May 26, 2023

RECORDS SECTION

JUN 0 9 2023

DATS NO.

INCOMING DOUTGOING

BY: TIME:

MEMORANDUM

FOR

The Regional Executive Director

1515 DENR By the Bay Building

Roxas Blvd., Barangay 668, Ermita, Manila

FROM

The Provincial Environment and

Natural Resources Officer

SUBJECT

SERVICE OF COPY OF THE RESOLUTION DATED

FEBRUARY 27, 2022 IN THE CASE ENTITLED IN THE MATTER OF THE COMPLAINT FILED BY MR. MASUETO FUERTES AGAINST ENGR. REX

VELASCO FOR ALLEGED LAND GRABBING

Forwarded for information is the memorandum of CENRO Puerto dated May 18, 2023 informing that the Resolution dated February 27, 2023 was personally served thus received by Mr. Mansueto Fuertes on May 18, 2023.

Attached is the copy of the Resolution bearing the signature of Mr. Fuertes for record and guidance.

For the PENRO:

Copy furnished:

The CENRO Puerto Princesa City TSD-RPS DRN 2023-4636//lmo

DENR-PALAWAN
PENRO-RECORDS

R F L E A S E D

WAMALAYDA S. TALABUCON
OIC Chief MSD/Office-In-Charge

By 23-4636/23-1524



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

OMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE PUERTO PRINCESA CITY

South National Highway, Bgy. Sta. Monica Puerto Princesa City Email Address: centroprincesa@denr.gov.ph Tel. Fax No.: (048) 717-0702

May 18, 2023

DENR PENRE

MEMORANDUM

FOR

PENRO Palawan

Sta. Monica, Puerto Princesa City

FROM

The OIC-CENRO Puerto Princesa

Sta. Monica, Puerto Princesa City

SUBJECT

SERVICE OF COPY OF THE RESOLUTION DATED FEBRUARY 27, 2022 IN THE CASE ENTITLED IN THE MATTER OF THE COMPLAINT FILED BY MR. MANSUETO FUERTES AGAINST ENGR. REX VELASCO FOR ALLEGED

LAND GRABBING

This pertains to your memorandum dated April 19, 2023 which was received by this Office on April 27, 2023 regarding service copy of Resolution to the party Mr. Mansueto Fuertes dated February 27, 2022 in the above case mentioned.

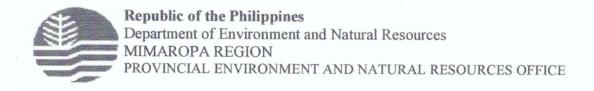
Please be informed that a copy of the said Resolution was personally served and received by Mr. Mansueto Fuertes on even date. Attached is a copy of the same Resolution wherein Mr. Fuertes has affixed his signature opposite his name, which serves as proof of service to him.

For information and record.

PEDRO A. VELASCO

Cc: **CENRO**/File *DRN-2023-2834/RPS/*mmp*

DENR MIMAROPA REGION
CENRO PUENTO CHINGESA
NO
DATE: (-19-23)
BY:



April 19, 2023

MEMORANDUM

TO

The Community Environment and

Natural Resources Officer

Puerto Princesa City

FROM

The Provincial Environment and

Natural Resources Officer

SUBJECT

SERVICE F COPY OF THE RESOLUTION DATED FEBRUARY 27.

2022 IN THE CASE ENTITLED IN THE MATTER OF THE COMPLAINT FILED BY MR. MASUETO FUERTES AGAINST

ENGR. REX VELASCO FOR ALLEGED LAND GRABBING

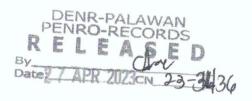
Relative your memorandum dated March 30, 2023 informing the non attachment of the Resolution of subject case subject of your delivery to Mr. Mansueto Fuertes.

Attached is the copy of our memorandum of March 15, 2023 furnishing the certified true copy of the Resolution of February 27, 2022.

Please for your compliance and submission of the proof of service.

Copy furnished:

The Chief, Legal Division 1515 DENR By the Bay Building Roxas Blvd., Barangay 668, Ermita, Manila TSD-RPS DRN 2023-3436/Imo FELIZARDO B. CAYATOG





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

MEMORANDUM

FOR

The PENR OFFICER

Palawan

ATTENTION:

The CENR OFFICER

Puerto Princesa City

FROM

The Chief, Legal Division

SUBJECT

SERVICE OF COPY OF THE RESOLUTION DATED FEB-RUARY 27, 2022 IN THE CASE ENTITLED IN THE MATTER OF THE COMPLAINT FILED BY MR. MANSUETO FUERTES AGAINST ENGR. REX S. VELASCO FOR ALLEGED LAND

DENR PENRO

PALAWAN REGORDS

DATE: USTO

GRABBING

DATE

JAN 1 6 2023

This has reference to the service to the complainant, **Mr. Mansueto Fuertes**, by registered mail, of the copy of the Resolution dated February 27, 2022 in the abovecited case, which was returned to sender (RTS) with the notation **Unclaimed**.

Relative thereto, may we respectfully request for your Office to cause the delivery of the certified true copy of the Resolution, hereto attached, to the party or his representative for the case to consequently attain finality. Further, please furnish this office of the proof of service or acknowledgment immediately upon receipt thereof by the party.

ATTY. GANDHIG. FLORES

Copy furnished:

CENRO Puerto Princesa City

IN THE MATTER OF THE COMPLAINT FILED BY MR. MANSUETO FUERTES AGAINST ENGR. REX S. VELASCO FOR ALLEGED LAND GRABBING

RESOLUTION

For consideration is the Complaint sent through electronic mail on July 26, 2016 by Mr. Mansueto "Baby" Fuertes against Engr. Rex Velasco (Velasco) addressed to the Office of the Secretary, copy furnished the Office of the Ombudsman, this Office, and PENRO Palawan.

The Complaint alleged that Velasco committed land grabbing activities and victimized poor people in Puerto Princesa City.

A Memorandum dated July 26, 2016 was issued by PENR Officer directing Velasco to explain in writing within three (3) days upon receipt of the Memorandum. Likewise, then Regional Director Oscar C. Dominguez issued a Show-Cause Memorandum dated July 27, 2016 requiring Velasco to submit his written explanation within seventy-two (72) hours from receipt thereof.

On July 28, 2016, Velasco submitted his Counter-Affidavit stating that the Complaint was highly imaginative, absurd and without basis, and requested the creation of an investigating body regarding the case.

Regional Special Order (RSO) No. 404, dated August 2, 2016, was then issued creating an investigation team which immediately conducted a meeting on August 4, 2016 together with the Complainant and ten (10) other individuals. During the meeting, it was found out that the allegation of the Complainant regarding land grabbing has no leg to stand on considering that he had no evidence to support his claim. There were ten (10) individuals who testified that the issue was not land grabbing, bút rather on the procedural matters regarding their land titling applications. Hence, the investigation team recommended that the Complaint against Velasco be dismissed.

Further, an Affidavit of Desistance dated September 23, 2016 was submitted by the Complainant where he stated that his Complaint was purely a result of misunderstanding and misapprehension of facts, and he was no longer interested in pursuing any further investigation/prosecution of his Complaint, and that he will no longer testify against Velasco.

In the case of Yap vs. Lagtapon¹, the Supreme Court ruled that the presumption of regularity in the performance of official duties is an aid to the effective and unhampered administration of government functions. Without such benefit, every official action could be negated with minimal effort from litigants, irrespective of merit or sufficiency of

MARLENE M. BADILLA
Admin. Asst. HIV Records Officer-Designate
Legal Division, DENR MARGOPA R. gion

¹ Susan A. Yap vs. Elizabeth Lagtapon (January 23, 2017, G.R. No. 196347)

evidence to support such challenge. To this end, our body of jurisprudence has been consistent in requiring nothing short of clear and convincing evidence to the contrary to overthrow such presumption.

Thus, in the absence of evidence to overthrow the presumption of regularity, the Complaint cannot be given due course.

WHEREFORE, premises considered, the complaint against Engr. Rex S. Velasco is hereby DISMISSED.

-5-14-23

SO ORDERED.

Manila, Philippines. FEB 2 7 2022

LORMELYN E. CLAUDIO, CESO IV

OIC, Regional Executive Director

Copy furnished:

Mr. Mansueto Fuertes Golden Valley, Brgy. Sicsican Puerto Princesa City

Engr. Rex S. Velasco CENRO Puerto Princesa City

Office of the Ombudsman

Office of the Secretary DENR

ENRO Palawan

CENRO Puerto Princesa City

Administrative Division

GENTINED TRUE/PHOTO COPY My 3.9. 2022 MARLENE M. BADILLA Admin. Asst. III/ Records Officer-Designate Legal Division, DENR MIMAROPA Region

