

MAR 23 2023

P-2022-69617-LD

☐ INCOMING☐ OUTGOING

BY:

DATE NO.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro

ROSALINA LEUTERIO
Protestee,

- versus-

DENR Case No. _____
ADR Case No. 201-21-1752039-
0218

PRUDENTE D. SOLLER
Protestant,

X-----X

MANIFESTATION AND MOTION
REITERATING PREVIOUS PLEADINGS
IN THE ABOVE-ENTITLED CASE

The Protestant, to this Honorable Office, by counsel, respectfully manifests and reiterates that:

1. On July 15, 2022, Protestant received the Order of Failure of ADR dated November 8, 2021 directing him to file a Verified Protest against the occupation of Rosalina Leuterio within the isolated lot adjacent to the property of the protestant within fifteen (15) days from receipt. The Order mentions that otherwise the Public Land Application shall be processed/given due course. Copy of the Order signed by PENR Office Mary June F. Maypa is attached as Annex A.

2. It will be recalled that earlier on June 9, 2022, the undersigned law firm entered its appearance as counsel for the Protestant, PRUDENTE D. SOLLER, in the above-entitled case and prayed to be furnished the complaint/protest, summons, answer, the public land application for free patent, investigation reports, and other documents found in the records of the above-entitled case, and for fifteen (15) days from receipt of said documents to file the Position Paper for the Protestant. A copy of the said Entry of Appearance with Request of Documents is attached as Annex B.

3. On July 12, 2022, the Protestant received by registered mail a letter dated June 23, 2022 from Alma E. Gibe, In-Charge, PENRO Oriental Mindoro, Department of Environment and Natural Resources Office – MIMAROPA Region, stating that the Protestant's request to be furnished a copy of the documents relative to the above-entitled case was referred to the Legal Services Division, DENR-MIMAROPA Region, Ermita, Manila, for review and further instruction. A copy of the said letter dated June 23, 2022, of the Provincial Environment and Natural Resources signed by Alma E. Gibe is herewith attached and made an integral portion hereof as "**Annex C**".

4. On July 22, 2023, protestant Prudente D. Soller, through counsel filed through registered mail a Manifestation and Motion dated July 21, 2022 (copy of which is attached as **Annex D**) narrating the foregoing and reiterating his request for the following:

- a) The Public Land Application and supporting documents mentioned in the abovesaid Order dated November 8, 2021;
- b) Report on the Investigation/Inspection earlier conducted by the DENR on this matter.

5. On September 2, 2022, protestee, through undersigned counsel receive another letter dated August 16, 2022 (copy of which is attached as **Annex E**) from Ms. Alma E. Gibe stating that the Manifestation and Motion dated July 21, 2022 had been forwarded to the Legal Services Division of DENR for advice on whether to grant the protestee's request.

6. Protestant however have not received the requested documents or any communication denying the request.

PRAYER

WHEREFORE,

1. Protestant respectfully reiterates his request that he, through counsel be furnished the following documents:

- a) the Public Land Application and supporting documents mentioned in the Order dated November 8, 2021;
- b) the Report on the Investigation/Inspection earlier conducted by the DENR of this matter.

2. Protestant also respectfully prays that the fifteen (15) day period given him to file his Protest/Position Paper be counted from receipt of the the documents requested by the protestant.

Other reliefs just and equitable are likewise prayed for.

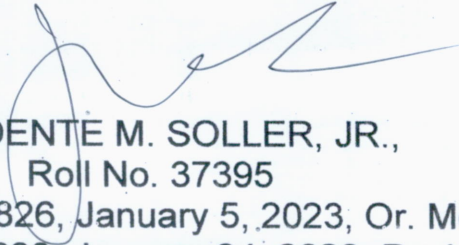
Pasig for Calapan, Oriental Mindoro. March 20, 2023.

SOLLER & OMILA LAW OFFICES

Counsel For Protestant

Suite 2001, 20th Floor, Strata 100 Building,
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City
Tel. No. (632)687-4365/09082864446
www.sollerlaw2@hotmail.com

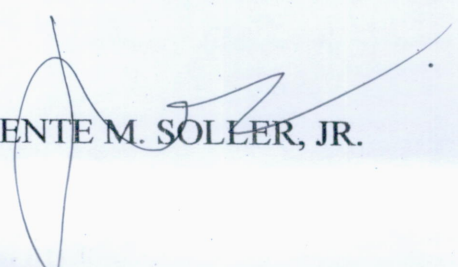
By:



PRUDENTE M. SOLLER, JR.,
Roll No. 37395

IBP No. 271826, January 5, 2023, Or. Mdo.
PTR No. 0112688, January 04, 2023, Pasig City
MCLE Compliance VII-0025567, January 12, 2023, Pasig

Explanation: For lack of available courier during material time copy of the foregoing Submission will be served upon the other parties and filed with this Honorable Office through registered mail or private accredited courier.



PRUDENTE M. SOLLER, JR.

Copy furnished through registered mail:

ROSALINA LEUTERIO
Poblacion, Bansud, Oriental Mindoro

Regional Executive Director

DENR MIMAROPA Region-Legal Division
DENR

By the Bay Building, Roxas Boulevard
1000 Ermita, Manila

Email ad: denr4blegal@gmail.com

Ms. Alma Gibe

In-charge, Penro, Oriental Mindoro

Ilang Ilang St., Sitio II, Suqui, Calapan City, Oriental Mindoro

Phone Numbers (043) 288-3017, Tel Fax No. 2883006.

ADR Form No. 11
Order of Failure of ADR

Only for Voluntary ADR

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro

IN RE: Occupation within the
ISOLATED LOT adjacent to
property, located at Poblacion,
Bansud, Oriental Mindoro

ROSALINA LEUTERIO
(Actual Occupant/Protestee)

DENR Case No. _____
ADR Case No. 2021-1752019-0218

PRUDENTE D. SOLLER
(Protestant/Claimant-adjointing lot
owners/Interested parties)

ORDER OF FAILURE OF ADR

In view of the termination of the ADR proceedings and pursuant to Section 23 of DENR Administrative Order No. 2016-30 dated 22 December 2016, the claimant, protestant is hereby given fifteen (15) days from receipt hereof to file his/her verified Protest against the alleged occupation of Rosalina Leuterio within the isolated lot adjacent to property of Prudente D. Soller, and comply with the requirements under Section 4 of DENR Administrative Order No. 2016-31 dated 29 December 2016. Otherwise, the Public Land Application shall be processed/ given due course.

SO ORDERED.

Suqui, Calapan City, Oriental Mindoro, Philippines.

MARY JUNE F. MAYPA
DENR Officer

1. This form can be used during voluntary ADR; Voluntary ADR applies when there is no pending protest, claims and conflict case.

2. Section 23 (Failure of ADR), DENR Administrative Order No. 2016-30 dated 22 December 2016, Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition.

3. DAO 2016-31, Section 4, Formal Requirements of a Protest. The Protest shall be written in clear, simple, brief and concise language either in Filipino or English and must contain the names of the parties, their addresses, the material allegations, the grounds relied upon, and the documentary and other forms of evidence to support the allegations. The Protest must be accompanied by the following documents: (a) Certificate to file action from the barangay concerned, if applicable; (b) Verification and Certification of Non-Fornia Shipping; (c) Proof of payment of the Protest fee; and (d) A recent 2x2 picture of the protestant and his or her duly authorized representative and the subject lot/s. The Protest and its

supporting documents must be filed in three (3) copies.



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro

ROSALINA LEUTERIO
Protestee,

- versus -

DENR Case No. _____
ADR Case No. 201-21-1752039-
0218

PRUDENTE D. SOLLER
Protestant,

X-----X

AND OTHER LAW OFFICES

Customer's Copy

1271 0313 5831

THIS IS AN OFFICIAL RECEIPT
150805212200
SGH044P8KP
Official Receipt No. OTS02112

CONSIGNEE
And or/ care

CES
BLDG. 10 RT
MANILA
53

DEPARTMENT OF ENVIRONMENT AND NA
Address
SUQUI
ORIENTAL MINDORO
P.O. Box 27 96883- 553

ENTRY OF APPEARANCE
WITH REQUEST FOR DOCUMENTS

The undersigned law firm respectfully enters its appearance as counsel for the Protestant, PRUDENTE D. SOLLER, in the above entitled case.

It is respectfully prayed that it be furnished issuances and notices at the address indicated below.

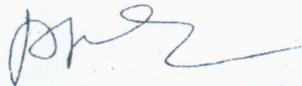
To enable us to file a Position Paper, it is respectfully prayed that we be furnished the complaint/protest, summons, answer, the public land application for free patent mentioned, investigation reports, and other documents found in the records of the above-entitled case and be given fifteen (15) days from receipts of said documents to file the Position Paper for the protestant.

Pasig for Calapan, Oriental Mindoro.

June 9, 2022.

SOLLER & OMILA LAW OFFICES
Counsel For Protestant Prudente D. Soller
Suite 2001, 20th Floor, Strata 100 Building,
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City
Tel. No. (632)687-4365/09082864446
www.sollerlaw@hotmail.com

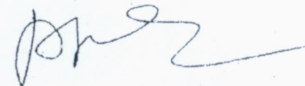
By:



PRUDENTE M. SOLLER, JR.,
Roli No. 37395

IBP O.R. No. 108989, January 3, 2022, Or. Mdo.
PTR No. 8121669, January 3, 2022, Pasig City
MCLE Compliance VI- 0027200, June 04, 2019, Pasig
(MCLE Compliance VII Completed; Pending
Issuance of Certificate of Compliance VII)

Explanation: For lack of available courier during material time copy of the foregoing Submission will be served upon the other parties and filed with this Honorable Office through registered mail or private accredited courier.



PRUDENTE M. SOLLER, JR.

Copy furnished through registered mail :

ROSALINA LEUTERIO
Poblacion, Bansud, Oriental Mindoro

RE 636-422-214
ORTIGAS, CPD
JUNE 9, 2022



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

ANNEX

00

June 23, 2022

ATTY. PRUDENTE M. SOLLER, JR.

Soller & Omila Law Officers
Counsel for Protesant Prudente D. Soller
Suite 2001, 20th Floor, Strata 100 Building
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City

Dear Atty. Soller, Jr.:

This pertains to your request for copy of documents relative to ADR Case No. 2021-1752039-0218, ROSALINA LEUTERIO, Protestee, -versus- PRUDENTE D. SOLLER, Protestant for the protestant to file Position Paper.

Be informed that we refer your request to the Legal Services Division, DENR-MIMAROPA Region, Ermita, Manila for review and further instruction. Any updates or instruction from the Regional Office regarding your request shall immediately reach your attention.

Hope we have served you in this matter.

Very truly yours,

ALMA E. GIBE
In-Charge, PENRO Oriental Mindoro

Copy furnished

DENR-CENRO Roxas
San Mariano, Roxas, Oriental Mindoro

Tracking No.: 2206000311

TSD/RPS/Dhal

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
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro

ROSALINA LEUTERIO
 Protestee,

- versus -

DENR Case No. _____
 ADR Case No. 201-21-1752039-

PRUDENTE D. SOLLER
 Protestant,

X-----X

RE 644 149 877 ZZ

Post Office

Letter / Package No. REGISTERED MAIL ACCEPTANCE

Posted on COUNTER 20

Preserve this receipt for reference in case of inquiry

Postmaster / Teller POST OFFICE,
 1605 D... G CITY, PHILIPPINES

MANIFESTATION AND MOTION

The Protestant, to this Honorable Office, by counsel, respectfully manifests that:

1. On July 15, 2022, Protestant received the Order of Failure of ADR dated November 8, 2021 directing him to file a Verified Protest against the occupation of Rosalina Leuterio within the isolated lot adjacent to the property of the protestant within fifteen (15) days from receipt. The Order mentions that otherwise the Public Land Application shall be processed/given due course. Copy of the Order signed by PENR Office Mary June F. Maypa is attached as Annex A.
2. It will be recalled that earlier on June 9, 2022, the undersigned law firm entered its appearance as counsel for the Protestant, PRUDENTE D. SOLLER, in the above-entitled case and prayed to be furnished the complaint/protest, summons, answer, the public land application for free patent, investigation reports, and other documents found in the records of the above-entitled case, and for fifteen (15) days from receipt of said documents to file the Position Paper for the Protestant. A copy of the said Entry of Appearance with Request of Documents is attached as Annex B.
3. On July 12, 2022, the Protestant received by registered mail a letter dated June 23, 2022 from Alma E. Gibe, In-Charge, PENRO Oriental Mindoro, Department of Environment and Natural Resources Office – MIMAROPA Region, stating that the Protestant's request to be furnished a

copy of the documents relative to the above-entitled case was referred to the Legal Services Division, DENR-MIMAROPA Region, Ermita, Manila, for review and further instruction. A copy of the said letter dated June 23, 2022, of the Provincial Environment and Natural Resources signed by Alma E. Gibe is herewith attached and made an integral portion hereof as "**Annex C**".

4. To date, the Protestant has not been furnished a copy of the mentioned documents requested from the DENR.

PRAYER

WHEREFORE,

1. Protestant respectfully reiterates his request that he, through counsel be furnished the following documents:

a) the Public Land Application and supporting documents mentioned in the Order dated November 8, 2021;

b) the Report on the Investigation/Inspection earlier conducted by the DENR of this matter.

2. Protestant also respectfully prays that the fifteen (15) day period given him to file his Protest/Position Paper be counted from receipt of the documents requested by the protestant.

Other reliefs just and equitable are likewise prayed for.

Pasig for Calapan, Oriental Mindoro. July 21, 2022.

SOLLER & OMILA LAW OFFICES

Counsel For Protestant

Suite 2001, 20th Floor, Strata 100 Building,
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City
Tel. No. (632)687-4365/09082864446
www.sollerlaw2@hotmail.com

By:


ATTY. PRUDENTE M. SOLLER, JR.,

Roll No. 37395

IBP O.R. No. 108989, January 3, 2022, Or. Mdo.
PTR No. 8121669, January 3, 2022, Pasig City

MCLE Compliance VI- 0027200, June 04, 2019, Pasig
(MCLE Compliance VII Completed; Pending
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PRUDENTE M. SOLLER, JR.

Copy furnished through registered mail:

ROSALINA LEUTERIO
Poblacion, Bansud, Oriental Mindoro

RE 644 149 863 22

July 22, 2022
Ortigas Center Post Office

ADR Form No. 11
Order of Failure of ADR

Only for Voluntary ADR

Republic of the Philippines
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro

IN RE: Occupation within the
ISOLATED LOT adjacent to
property, located at Poblacion,
Bansud, Oriental Mindoro

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(Actual Occupant/Protestee)

DENR Case No. _____
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(Protestant/Claimant-adjointing lot
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SO ORDERED.

NOV 10 2021

Suqui, Calapan City, Oriental Mindoro, Philippines.

MARY JUNE F. MAYPA
DENR Officer

This form can be used during voluntary ADR. Voluntary ADR applies when there is no pending protest, claims and conflict case.

Section 23 (Failure of ADR). DENR Administrative Order No. 2016-30 dated 22 December 2016. Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition.

DAO 2016-31, Section 4. Formal Requirements of a Protest. The Protest shall be written in clear, simple, brief and concise language either in Filipino or English and must contain the names of the parties, their addresses, the material allegations, the grounds relied upon, and the documentary and other forms of evidence to support the allegations. The Protest must be accompanied by the following documents: (a) Certificate to file action from the barangay concerned, if applicable; (b) Verification and Certification of Non-Ferum Shopping; (c) Proof of payment of the Protest fee; and (d) A recent 2x2 picture of the protestant and his or her duly authorized representative and the subject lot/s. The Protest and its

supporting documents must be filed in three (3) copies.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
MIMAROPA REGION
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES
Suqui, Calapan City, Oriental Mindoro


ROSALINA LEUTERIO
Protestee,

- versus -

DENR Case No. _____
ADR Case No. 201-21-1752039-
0218

PRUDENTE D. SOLLER
Protestant,

Customer's Copy



1271 0313 5831

THIS SERVES AS AN OFFICIAL RECEIPT
MIN : 15000521224915597
Serial No : 56H044P0KP
Official Receipt No : OTS0211217

CONSIGNEE:
And or / care of: /

CES
BLDG F ORT
D MANILA
553

DEPARTMENT OF ENVIRONMENT AND NATURAL
Address: SUQUI
CALAPAN, ORIENTAL MINDORO
Contact No.(s): 2- / 9688542653

X-----X

ENTRY OF APPEARANCE
WITH REQUEST FOR DOCUMENTS

The undersigned law firm respectfully enters its appearance as counsel for the Protestant, PRUDENTE D. SOLLER, in the above entitled case.

It is respectfully prayed that it be furnished issuances and notices at the address indicated below.

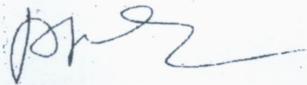
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Pasig for Calapan, Oriental Mindoro.

June 9, 2022.

SOLLER & OMILA LAW OFFICES
Counsel For Protestant Prudente D. Soller
Suite 2001, 20th Floor, Strata 100 Building,
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City
Tel. No. (632)687-4365/09082864446
www.sollerlaw@hotmail.com

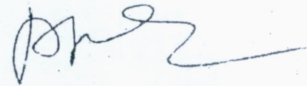
By:



PRUDENTE M. SOLLER, JR.,
Roll No. 37395

IBP O.R. No. 108989, January 3, 2022, Or. Mdo.
PTR No. 8121669, January 3, 2022, Pasig City
MCLE Compliance VI- 0027200, June 04, 2019, Pasig
(MCLE Compliance VII Completed; Pending
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Explanation: For lack of available courier during material time copy of the foregoing Submission will be served upon the other parties and filed with this Honorable Office through registered mail or private accredited courier.



PRUDENTE M. SOLLER, JR.

Copy furnished through registered mail :

ROSALINA LEUTERIO
Poblacion, Bansud, Oriental Mindoro

RE 436-422-214
ORTIGAS, CPD
JUNE 9, 2022



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

ANNEX

"C"

June 23, 2022

ATTY. PRUDENTE M. SOLLER, JR.
Soller & Omila Law Officers
Counsel for Protesant Prudente D. Soller
Suite 2001, 20th Floor, Strata 100 Building
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City

Dear Atty. Soller, Jr.:

This pertains to your request for copy of documents relative to ADR Case No. 2021-1752039-0218, ROSALINA LEUTERIO, Protestee, -versus- PRUDENTE D. SOLLER, Protestant for the protestant to file Position Paper.

Be informed that we refer your request to the Legal Services Division, DENR-MIMAROPA Region, Ermita, Manila for review and further instruction. Any updates or instruction from the Regional Office regarding your request shall immediately reach your attention.

Hope we have served you in this matter.

Very truly yours,

ALMA E. GIBE
In-Charge, PENRO Oriental Mindoro

Copy furnished:

DENR-CENRO Roxas
San Mariano, Roxas, Oriental Mindoro

Tracking No.: 2206000311

TSD/RPS/Dhal

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
Provincial Environment and Natural Resources Office

ANNEX

13

August 16, 2022

ATTY. PRUDENTE M. SOLLER, JR.

Soller & Omila Law Offices
Counsel for Protestant Prudente D. Soller
Suite 2001, 20th Floor, Strata 100 Building
F. Ortigas, Jr. Road, Ortigas Center 1605, Pasig City

Dear Atty. Soller, Jr.:

Greetings!

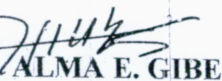
This refers to the *Manifestation and Motion* from Soller & Omila Law Offices, Counsel for the Protestant, Prudente D. Soller, Sr. reiterating your request for copy of documents relative to ADR Case No. 2021-1752039-0218, *ROSALINA LEUTERIO, Protestee, -versus- PRUDENTE D. SOLLER, Protestant*.

This is to inform you that we endorsed the said document to the Regional Office and reiterated your request. Likewise, all other documents related to the said ADR Case were already forwarded to the Legal Services Division.

Hence, we apologize that we could not act directly on your request for we have to seek first advice from our Legal Services Division of our action on the matter.

Anticipating for your wide understanding in this regard.

Very truly yours,



ALMA E. GIBE

In-Charge, PENRO Oriental Mindoro

Copy furnished:

Regional Executive Director
Legal Services Division,
DENR-MIMAROPA Region
Ermita, Manila

Tracking No.: 2208000433

TSD/RPS/Dhal

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