

Acosta-Pedrosa Law Offices

Room 22 G/F Corazon Inn, Junction 1, Bgy. San Miguel
Puerto Princesa City, 048-717-2229

March 17, 2023

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

DENR MIMAROPA RECORDS SECTION RECEIVED	
MAR 22 2023	
<input type="checkbox"/> INCOMING	<input type="checkbox"/> OUTGOING
BY: _____	DATS NO. _____
TIME: _____	

Copy furnished:

Subject: Implementation of the Decision in DENR Case No. 5904 (*Digna Matalang Coching, Sps. Felipe Acosta and Luzviminda Acosta, Appellants, versus Emelie L. Besaga, Appellee*)

Dear Madam:

God's blessings!

The undersigned, on behalf of my client the Spouses Felipe Acosta and Luzviminda Acosta, is most respectfully praying for assistance as to their request for implementation of the Decision in DENR Case No. 5904 (*Digna Matalang Coching, Sps. Felipe Acosta and Luzviminda Acosta, Appellants, versus Emelie L. Besaga, Appellee*).

The Spouses Acosta requested the implementation of subject Decision with CENR Officer of CENRO Roxas, Palawan via the letter dated October 21, 2022 duly received on October 25, 2022 by CENRO Roxas. The copy of the said October 21, 2022 Letter is attached herein as **Annex A** and made an integral part of this communication.

However, the Spouses Acosta never received a response from the said official despite orders from this Honorable Office for him to implement the said Decision, particularly the order towards Emelie L. Besaga to vacate the subject property. Thus, the Spouses Acosta are begging the kind indulgence of this Honorable Office to direct the concerned CENR Officer to immediately implement the Decision in DENR Case No. 5904, including but not limited to ordering Emelie L. Besaga to vacate the area.

Your kind consideration on the matter above is highly appreciated.

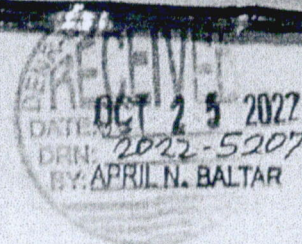
Very truly yours,


Atty. Ryan Acosta

With our conformity:


Sps. Felipe Acosta and Luzviminda Acosta

ACOSTA -PEDROSA LAW OFFICE
PC Arcade Building, Junction 1, Barangay San Juan,
Puerto Princesa City



PABLO CRUZ
CENR Officer
CENRO Roxas, Palawan

October 21, 2022

SUBJECT: **IMPLEMENTATION OF THE DECISION IN DENR CASE NO. 5904 ENTITLED "DIGNA MATALANG COCHING, SPS FELIPE ACOSTA AND LUZVIMINDA ACOSTA, APPELLANTS, VERSUS EMELIE L. BESAGA, APPELLEE"**

Sir:

Greetings!

The undersigned is writing on behalf of my client, Lusviminda Acosta. This pertains to the implementation of the decision in DENR Case No. 5904 (DIGNA MATALANG COCHING, SPS FELIPE ACOSTA AND LUZVIMINDA ACOSTA, APPELLANTS, VERSUS EMELIE L. BESAGA, APPELLEE) as per the Memorandum from DENR-MIMAROPA dated January 20, 2022 (copy of the memorandum dated January 20, 2022 is attached herein as Annex "A").

The said memorandum states:

Based on the foregoing, the CENRO Roxas, Palawan is instructed to implement the Order dated December 27, 2017 in compliance with the Memorandum dated January 26, 2016 of the Office of the Assistant Secretary for Legal Affairs as well as the subject Memorandum, secure the assistance of the local government unit concerned and personnel of the Philippine National Police, and immediately submit a report of compliance hereof.

From the said Memorandum, it is clear that the CENR Officer of CENRO Roxas, Palawan is the responsible official tasked to implement the aforesaid decision, particularly the Implementation of the Notice to Vacate dated August 20, 2020 from the Regional Executive Director ordering Emelie Besaga to vacate the subject area in the decision (copy of the Notice to Vacate is attached as **Annex "B"** hereof).

The said Notice to Vacate was not implemented because Emelie Besaga filed a Motion to Quash to challenge the said Notice to Vacate and the Order dated December 27, 2017. However, as per the Notice from the Regional Director of DENR MIMAROPA dated August 25, 2021, the said Motion to Quash has been denied because the Regional Director stated that the judgment has become final and can no longer be modified nor disturbed (copy of the said notice dated August 25, 2021 is attached herein as **Annex "C"**).

Please take note that as of March 21, 2022, there has been a relocation survey of the subject area of the decision and the existing structures of Ms Besaga inside Lot 4512 and 4514 were already identified. See copy of the Memorandum from PENRO Palawan dated March 21, 2022 and attachments as **Annex "D"**.

In lieu of the above, it is most respectfully prayed that the Order dated December 27, 2017 should be immediately implemented by this Honorable Office, including the aspect of enforcing the Notice to Vacate against Besaga. As per the Memorandum dated January 20, 2022, the CENRO Roxas was specifically mandated to fully implement the aforesaid order. The CENRO Roxas, Palawan is mandated to secure the assistance of the LGU and PNP Personnel. Hence, the CENR Officer of Roxas, Palawan no longer has any option but to implement the said decision. He cannot pass the implementation to the LGU. The continued non implementation of the said order is Prejudicial to the interest of my client who has been deprived of the enjoyment and position of the subject property for many years when the Supreme Court has already rendered a final and executory decision over the subject matter since September 21, 2015.

Wherefore, it is prayed that your Honorable Office should take immediate action and implement the said decision. Otherwise, my client will be constrained to file the necessary action to protect her interest, including but not limited to filing administrative cases before the Office of the Ombudsman for Grave Misconduct and/or Gross Neglect of Duty as well as other pertinent administrative disciplinary cases.

Very truly yours,



ATTY. RYAN P. ACOSTA



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

CERTIFIED TRUE / PHOTO COPY
9.7/12/22
ATTY. GANDHI G. FLORES
Chief, Legal Division
DENR MIMAROPA Region

MEMORANDUM

TO : The OIC, PENR Officer
Palawan

ATTENTION : *The CENR Officer
Roxas, Palawan*

FROM : The OIC, Regional Executive Director

SUBJECT : DENR CASE NO. 5904 ENTITLED "DIGNA MATALANG
COCHING, SPS. FELIPE ACOSTA AND LUZVIMINDA
ACOSTA, APPELLANTS, VERSUS EMELIE L. BESAGA,
APPELLEE"

DATE : JAN 20 2022

This refers to the Memorandum dated January 6, 2022 from the Director of the Legal Affairs Service regarding the Motion to Quash filed by Emelie Besaga (*Besaga, for brevity*) relative to the above-captioned case.

In the Motion, Besaga seeks to quash the Order dated December 27, 2017 and the Notice to Vacate dated August 20, 2020.

In said Memorandum, the Director of the Legal Affairs Service recommends the denial of the Motion to Quash and that the Order dated December 27, 2017 and the Notice to Vacate dated August 20, 2020 are proper and should, thus, be maintained.

In relation thereto, an earlier letter dated August 25, 2021 addressed to Atty. Romeo Q. Artazo, Jr., collaborating counsel for Besaga, was already sent stating that our Office cannot favorably act on the Motion to Quash dated February 10, 2021 considering the finality of the case, which reached the Supreme Court.

In view of the legal advice contained in the subject Memorandum regarding the reimbursement of necessary expenses to Besaga as the FLAgT holder, as well as the option of the Spouses Acosta to refund Besaga of the same, we will be furnishing a copy of said Memorandum to the parties for their information and reference.

Based on the foregoing, the CENRO Roxas, Palawan is instructed to implement the Order dated December 27, 2017 in compliance with the Memorandum dated January 26, 2016 of the Office of the Assistant Secretary for Legal Affairs as well as the subject Memorandum, secure the assistance of the local government unit concerned and personnel of the Philippine National Police, and immediately submit a report of compliance hereof.

ARD-MS/LD

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DENR VOIP (632) 82483367/82483468/82493367 local 2717 (Regional Executive Director); 2709 (Legal Division)
Direct Line: (632) 84050157
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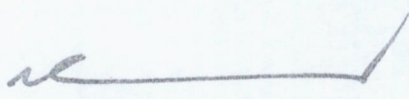
Page 1 of 2

9.7.12/22
ATTY. GANDHI G. FLORES
 Chief, Legal Division
 DENR MIMAROPA Region

Attached hereto are the following:

1. Copy of the Order dated December 27, 2017 signed by then OIC, Regional Director Natividad Y. Bernardino;
2. Letter dated August 25, 2021 signed by then Regional Executive Director Maria Lourdes G. Ferrer, CESO III, addressed to Atty. Romeo Q. Artazo, Jr.; and,
3. Memorandum dated January 6, 2022 from the Director, Legal Affairs Service.

For immediate compliance.


LORMELYN E. CLAUDIO, CESO IV

Copy furnished:

The Undersecretary for Field Operations and Environment

The Director, Legal Affairs Service

The Assistant Regional Director for Technical Services

*The Municipal Mayor
 San Vicente, Palawan*

*The Chief of Police
 PNP Roxas, Palawan*

*Sps. Felipe and Luzviminda Acosta
 No. 12, Km. 3, WESCOM Road
 Puerto Princesa City*

*Atty. Romeo Q. Artazo, Jr.
 166 Sampaguita St., Villa Leticia Subdivision
 Tanzang Luma VI, Imus, Cavite*

*Ms. Emelie L. Besaga
 Purok Pag-asa, Brgy. Port Barton
 San Vicente, Palawan*



Department of Environment
 and Natural Resources
 MIMAROPA Region



Doc ID: 77685



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

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AUG 20 2020

MEMORANDUM

FOR : The Undersecretary for Field Operations, Enforcement and Muslim Affairs

FROM : The Regional Executive Director

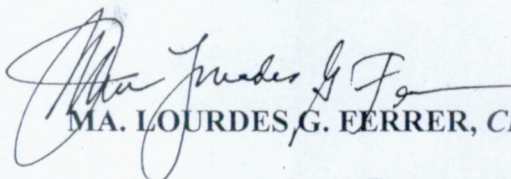
SUBJECT : **LETTER DATED JUNE 18, 2019 RE: COMPLAINT LETTER OF MRS. LUZVIMINDA S. ACOSTA AGAINST DENR (DENR-ASRMD-2019-003188)**

This refers to your Memorandum regarding the above-cited subject.

Please be informed that the following are the actions taken by this Office:

1. Issuance of letter addressed to Mrs. Acosta re: undated letter to the Secretary and/or the Assistant Secretary for Field Operations Luzon involving FLAgT No. DENR IV-MIMAROPA-11302030-0002;
2. Issuance of Notice To Vacate to Mrs. Emelie L. Besaga; and
3. Issuance of letter addressed to Mrs. Besaga re: letter dated November 13, 2018.

For information and record.


MA. LOURDES G. FERRER, CESO IV

Copy furnished:

Atty. Salvador S. Panelo
Chief, Presidential Legal Counsel
& Presidential Spokesperson

Mrs. Luzviminda S. Acosta

Mrs. Emelie L. Besaga

PENRO Palawan

CENRO Roxas, Palawan

ARD-MS/LD

Office of the Presidential Legal Counsel
4th Floor, New Executive Building, Malacañang,
San Miguel, Manila 1005

12 Km 3 Wescom Road, Puerto Princesa City

Port Barton, San Vicente, Palawan



Department of Environment
and Natural Resources
MIMAROPA Region



Doc ID: 21078

RECEIVED 10.21.2020

8th 10.21.2020

MA. LOURDES G. FERRER, CESO IV
Asst. Dir. Records Officer-Designate
Legal Division, DENR MIMAROPA Region

Received Feb 25, 2021



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

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AUG 20 2020

MRS. LUZVIMINDA S. ACOSTA

No. 12, Km. 3, WESCOM Road,
Puerto Princesa City

Madam:

This refers to your undated letter addressed to the DENR Secretary and/or the Assistant Secretary for Field Operations-Luzon regarding Ms. Emelie Besaga's FLAgT No. DENR IV-MIMAROPA-11302030-0002.

Per Order dated December 27, 2017 issued by then OIC, Regional Director Natividad Y. Bernardino:

*"Pursuant to the subject Decision of the Office of the President as affirmed by the Court of Appeals and the Supreme Court in their Decisions docketed as CA-G.R. SP No. 100616 and G.R. No. 194061 dated October 30, 2009 and August 5, 2015, respectively, and in compliance with the instruction dated January 26, 2016 of the then DENR Acting Assistant Secretary for Legal Affairs to implement the August 6, 2006 Decision rendered in DENR Case No. 5904, the Forest Land Use Agreement for Tourism Purposes issued to Emelie Besaga (FLAgT No. DENR IV-MIMAROPA-11302030-0002) is **ordered**, as hereby it is, **AMENDED** to cover only Lot No. 4513 of Cad. 860-D, San Vicente Cadastre and to exclude therefrom Lot Nos. 4512 and 4514 of the said cadaster which ~~pertain~~ to and are covered by the FLAgT application of Luzviminda Acosta.*

***WHEREFORE**, the CENRO in Roxas, Palawan is hereby directed to serve a copy of this ORDER to Emelie Besaga and Luzviminda Acosta and to ensure its full implementation. He shall submit a report of compliance hereto within fifteen (15) days upon receipt of this ORDER."*

Records further show that Ms. Besaga filed thru counsel a Motion for Reconsideration and/or Protest/Opposition to the Order dated December 27, 2017. This was denied per Resolution dated September 13, 2018 issued by then Regional Executive Director Henry A. Adornado.

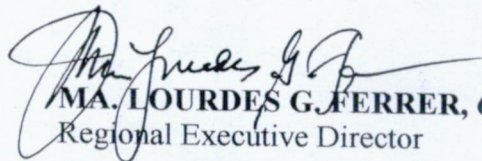
Inasmuch as we would like to be of help, we regret to inform you that we cannot issue an outright demolition order against Ms. Besaga, however, we will be issuing a Notice to Vacate against her with the warning that failure on her part to remove the erected structures within fifteen (15) days from receipt of such Notice will constrain this Office to turn over the matter to the local government of Roxas, Palawan inasmuch as we recognize their express authority under the provisions of Republic Act No. 7160, otherwise known as the Local Government

Code of 1991, specifically Book Three, Chapter 3, Article I, Section 444 (b)(3)(vi) thereof and similar provisions.

At your option, you can also file a case before the court to expedite the implementation.

We hope we have enlightened you regarding this matter.

Very truly yours,


MA. LOURDES G. FERRER, CESO IV
Regional Executive Director



Copy furnished:

The OIC, Assistant Secretary for Field Operations - Southern Luzon (ASRMD-2018-0018429)

The Director, Legal Affairs Service

PENRO Palawan

CENRO Roxas, Palawan

ARD-MS/LD



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

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MRS. EMELIE L. BESAGA
Port Barton, San Vicente,
Palawan

NOTICE TO VACATE

Notice is hereby served upon you to immediately vacate **Lot Nos. 4512 and 4514**, Cad. 860-D, San Vicente Cadastre, which were previously part of your FLAgT No. DENR IV-MIMAROPA-11302030-0002.

A Decision was issued by the Supreme Court in G.R. No. 194061 entitled "*Emelie L. Besaga versus Spouses Felipe Acosta and Luzviminda Acosta and Digna Matalang Coching*". The same was declared final and executory per Entry of Judgment dated September 21, 2015 issued by Supreme Court – Deputy Clerk of Court and Chief, Judicial Records Officer Basilia T. Ringol.

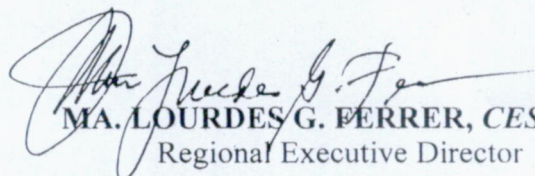
To implement the said Decision, an Order dated December 27, 2017 was issued by then OIC, Regional Director Natividad Y. Bernardino wherein the said FLAgT was **amended** to cover only **Lot No. 4513**, Cad. 860-D.

Records further show that you filed thru counsel a Motion for Reconsideration and/or Protest/Opposition to the Order dated December 27, 2017. This was denied per Resolution dated September 13, 2018 issued by then Regional Executive Director Henry A. Adornado.

Please comply with this Notice within fifteen (15) days from receipt hereof, otherwise we will be constrained to turn over the matter to the local government of Roxas, Palawan inasmuch as we recognize their express authority under the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, specifically Book Three, Chapter 3, Article I, Section 444 (b)(3)(vi) thereof and similar provisions.

SO ORDERED.

Manila, Philippines. AUG 20 2020


MA. LOURDES G. FERRER, CESO IV
Regional Executive Director

Copy furnished:

Spouses Felipe and Luzviminda Acosta

The Undersecretary for Field Operations

The OIC, Assistant Secretary for Field Operations – Southern Luzon

The Director, Legal Affairs Services

PENRO Palawan

CENRO Roxas, Palawan

ARD-MS/LD

No. 12, Km. 3, WESCOM Road, Puerto Princesa City



Doc ID: 21078

RECEIVED / PROTO COPY
Aug 21 2020



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

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AUG 20 2020

MRS. EMELIE L. BESAGA

Port Barton, San Vicente,
Palawan

Madam:

This refers to your letter dated November 13, 2018 addressed to the Undersecretary for Field Operations seeking assistance regarding your Forest Land Use Agreement for Tourism Purposes (FLAgT) dated November 18, 2005.

Records show that you are the petitioner in G.R. No. 194061 entitled "*Emelie L. Besaga versus Spouses Felipe Acosta and Luzviminda Acosta and Digna Matalang Coching*". The petition was denied and the case was declared final and executory per Entry of Judgment dated September 21, 2015 issued by Supreme Court – Deputy Clerk of Court and Chief, Judicial Records Officer Basilia T. Ringol.

Consequently, the case was remanded to the DENR wherein per Memorandum dated January 26, 2016 of then Acting Assistant Secretary for Legal Affairs, the latter stated that the full implementation of the August 6, 2006 Decision necessitates the:

1. Amendment of FLAgT in the name of Emelie Besaga to cover only Lot 4513; and
2. Exclusion of Lot Nos. 4512 and 4514 from the coverage of Emelie Besaga's FLAgT and to be covered by the Special Land Use Permit of Spouses Felipe and Luzviminda Acosta which shall be given due course pursuant to DAO No. 28, Series of 2004, as amended.

Quoted hereunder is the Order dated December 27, 2017 issued by then OIC, Regional Director Natividad Y. Bernardino:

*"Pursuant to the subject Decision of the Office of the President as affirmed by the Court of Appeals and the Supreme Court in their Decisions docketed as CA-G.R. SP No. 100616 and G.R. No. 194061 dated October 30, 2009 and August 5, 2015, respectively, and in compliance with the instruction dated January 26, 2016 of the then DENR Acting Assistant Secretary for Legal Affairs to implement the August 6, 2006 Decision rendered in DENR Case No. 5904, the Forest Land Use Agreement for Tourism Purposes issued to Emelie Besaga (FLAgT No. DENR IV-MIMAROPA-11302030-0002) is **ordered**, as hereby it is, **AMENDED** to cover only Lot No. 4513 of Cad. 860-D, San Vicente Cadastre and to exclude therefrom Lot Nos. 4512 and 4514 of the said cadaster which pertain to and are covered by the FLAgT application of Luzviminda Acosta.*

WHEREFORE, the CENRO in Roxas, Palawan is hereby directed to serve a copy of this ORDER to Emelie Besaga and Luzviminda Acosta and to ensure its full implementation. He shall submit a report of compliance hereto within fifteen (15) days upon receipt of this ORDER."

CERTIFIED TRUE / PHOTO COPY
JAN 10. 21. 2020
JOSE M. BADILLA
Asst. Regional Director-Designate
Legal Division, DENR MIMAROPA Region

Records further show that you filed thru counsel a Motion for Reconsideration and/or Protest/Opposition to the Order dated December 27, 2017. This was denied per Resolution dated September 13, 2018 issued by then Regional Executive Director Henry A. Adornado wherein it was stated that:

"This Office holds that the instant Motion need not anymore be commented upon by the Spouses Acosta as the decision in the original case from which the implementation is based is the same final and executory decision upon which this Motion is based."

xxx-xxx

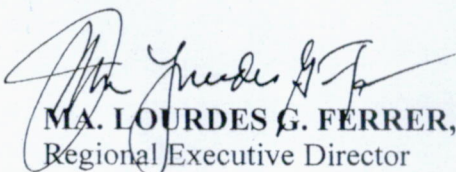
The instant Motion can no longer be entertained by this Office since this case has already attained finality and is in its final stage of implementation. The other peripheral issues cited by the Movant cannot be properly resolved along with the implementation being assailed as the allegations have been the subject of a previous separate investigation by this Office."

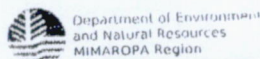
Moreover, it bears stressing that a decision that has acquired finality, as in this case, becomes immutable and unalterable.¹ A final judgment may no longer be modified in any respect, even if the modification is meant to correct erroneous conclusions of fact or law.² In short, once a judgment becomes final and executory, it can no longer be disturbed no matter how erroneous it may be³ and nothing further can be done therewith except to execute it.⁴

In view of the foregoing, we regret that we cannot extend assistance regarding your FLAgT because we are only implementing a Decision issued by the Supreme Court which has become final and executory.

We hope we have enlightened you regarding this matter.

Very truly yours,


MA. LOURDES G. FERRER, CESO IV
Regional Executive Director



Doc ID: 21078

Copy furnished:

Sps. Felipe and Luzviminda Acosta

The Undersecretary for Field Operations

The OIC, Assistant Secretary for Field Operations – Southern Luzon (ASRMD-2018-0032497)

The Director, Legal Affairs Service

PENRO Palawan

CENRO Roxas, Palawan

ARD-MS/LD

No. 12, Km. 3, WESCOM Road, Puerto Princesa City

¹ Philippine Veterans Bank v. Estrella, 453 Phil. 45, 51 (2003)

² Ramos v. Ramos, 447 Phil. 114, 119 (2003)

³ Natalia Realty, Inc. v. Rivera, G.R. No. 164914, October 5, 2005

⁴ King Integrated Security Services, Inc. v. Gatan, 453 Phil. 293, 296 (2003)

CERTIFIED TRUE / PHOTO COPY
JAN 10 21 2020
MARLENE M. BADILLA
Admin. Asst. III / Records Officer-Designate
Legal Division, DENR MIMAROPA Region



Republic of the Philippines
Department of Environment and Natural Resources
Region IV- MIMAROPA
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
Barangay III (Poblacion), Roxas, Palawan
Telephone No. 717-0892
Email address: cenroroxaspalawan@denr.gov.ph

27 October 2022

MEMORANDUM

FOR : The Regional Executive Director

THRU : The PENR Officer

FROM : The CENR Officer

SUBJECT : **ORDER OF 27 DECEMBER 2017 AMENDING FLAGT NO. DENR IV-MIMAROPA-11302030-0002 IN THE NAME OF EMELIE L. BESAGA IN BGY. PORT BARTON, SAN VICENTE, PALAWAN**

Having finally been delineated on the ground as amended, may we request for copy of the amended version of the FLAgT subject hereof if any was issued anew. On the negative, legal opinion is hereby respectfully sought on whether or not there would be a need to issue one consistent with its new metes and bounds, hereby requesting issuance thereof and kindly furnishing us a copy, should it appear necessary prior to evaluation of intents over the portion excluded therefrom.

Thank you for helping us settle doubts in the implementation of the order on the matter as directed.

For the CENR Officer:

RONNIE P. LILANG
Chief, Regulation and Permitting Section
Office-In-Charge

Copy:
The Parties
File

11-24-22
FA -



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE
Bgy. Sta. Monica, Puerto Princesa City, Palawan
Telfax No. (048) 434-8791
Email Add: penropalawan@denr.gov.ph

March 18, 2022

MEMORANDUM

FOR : The Regional Executive Director
1515 L & S Bldg.
Roxas Blvd., Ermita, Manila

ATTENTION : The Assistant Regional Director for Technical Services
The Chief, Surveys and Mapping Division

THRU : The OIC-Provincial of Environment and
Natural Resources Officer

FROM : The Survey Team

SUBJECT : **RELOCATION SURVEY OF LOTS 4512, 4513 AND 4514
SUBJECT OF THE ORDER AMENDING THE FOREST LAND
USE AGREEMENT FOR TOURISM (FLAgT) PURPOSES
ISSUED TO EMILIE L. BESAGA**

In compliance to the memo-instruction from the Regional Executive Director dated January 20, 2022 relative DENR Case No. 5904 duly resolved with Order of Finality, the survey team created under PENRO Special Order No. 2022-018 dated February 22, 2018 together the Regional team and representative of the parties conducted the relocation/verification survey of Lot 4512, 4513 and 4514, Cad.860-D, located at Barangay Port Barton, San Vicente, Palawan.

The team is tasked to ascertain the position and descriptions of the existing monuments, fences, walls and other permanent structures inside the subject lots. After data gathering through research, the following were observed:

- There is a an approved FLAgT plan (No. **DENR IV-MIMAROPA-11302030-0002**) certified by Jose M. Difuntorum, Chief Forest Resources Conservation Division, recommended by Armando P. Rutaquio, Regional Technical Director for Forestry, and approved by Vicente S. Paragas, CESO III, Regional Executive Director Region IV-B. It consists of one (1) lot covering an area of 1.4 hectares with nine (9) corners. (*Annex I*)
- The FLAgT was awarded to Ms. Emilie Besaga on November 18, 2005 for a period of twenty five (25) years to expire on November 30, 1930. (*Annex II*)

Sta. Monica, Puerto Princesa City
Telfax (048) 433-5638/email add: denrpalawan@yahoo.com


- When plotted against the cadastral map the FLAgT lot falls to Lot 4512, 4513 and 4514, Cad.860-D.

The survey started by reading side shots made randomly on the existing monuments particularly BLLM No. 19 and 25, fence corner of Lot 4509, 4510, 4511 and PS monuments of Lot 4505, to serve as additional reference for checking purposes.

Per results of the survey the following were determined (see Annex III):

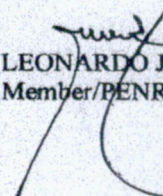
1. The corners of subject lots were all marked with stake to delineate its boundaries.
2. Lot 4513, Cad.860-D falls entirely within the salvage zone of 25.00 meters wide designated by the LGU.
3. All Existing structures of Ms. Besaga were identified and observed. It falls inside Lot 4512 and 4514.

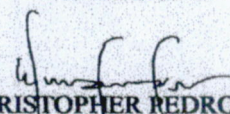
Attached are pictures of documentation for the entire survey activities. In view of the foregoing, it is hereby recommended that this report be forwarded to the Regional Office for information and appropriate action.


DONNA BELLE E. LUENGO
Engr. II/PENRO-Palawan
Team Leader

REIAN BUENAFE
Engr. II/SMD

O' SONIEL MOISES TUDDAO
PIT II-SMD


LEONARDO JAURIGUE
Member/PENRO-Palawan


CHRISTOPHER REDRONES
Member/CENRO Rep

AGUILAR LAW OFFICE
Rizal Avenue Extension
Bgy. Banca-Banca
Puerto Princesa City
Jnaguilar290715@gmail.com
09073129989/434-0405

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BY: *PyB*
DATE: 7-11-17 CN 17-1759

July 11, 2016

MR. FELIZARDO B. CAYATOC

OIC Provl. Environment & Natural Resources Officer
Department of Environment & Natural Resources
Bgy. Sta. Monica
Puerto Princesa City

Dear Mr. Cayatoc:

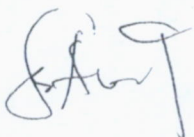
I am writing on behalf of MRS. LUZVIMINDA ACOSTA pertaining to G.R. No. 194061 entitled EMELIE L. BESAGA vs. SPOUSES FELIPE ACOSTA AND LUZVIMINDA ACOSTA AND DIGNA MATALANG COCHING. In that case, the Decision rendered by the Supreme Court (Second Division) has already become final and executory as of April 20, 2015. A copy of the Decision and the Entry of Judgment are attached for your reference.

In the said Decision, the Supreme Court upheld the findings made by the Secretary of the DENR, the Office of the President and the Court of Appeals. The Decision recognized my rights as the legitimate applicant for an SLUP over Lot Nos. 4512 and 4514. My client has repeatedly made follow-ups in your office and in the office of the DENR-CENRO of Roxas-San Vicente for the full implementation of the said Decision to no avail. In your Memorandum dated June 13, 2017 you make it appear that your Office is still in the process of "clarification" as to the status and action taken by other offices regarding my rights over the said properties.

Considering that the survey of Lot Nos. 4512 and 4514 were undertaken by your Office and the fact that it was your Office that initially included these parcels of land in the SLUP-FLAGT of EMELY . BESAGA, we believe that all the matters or information that you require are within your Office. Also, even the Office of the Secretary, the Regional Director and your Legal Office has already directed your Office for the full implementation of the said Decision.

In this connection, we are respectfully requesting your Office to immediately implement the said Decision.

Thank you very much for your kind assistance.



Very truly yours,

ATTY. JEAN LOU N. AGUILAR

Roll No 44785

MCL

REGISTRY RECEIPT

With my conformity:

LUZVIMINDA ACOSTA

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Posted on _____ 20 _____
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Postmaster/Teller _____

Copy furnished:

1. **The Clerk of Court**
Supreme Court 2nd Division
Taft Street, Manila

R.R. No. RD 759 265 395 ZZ
July 11 2017

REGISTRY RECEIPT

2. **OFFICE OF THE PRESIDENT**
Malacañang Palace
Manila 1005
(O.P. Case No. 06-

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Diliman, 110
(DENR Case N

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5. **OFFICE**
134 Amo
Legal

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6. **CENR**
DENR,
Roxas

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7. **THE**
Pobla
Palawan

R.R. No. RD 759 265 452 ZZ

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