REPUBLIC OF THE PHILIPPINES SUPREME COURT FOURTH JUDICIAL REGION MUNICIPAL TRIAL COURT STA. CRUZ, OCCIDENTAL MINDORO

THE DIRECTOR OF LANDS,

Petitioner,

-versus-

Cadastral Case No. N-6 LRC Record No. N-240

LOT NO. 1305, PLS-22 SAN VICENTE, STA. CRUZ, OCC. MINDORO

HEIRS OF FRANCISCA CATAMA, et al.,

Represented by: SUSAN CATAMA FERNANDEZ,

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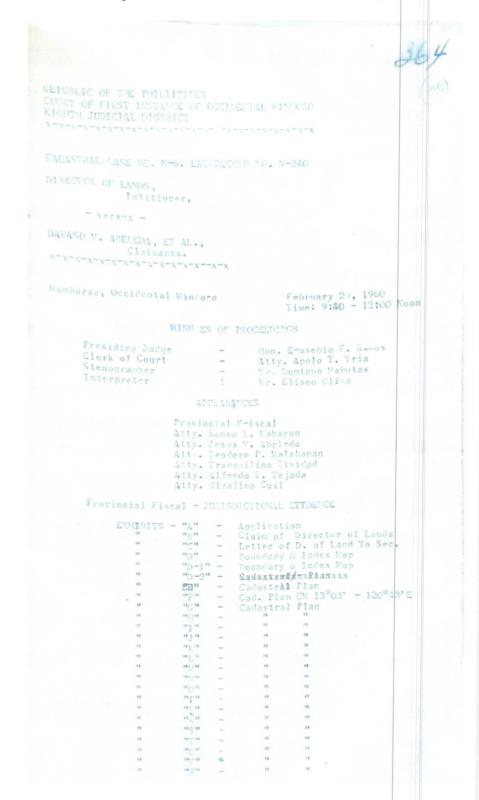
MOTION

(To Supplement the Formal Offer of Evidence for the Heirs of Francisca Abeleda Catama)

Heirs of Francisca Abeleda Catama, represented by Susan Catama Fernandez, by counsel and to this Honorable Court, respectfully state that:

- 1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
- 2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Crisostomo Catama, as the heir of Spouses Francisca Abeleda Catama and Amador Catama Sr., herein represented by Susan Catama Fernandez, the subject land identified as Lot 1305-C, Ccs-4B-000066, with an area of Eighty Three Thousand (83,000) Square Meters, more or less.

- 3. In fact, during the March 24, 2023 hearing, the Honorable Court noted the manifestation of the undersigned counsel that she will be submitting a supplement to the Formal Offer of Evidence for Claimants-Heirs of Francisca Catama¹.
- 4. In view of the foregoing, and in order to supplement the documents offered in evidence by the Claimants, the Minutes of the Proceedings and the documents mentioned therein on February 29, 1960 are hereby adopted as **"Exhibits M, M-1 and series"** of the Claimants to establish the jurisdictional facts of the case, to *wit*:



¹ Submitted before this Honorable Court on January 11, 2022, Pages 345-348 of the Records of Lot 1305.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the abovementioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

KATHRINE ANN ASILO ABELEDA

Counsel for the Claimants
Roll No. 59624
MCLE No. VII – 0021010 valid until 04/14/2025

IBP No. 274990 – 2023, Occidental Mindoro PTR No. 3243364 – 2023, Occidental Mindoro 17 San Jose St. Brgy. 7 Mamburao, Occ. Mindoro 5106 Cellphone Nos. 0908-814-675 / 0917-910-8940 Email address: kateasilo@gmail.com

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ATTY. GANDHI G. GAGNI-FLORES
Attorney V/Chief, Legal Division
ATTY. JOSEPH D. DELOS SANTOS
Attorney IV/Assistant Division Chief
Department of Environment and Natural Resources
MIMAROPA Region – Legal Division
1515 L&S Building, Roxas Boulevard
1000 Ermita, Manila

EXPLANATION

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

REPUBLIC OF THE PHILIPPINES SUPREME COURT FOURTH JUDICIAL REGION MUNICIPAL TRIAL COURT STA. CRUZ, OCCIDENTAL MINDORO

THE DIRECTOR OF LANDS,

Petitioner,

-versus-

Cadastral Case No. N-6 LRC Record No. N-240

LOT 191 and 198, both of Csd-04-016621-D, Lot 4 Pls-22 (Part) Poblacion 2, Sta. Cruz, Occidental Mindoro

MANUEL E. GANALON,

Claimant,

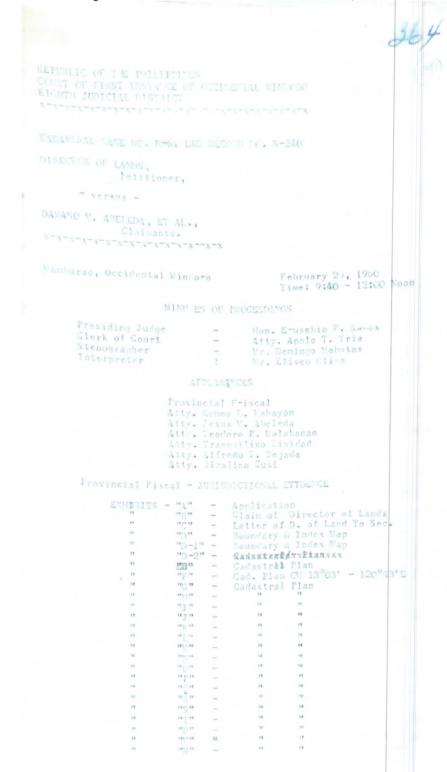
MOTION

(To Supplement the Formal Offer of Evidence for the Heirs of Manuel E. Ganalon, represented by Madonna R. Ganalon)

Heirs of Manuel E. Ganalon, represented by Madonna R. Ganalon, by counsel and to this Honorable Court, respectfully state that:

- 1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
- 2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Manuel E. Ganalon, herein represented by Madonna R. Ganalon, the subject parcels of land identified as Lot 191 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22 with an area of Six Thousand Four Hundred Thirty Three (6,433) Square Meters, and Lot 198 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22 with an area of Three Thousand One Hundred Thirty Seven (3,137) Square Meters.

- 3. In fact, during the March 24, 2023 hearing, the Honorable Court noted the manifestation of the undersigned counsel that she will be submitting a supplement to the Formal Offer of Evidence for Claimants-Heirs of Manuel Ganalon, represented by Madonna R. Ganalon¹.
- 4. In view of the foregoing, and in order to supplement the documents offered in evidence by the Claimants, the Minutes of the Proceedings and the documents mentioned therein on February 29, 1960 are hereby adopted as "Exhibits P, P-1 and series" of the Claimants to establish the jurisdictional facts of the case, to wit:



¹ Submitted before this Honorable Court on January 11, 2022, Pages 337 to 340 of the Records of Lot 191.

- 5. The Tax Declaration of Efefania Flores² marked as **"Exhibit N"** and which was identified by Municipal Assessor Redentor Paguagan during the October 8, 2021 hearing was inadvertently not included in the Claimants' Formal Offer of Evidence. Thus, it is prayed before this Honorable Court that the said Exhibit be admitted to form part of the evidence of the Claimants for the purpose of proving their tacked possession with their predecessor-in-interest Efefania Flores, and to form part of the testimony of Municipal Assessor Redentor Paguagan.
- 6. In addition thereto, the Answer³ of then claimant Manuel E. Ganalon submitted before this Honorable Court on May 31, 2013, together with its attached documents⁴ are hereby requested to be admitted as part of the Claimants' **Exhibits O, O-1 and series**" for the purpose of establishing the claim over Lot 191 and 198 of the subdivision plan Csd-04-016621-D, being a portion of Lot 4, Pls-22, of herein Claimants and the jurisdictional facts of this case.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the above-

² Page 357 of Lot 198 Folder.

³ Pages 1-7 of Lot 198 Folder.

⁴ Pages 8-29 of Lot 198 Folder.

mentioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits; and to admit the Tax Declaration of Efefania Flores as Claimants' "Exhibit N" and the Answer of then claimant Manuel E. Ganalon, together with its attached documents as Claimants' "Exhibits O, O-1 and series".

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

KATHRINE ANN ASILO ABELEDA

Counsel for the Claimants
Roll No. 59624

MCLE No. VII – 0021010 valid until 04/14/2025
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Attorney IV/Assistant Division Chief
Department of Environment and Natur

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MIMAROPA Region – Legal Division
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EXPLANATION

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

REPUBLIC OF THE PHILIPPINES SUPREME COURT FOURTH JUDICIAL REGION MUNICIPAL TRIAL COURT STA. CRUZ, OCCIDENTAL MINDORO

THE DIRECTOR OF LANDS,

Petitioner,

-versus-

Cadastral Case No. N-6 LRC Record No. N-240

LOT NO. <u>1306</u>, PLS-22 SAN VICENTE, STA. CRUZ, OCC. MINDORO

HEIRS OF JOSE FERNANDEZ, SR., Represented by: JOSE FERNANDEZ, JR.,

Claimants.

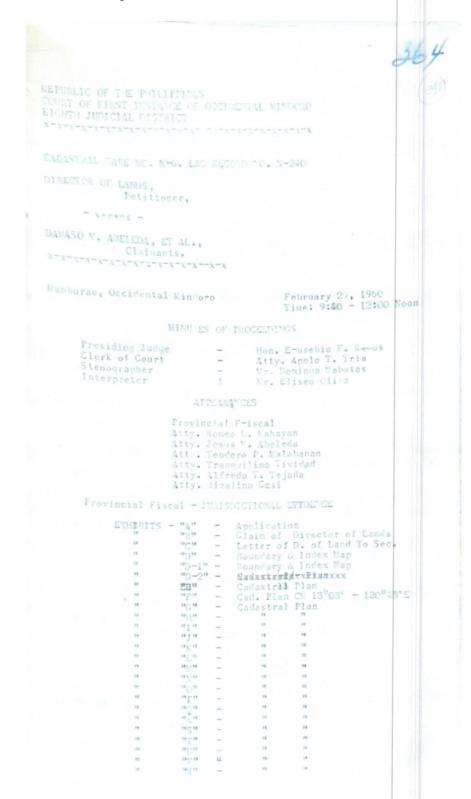
MOTION

(<u>To Supplement the Formal Offer of Evidence for the Heirs of</u> Jose Fernandez Sr.)

Heirs of Jose Fernandez, Sr., represented by Jose Fernandez, Jr., by counsel and to this Honorable Court, respectfully state that:

- 1. Per Order dated May 10, 2023, the Honorable Court granted herein Claimants' Motion for Extension of Time to Submit Memoranda, and that is thirty (30) days from April 13, 2023. The Claimants have until May 13, 2023, Saturday, or on May 15, 2023 being its next working day to comply with the said order. Within the allowable period to submit Memorandum, the instant Motion is filed.
- 2. In the preparation of the above-required Memorandum, Claimants deemed it vital to manifest and adopt first the "Minutes of the Proceedings" containing the documents marked during the February 29, 1960 hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240. Such adoption is to prove the jurisdictional facts of the present cadastral case for the purpose of adjudicating in favor of the Heirs of Jose Fernandez Sr., herein represented by Jose Fernandez Jr., the subject land identified as Lot 1306-B, Csd-4A-002800, with an area of Twenty Six Thousand Nine Hundred Seventy One (26,971) Square Meters.

- 3. In fact, during the March 24, 2023 hearing, the Honorable Court noted the manifestation of the undersigned counsel that she will be submitting a supplement to the Formal Offer of Evidence for Claimants-Heirs of Jose Fernandez Sr.¹
- 4. In view of the foregoing, and in order to supplement the documents offered in evidence by the Claimants, the Minutes of the Proceedings and the documents mentioned therein on February 29, 1960 are hereby adopted as **"Exhibits M, M-1 and series"** of the Claimants to establish the jurisdictional facts of the case, to *wit*:



¹ Submitted before this Honorable Court on September 25, 2018, Pages 616 to 621, Vol. 1 of the Records of Lot 1306.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the abovementioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, and to form part of the Claimants' exhibits.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.



Counsel for the Claimants Roll No. 59624 MCLE No. VII – 0021010 valid until 04/14/2025 IBP No. 274990 – 2023, Occidental Mindoro PTR No. 3243364 – 2023, Occidental Mindoro 17 San Jose St. Brgy. 7 Mamburao, Occ. Mindoro 5106 Cellphone Nos. 0908-814-675 / 0917-910-8940 Email address: kateasilo@gmail.com

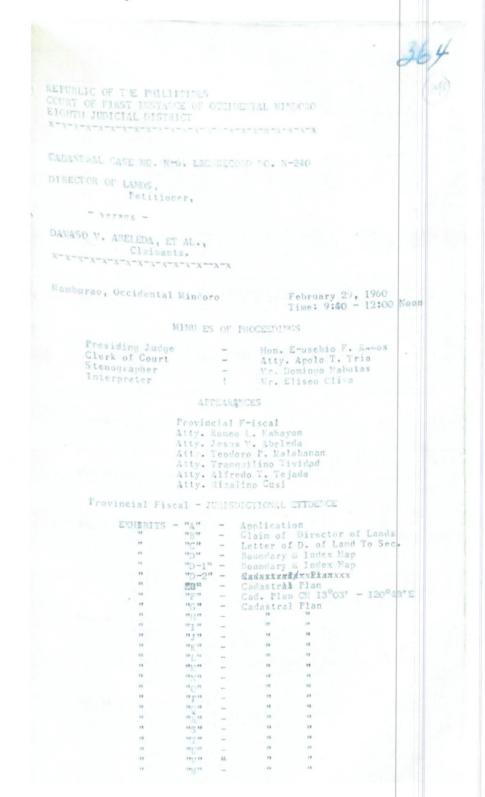
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1000 Ermita, Manila

EXPLANATION

Service of this Motion upon the counsels of the DENR is by registered and electronic mail instead of personal service because of distance and lack of messengerial aide to make personal service.

- 3. In fact, during the March 24, 2023 hearing, the Honorable Court noted the manifestation of the undersigned counsel that she will be submitting a supplement to the Formal Offer of Evidence for Claimants-Heirs of Rosdilberto Tagala¹.
- 4. In view of the foregoing, and in order to supplement the documents offered in evidence by the Claimants, the Minutes of the Proceedings and the documents mentioned therein on February 29, 1960 are hereby adopted as **"Exhibits M, M-1 and series"** of the Claimants to establish the jurisdictional facts of the case, to *wit*:



¹ Submitted before this Honorable Court via registered mail on August 1, 2022.

5. Further, Claimants pray to adopt the Exhibits of the Heirs of Jose Fernandez Sr., from whom the rights of Manuel Bakunawa over the subject property emanated, the latter being the predecessor-ininterest of herein Claimants. These documents are as follows: Exhibits C, D to D-14, H, K, and L as contained in the Formal Offer of Exhibits with Motion for Remarking². May these documents be likewise marked as **Exhibits "N, N-1 and series"** for herein Claimants. The purpose of such adoption of exhibits is to prove the tacking of possession of herein Claimants from the Heirs of Teodorica Abeleda.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that an Order be issued allowing herein Claimants to adopt the abovementioned Minutes of the Proceedings and marked documents therein during the February 29, 1960 Hearing before the Court of First Instance of Mamburao, Occidental Mindoro for the instant Cadastral Case No. N-6, LRC Rec. No. N-240, as well as the above-mentioned Exhibits of the Heirs of Jose Fernandez, Sr., and to form part of the Claimants' exhibits.

² Formal Offer of Exhibits submitted on September 25, 2018, page 616-621, Vol. 1 of Lot 1306 Folder.

May herein Claimants request for the last time additional thirty (30) days to submit their Memorandum from receipt of the Honorable Court's Order with respect to the instant motion.

The award of other reliefs that this Honorable Court may deem just and equitable under the circumstances is likewise prayed for.

May 13, 2023, Mamburao for Sta. Cruz, Occidental Mindoro.

KATHRINE ANN ASILO ABELEDA

Counsel for the Claimants

Roll No. 59624

MCLE No. VII – 0021010 valid until 04/14/2025

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