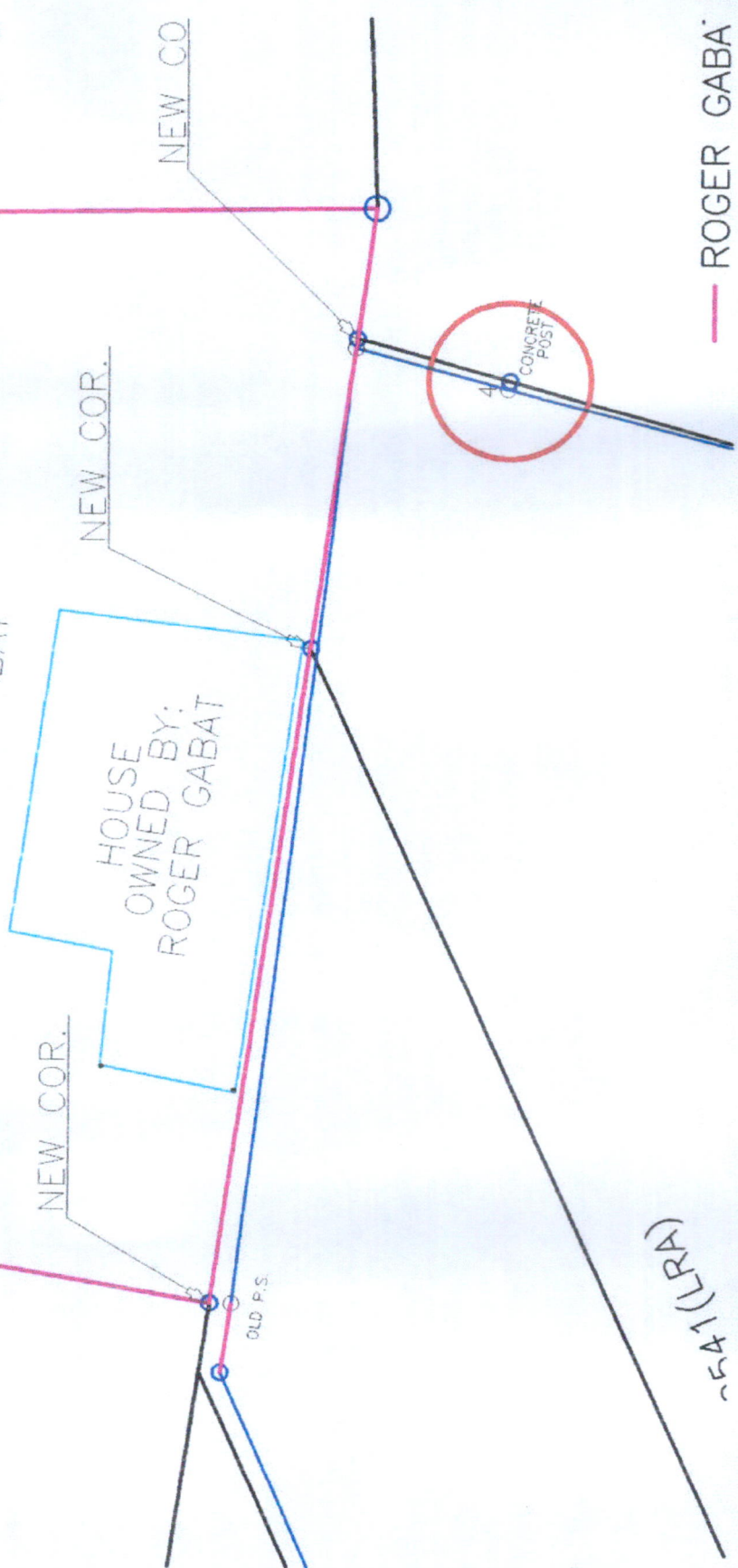
SEP 21 2021
RECEIVED
CALAPAN CITY

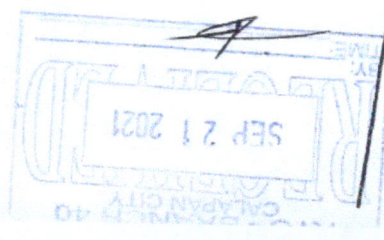
-A
M.

LOT8029-C-3
A=1000SQ.M.

LOT8029-C-2-B
A= 1,300 SQ.M.
ROGER GABAT

LOT802
A= 8'





- ROGER GABAT LC
- ROGER GABAT HI
- TAMPIPI/DEWASTE

Lo

018574

04-018574
125Q.M.

018574
M.

Lot 8 PCS-018574
A=1303 SQ.M.

Lot 9 PCS-04-018574
A=1312 SQ.M.
TAMPIPI
DEWASTE
and FRANK
ROSLAND

Lot 2 PCS-39541 (LRA)
A=1,103 SQ.M.
TAMPIPI
DEWASTE
and FRANK
ROSLAND

Lot 1 PCS-39541 (LRA)
Lot 1 PCS-04-018574

Lot 8029-C-2-A
A=1,389 SQ.M.

Lot 8029-C-2-B
A=1,300 SQ.M.
ROGER GABAT

Lot 8029-C
A=899

HOUSE
OWNED BY:
ROGER GABAT

NEW COR.

NEW COR.

NEW COR.

OLD P.S.

CONCRETE POST

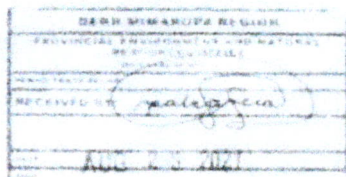
CONCRETE POST

CONCRETE POST

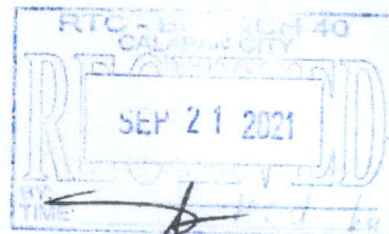
CONCRETE POST

CONCRETE POST

018574



Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
Calapan City
-oOo-



Spouses ROSALINDA T. TAMPIPI,
and FRANCK ALBERT JULES
DEWASTE, represented by
MICHELLE MIRAN GAJETOS,
Plaintiffs.

CIVIL CASE NO. CV-19-7420

- versus -

- for -

Spouses ROGER A. GABAT and
JOCELYN GABAT, and all persons
claiming rights and interest under
them.

Defendants

"ACCION REIVINDICATORIA
AND DAMAGES WITH PRAYER
FOR THE ISSUANCE OF A WRIT
OF PRELIMINARY MANDATORY
INJUNCTION"

X-----X

ORDER

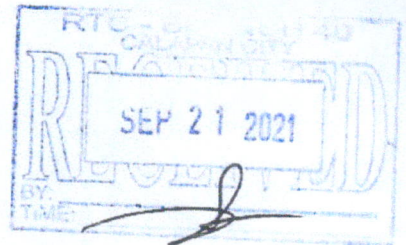
In today's hearing, Atty. Ronald O. Macalanda, counsel for the plaintiffs, appeared through videoconferencing. Plaintiffs Attorney-in-fact Michelle Miran Gajetos, appeared in Court. There is no appearance from the defendants and their counsels although they were duly notified.

During the hearing, counsel for the plaintiffs manifested that they filed a Manifestation With Motion dated 10 August 2021, praying that: 1) the defendants' right to give consent for the conduct of survey over the property subject matter of this case be considered WAIVED due to defendants' repeated refusal to comply with the Orders of this Court dated 15 February 2021, 19 April 2021 and 29 June 2021, despite due notice; and, 2) to direct PENRO to immediately conduct the survey over the property subject of this case without waiting for the consent of the defendants.

Finding the Motion of the plaintiffs to be well-taken, the same is hereby GRANTED.

In the interest of justice and to determine if the defendants indeed encroached the property of the plaintiffs and due to defendants' repeated refusal to comply with the Orders of this Court, PENRO is directed to conduct survey on the subject property at the expense of the plaintiffs, even without the consent of the defendants.

The Sheriff of this Court is directed to coordinate with the barangay officials of the place where the property is situated, to witness the actual



survey on the said property, and to render necessary assistance to PENRO to ensure the peaceful implementation of the activity.

The PENRO is directed to submit to this Court the result of the conduct of the survey within thirty (30) days from receipt of this Order. //

The manifestation of PENRO, DENR dated 13 August 2021 is duly noted.

For the meantime, set the monitoring of this case on 26 October 2021 at 8:30 in the morning.

The Sheriff of this Court is directed to serve copy of this Order to PENRO, defendants and their counsel.

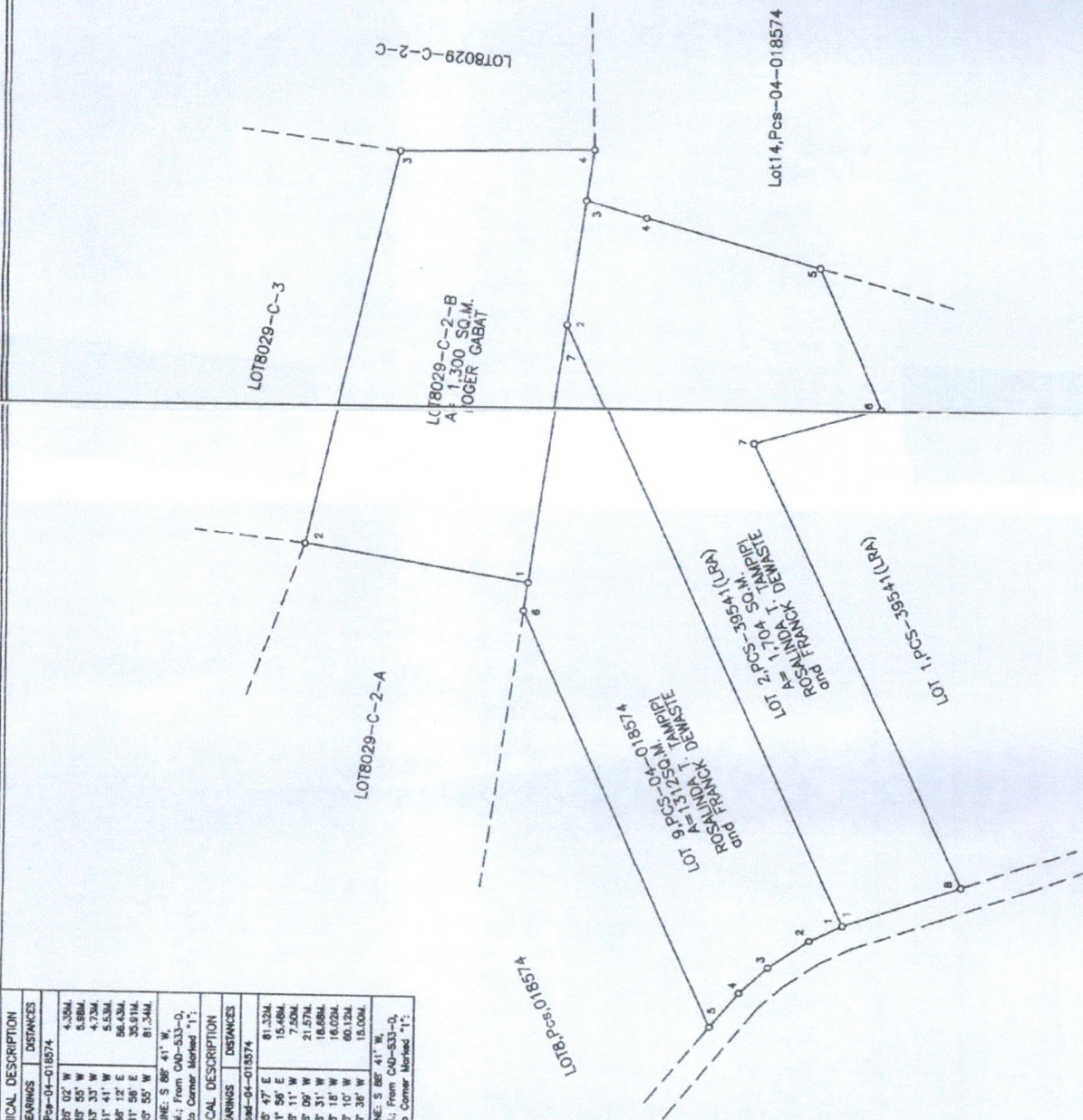
SO ORDERED IN OPEN COURT.

24 August 2021, Calapan City, Oriental Mindoro

hrr
CHARITY GRACE A. RICO
Presiding Judge

CRG/ima

TECHNICAL DESCRIPTION		
LINES	BEARINGS	DISTANCES
8/Pas-04-018574		
1-2	N 20° 02' W	4.3504
2-3	N 35° 55' W	5.8864
3-4	N 43° 33' W	4.7304
4-5	N 51° 41' W	5.5304
5-6	N 60° 12' E	56.4304
6-7	S 81° 56' E	35.5104
7-1	S 05° 55' W	81.3404
TIE LINE: S 88° 41' W, 6.08613M; From CAD-533-0, BLM 1 to Corner Marked "1";		
10/Pas-04-018574		
1-2	N 65° 47' E	81.3204
2-3	S 81° 56' E	15.4804
3-4	S 16° 11' W	7.5004
4-5	S 16° 09' W	21.5704
5-6	N 16° 31' W	18.6804
6-7	N 16° 10' W	68.0204
7-8	S 05° 10' W	68.0204
8-1	N 10° 38' W	15.0004
TIE LINE: S 88° 41' W, 6.08613M; From CAD-533-0, BLM 1 to Corner Marked "1";		



VERIFICATION PLAN

OF LOT 9, PCS-04-018574
& LOT 2, PCS-39541 (LRA)
AS PREPARED FOR
ROSALINDA T. TAMPPI
& FRANK DEWASTE
SITUATED IN THE

RURBAN CODE
BARANGAY OF ANINJUAN
MUN. OF PUERTO GALERA
PROVINCE OF ORIENTAL MINDORO
ISLAND OF LUZON
CONTAINING AN AREA OF

ZONE NO.
PCS-PTMFRS 92
BEARING TRUE
SCALE 1"

CERTIFICATION

I hereby certify that this is a true and correct plan of
LOT 9, PCS-04-018574 and LOT 2, PCS-39541 (LRA) as
described based on the technical description and
the Transfer Certificate of Title as presented to me for the
lot owner. This Plan is for reference purposes only and
shall not be used for Land Registration.

Date prepared:
JOHN ERIC O. GARCIA
Geodetic Engineer
Reg. No. 5433
Luzon No. 5433-018574 Date: 08/05/09

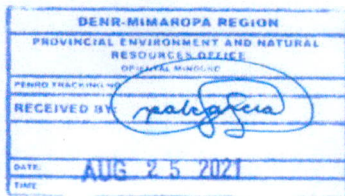
Republic of the Philippines
Department of Environment and Natural Resources

VERIFICATION
I certify that this survey plan is verified and found to
conform with survey data / records on file in this office.
THIS PLAN SHALL NOT BE USED FOR LAND
REGISTRATION.

DATE _____ 20
PURPOSE _____

CHIEF, REGIONAL SURVEYS DIVISION

Date Submitted
ADDITIONAL INFORMATION AFTER DATE OF VERIFICATION



Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
Calapan City
-oOo-

Spouses ROSALINDA T. TAMPIPI,
and FRANCK ALBERT JULES
DEWASTE, represented by
MICHELLE MIRAN GAJETOS,
Plaintiffs,

CIVIL CASE NO. CV-19-7420

- versus -

- for -

Spouses ROGER A. GABAT and
JOCELYN GABAT, and all persons
claiming rights and interest under
them,
Defendants.

"ACCION REIVINDICATORIA
AND DAMAGES WITH PRAYER
FOR THE ISSUANCE OF A WRIT
OF PRELIMINARY MANDATORY
INJUNCTION"

X-----X

ORDER

In today's hearing, Atty. Ronald O. Macalanda, counsel for the plaintiffs, appeared through videoconferencing. Plaintiffs' Attorney-in-fact Michelle Miran Gajetos, appeared in Court. There is no appearance from the defendants and their counsels although they were duly notified.

During the hearing, counsel for the plaintiffs manifested that they filed a Manifestation With Motion dated 10 August 2021, praying that: 1) the defendants' right to give consent for the conduct of survey over the property subject matter of this case be considered WAIVED due to defendants' repeated refusal to comply with the Orders of this Court dated 15 February 2021, 19 April 2021 and 29 June 2021, despite due notice; and, 2) to direct PENRO to immediately conduct the survey over the property subject of this case without waiting for the consent of the defendants.

Finding the Motion of the plaintiffs to be well-taken, the same is hereby GRANTED.

In the interest of justice and to determine if the defendants indeed encroached the property of the plaintiffs and due to defendants' repeated refusal to comply with the Orders of this Court, PENRO is directed to conduct survey on the subject property at the expense of the plaintiffs, even without the consent of the defendants. //

The Sheriff of this Court is directed to coordinate with the barangay officials of the place where the property is situated, to witness the actual

h

survey on the said property, and to render necessary assistance to PENRO to ensure the peaceful implementation of the activity.

The PENRO is directed to submit to this Court the result of the conduct of the survey within thirty (30) days from receipt of this Order. //

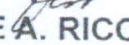
The manifestation of PENRO, DENR dated 13 August 2021 is duly noted. //

For the meantime, set the monitoring of this case on 26 October 2021 at 8:30 in the morning.

The Sheriff of this Court is directed to serve copy of this Order to PENRO, defendants and their counsel.

SO ORDERED IN OPEN COURT.

24 August 2021, Calapan City, Oriental Mindoro.


CHARITY GRACE A. RICO
Presiding Judge

CRG/tma

PENRO DOCUMENT ACTION TRACKING SLIP

2108000440

Description:

ORDER: CIVIL CASE NO. CV-19-7420 FOR ACCION REINVIDICATORIA AND DAMAGES WITH PRAYER FOR THE ISSUANCE OF A WRIT OF PRELIMINARY MANDATORY INJUNCTION

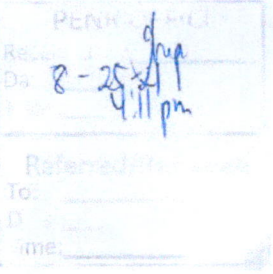
SPOUSES ROSALINDA T. TAMPIPI AND FRANCK ALBERT JULES DEWASTE, REP. BY MICHELLE MIRAN GAJETOS, (PLAINTIFFS) -VS- SPOUSES ROGER A. GABAT AND JOCELYN GABAT, AND ALL PERSONS CLAIMING RIGHTS AND INTEREST UNDER THEM (DEFENDANTS)

Date Added:

8/25/2021 3:58:12PM

Originating Office:

Other Office

From/Date/Time Received	To/Date/Time Released	Action Taken
Other Office 8/25/2021 3:58:12PM	88-25-2021	Chief TO Mr. F
	8/26/21	<p>Atty: Atty. Margo - We can now proceed - duly inform the sheriff as witness.</p> <p>Forwarded to Atty. Margo</p> <p>8/31/21 8:22am 8/31/21 8:55am</p> <p>Received Record</p> <p>Note: Atty. Margo attended mandatory continuing education for lawyers</p>
		<p>Instructed Engr. Garcia to proceed w/ the survey and deadline w/c is on September 24, 2021</p> <p>Please submit survey report before Sept. 24, 2021</p> <p>Pls. coordinate w/ sheriff</p> <p>Engr. John Eric Garcia</p> <p>8/31/2021</p> <p>Note: Engr. Garcia manifested he can finish the survey on 2nd week of Sept.</p>

Note: Atty Margo w/ relatives (probation) from Aug. 25 - 27, 2021

✓ Forwarded the following:

• BONZ VMAZIL: Maxacalla-Umali 8/27/21
RPS Chief

• Engr. John Eric Garcia: c/o dhuul 8/26/21 3:06pm
Chief, Survey Party

8/31/21 Awaiting survey report from Engr. Garcia
5:56a.m.

9/2/21 Reminded Engineer to coordinate w/ the sheriff.
10:45a.m.

9/2/21 - Gave to Engr. M. of office of clerk of court
1:06p.m.

1:14pm - Gave Sheriff Gerardo Viray's m. to Engr.

9/12/21 - Gajetos w/ guide engineers went to office. Fully explained to him that we applied of order of the court + Engineers will prepare survey report

9/20/21 - Followed up Engr. re: Survey Report

9/21/21 - Informed Marian Fe of the procedure of submitting the report via pleading + the need to certify the reports to be furnished to parties

9/22/21 - Marian Fe gave me a copy of the letter signed by PENRO with the attached survey report prepared by Engineer Garcia submitted on 9/21/21
9:12a.m.

9/22/21 9:40a.m.
Forwarded original tracking slip to Land Records of R.M.C. 9/22/21

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
ORIENTAL MINDORO
BRANCH 40
Calapan City
-oOo-

DENR-MINDORO REGION	
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE	
FORM NO. 100-10	RECEIVED BY: <i>[Signature]</i>
DATE: JUN 26 2021	TIME: <i>[Blank]</i>

SPOUSES ROSALINDA T. TAMPIPI and
FRANCK ALBERT JULES DEWASTE
Represented by
MICHELLE MIRAN GAJETOS,
Plaintiffs,

CIVIL CASE NO.CV-19-7420

-versus-

-for-

Spouses ROGER A. GABAT and JOCELYN
GABAT, and all persons claiming rights and
interest under them,
Defendants.

Accion Reinvidicatoria
and Damages with Prayer
for the Issuance of a Writ
of Preliminary Mandatory
Injunction

X -----X

ORDER

In today's hearing, Atty. Anna Olivia S. Lee entered her special appearance as the collaborating counsel of Atty. Ronald O. Macalanda, counsel for the plaintiffs. The defendants are not attendant in court, however, there is no showing that they are duly notified of today's hearing.

During the hearing, counsel for the plaintiffs moved that the defendants be required to explain why said defendants did not comply with the requirement of PENRO Officer Mary June F. Maypa to submit written consent for the conduct of survey and at the same time submit their compliance thereon. Finding the arguments raised by the plaintiffs' counsel to be meritorious, the same is hereby granted.

ACCORDINGLY as prayed for, the defendants are hereby directed to explain why they failed to comply with the afore-mentioned PENRO requirement as embodied in the Order of this Court dated 15 February 2021 and at the same time submit their written consent for the conduct of survey as requested by PENRO, within fifteen (15) days from receipt of this Order.

The Court also notes that the defendants likewise failed to submit their Pre-Trial Brief. Thus, they are further directed to submit their Pre-trial Brief (in accordance with the attached format) and the Judicial Affidavits of their witnesses, within thirty (30) days from receipt of this Order. The defendants are likewise given the similar period within which to submit the Judicial Affidavits of their witnesses.

Set the hearing of this case on **August 24, 2021 at 8:30 in the morning.**

SO ORDERED IN OPEN COURT.
29 June 2021, Calapan City, Oriental Mindoro.

CHARITY GRACE A. RICO
Presiding Judge

CGAR/tma

CERTIFIED TRUE COPY
[Signature]
ATTY. ENRIQUE MANTUANO I
CLERK OF COURT