

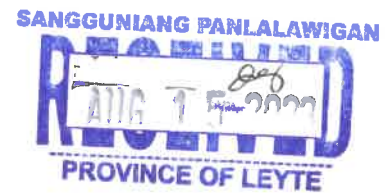


Republic of the Philippines
Province of Leyte
Municipality of Tabango
-00-
SANGGUNIANG BAYAN

Item No.: 18

Date: AUG 22 2023

August 14, 2023



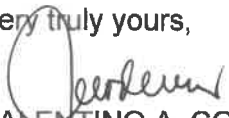
HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor/Presiding Officer, and
The Honorable Members
Sangguniang Panlalawigan
Province of Leyte,
Tacloban City
Thru: Florinda Jill S. Uyvico
SP Secretary

Honorable Ladies/Gentlemen:

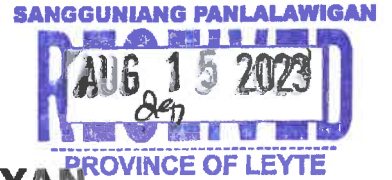
Respectfully forwarding to your good office all the pertinent documents relative to Administrative Case No. SB-2022-03-01, An Administrative Complaint Against Hon. Albert C. Morilla, Punong Barangay of Brgy. Manlawaan, Tabango, Leyte for alleged abuse of authority, oppression, and possible violation of the Omnibus Election Code, for your reference.

Please acknowledged receipt hereof.

Very truly yours,


VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO



OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

RECEIVED
19 JUL 2023
4:38

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,**
Respondent.

X-----X

NOTICE OF APPEAL

RESPONDENT, by undersigned counsel, by way of Notice of Appeal, unto this Honorable Office, most respectfully avers, THAT:

1. Respondent, thru undersigned counsel, received a copy of the Decision dated June 13, 2023 last June 20, 2023.

2. The dispositive portion of which reads:

“WHEREFORE, after a careful and thorough investigation, as well as espousing the Ad Hoc Committee Report, this Honorable Quasi-Judicial Body hereby renders the decision finding the Respondent administratively liable for both offenses: Abuse of authority and Oppression and hereby

imposes the penalty of suspension from office until the end of his term.”

3. Section 2 of Rule XIV of Resolution No. 2022-62 of the Sangguniang Bayan of Tabango, Leyte, provides that the decision of the Sanggunian may within thirty (30) days from receipt be appealed to the Sangguniang Panlalawigan.

4. Thus, Respondent has until July 20, 2023 to file the instant Notice of Appeal to the Sangguniang Panlalawigan of the Province of Leyte on both questions of fact and law.

5. Moreover, Section 1 of Rule XII of Resolution No. 2022-62 of the Sangguniang Bayan of Tabango, Leyte further provides that a Motion for Reconsideration shall not toll the running of the period to appeal and the movant has to perfect his/her appeal within the period to appeal.

6. Thus, despite the Motion for Reconsideration filed by herein Respondent, he is likewise filing this Notice of Appeal in compliance with the above-stated provision.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the instant **NOTICE OF APPEAL** be **NOTED** and **GIVEN DUE COURSE** and that **Decision dated June 13, 2023** be **APPEALED AND ELEVATED** to the **SANGGUNIANG PANLALAWIWAN OF THE PROVINCE OF LEYTE**.

Other just and equitable reliefs and remedies are likewise prayed for. Ormoc City (for Tabango, Leyte), Leyte, Philippines. July 18, 2023.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073

escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.
PTR No. 7436498, issued on
January 3, 2023, Ormoc City
IBP O.R. No. 261857, 1/3/2023
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!


Kindly submit the same pleading unto the Honorable Sangguniang for its kind consideration immediately upon receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:

Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labtlic Law Office
Quezon Street, San Isidro, Leyte
Copy received by _____

LABTIC LAW OFFICE
QUEZON ST. SAN ISIDRO, LEYTE
RECEIVED
DATE 19 JUL 2023
SIGNATURE 

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

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19 JUL 2023
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-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

x-----x

MOTION FOR RECONSIDERATION

RESPONDENT, by undersigned counsel, by way of Motion for Reconsideration, unto this Honorable Office, most respectfully avers, THAT:

TIMELINESS OF FILING

1. Respondent, thru undersigned counsel, received a copy of the Decision dated June 13, 2023 last June 20, 2023.
2. Under Section 3 of Rule XI of Resolution No. 2022-62 of the Sangguniang Bayan of Tabango, Leyte, Respondent has thirty (30) days before the Decision

becomes and final and executory, should the Respondent failed to file a Motion for Reconsideration.

3. Thus, Respondent has until July 20, 2023 to file the instant Motion for Reconsideration.

4. Foregoing, the instant Motion for Reconsideration is timely filed.

DISCUSSIONS/ ARGUMENTS

I. THE DECISION IS IN CONTRAVENTION TO THE PROVISION OF THE LOCAL GOVERNMENT CODE OF 1991.

5. The Decision dated June 13, 2023 provides that:

“This was indeed an exercise of the discretionary power of the Punong Barangay which is embedded under Section 389 (b) (5) of the Local Government Code of 1991, however, the utilization of such was done in a manner in violation of the substantive and procedural due process, to wit, the complainants were not given the due notice prior to their termination which is prejudicial on their part xxx. The fact that a resolution was passed confirming the removal of all the barangay-appointed officials and employees, thus, mass termination or removal occurred which was manifested under Resolution No. 19 dated December 4, 2021 as well as Resolution No. 1 dated January 17, 2022.”

6. Thus, Respondent was found liable for Abuse of Authority and Oppression.

7. Aside from the fact that the statements and defense of the Respondent were not given weight and were outrightly not considered, the Honorable Sangguniang has added a requirement under the Local Government Code which is not in the law itself.

8. Section 389 of RA No. 7160 or otherwise known as the Local Government Code of 1991 even provides that:

Section 389. Chief Executive: Powers, Duties, and Functions. -

(b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, the punong barangay shall:

(5) Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials;

9. Nothing in the said Section 389 provides that a prior notice should be given, provided that a majority of all the members of the sangguniang barangay approves, which was present in the instant case, considering that majority of the Sangguniang Barangay Members of Barangay Manlawaan, Tabanglo, Leyte, signed the subject resolutions.

10. The only requirement as set in item number (5) (b) of Section 389 is the approval of the majority of all the members of the sangguniang barangay, and there is nothing which provides for a prior notice.

11. A cardinal rule in statutory construction is that when the law is clear and free from any doubt or ambiguity, there is no room for construction or interpretation. There is only room for application.¹

12. Thus, in the instant case, since the law is clear and specific, the Honorable Sanggunian cannot further interpret it in a manner which is not stated in the law nor add a requirement not provided for by law.

13. If Congress had wanted that a prior notice to the sent before a Punong Barangay and the Sangguniang Barangay can terminate its appointive barangay officials, Congress could have clearly stated the same, but such is not the case.

14. Thus, foregoing, Respondent cannot be held liable for Abuse of Authority and Oppression.

¹ Amores v. House of Representatives Electoral Tribunal, G.R. No. 189600, June 29, 2010, citing Twin Ace Holdings Corporation v. Rufin and Company, G.R. No.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the instant **MOTION FOR RECONSIDERATION** be **NOTED** and that Decision dated June 13, 2023 be **RECONSIDERED and REVERSED**.

Other just and equitable reliefs and remedies are likewise prayed for.

Ormoc City (for Tabango, Leyte), Leyte, Philippines.
July 18, 2023.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073
escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.
PTR No. 7436498, issued on
January 3, 2023, Ormoc City
IBP O.R. No. 261857, 1/3/2023
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants

Greetings!

Please take notice that the undersigned will submit the same pleading unto the Honorable Sangguniang for its kind consideration immediately upon receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

THE RECEIVING CLERK OF OFFICE
Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

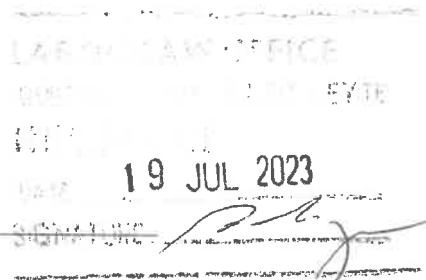
Kindly submit the same pleading unto the Honorable Sangguniang for its kind consideration immediately upon receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:

Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labtich Law Office
Quezon Street, San Isidro, Leyte
Copy received by _____





Republic of the Philippines
Province of Leyte
Municipality of Tabango
-o-o-
SANGGUNIANG BAYAN

ERIT M. ARINGOY
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

Complainants,
~versus~

Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X

DECISION

This is an Administrative Complaint filed against the Hon. Albert C. Morilla, Punong Barangay of Barangay Manlawaan, Tabango, Leyte for abuse of authority, oppression, and possible violation of the Omnibus Election Code filed by Erit M. Aringoy, and Erlinda C. Quanem, et. Al. of the same barangay. The complaint was filed on March 17, 2022. On March 28, 2022, the administrative complaint was referred to the Committee on Barangay Affairs pending further action because of the 90-day election ban provision.

On May 30, 2022, an Order was issued by the Presiding Officer requiring the respondent, Hon. Albert C. Morilla, to submit his verified answer within fifteen (15) days of receipt of the Order, which the latter filed on June 28, 2022. After the Sanggunian determined that there is a prima facie case to warrant the institution of an administrative investigation, the Presiding Officer created an Ad Hoc Committee composed of six (6) members who were tasked to conduct an administrative investigation.

A Preliminary Conference was conducted on July 20, 2022. The Ad Hoc Committee encouraged both parties to settle the case amicably. However, since both parties cannot yet decide on the terms of the compromise agreement, the Preliminary Conference was reset to August 2, 2022. Unfortunately, during August 2, 2022, Preliminary Conference, both parties failed to agree on the terms of the compromise agreement and were not able to settle the case amicably, and since both parties have manifested their desire for a formal investigation, a series of formal hearings/investigations were conducted by the Ad Hoc Committee on August 31, 2022, September 19, 2022, September 27, 2022, October 12, 2022, and October 26, 2022.

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The case stemmed from an incident that happened last 2021 when the complainants were told verbally by the Punong Barangay that if they will not support the latter's mayoralty candidate for the May 2022 National and Local Elections, they will be terminated and since they did not heed the call of the Punong Barangay they were being replaced by another barangay worker without due notice.

The version of the Complainants

Sometime in the middle of 2021, they (Complainants) were pressured by their Punong Barangay, Hon. Albert C. Morilla, to support his mayoralty candidate for the May 2022 National and Local Elections. Hon. Albert C. Morilla was formerly a supporter of the incumbent mayor, Hon. Remandaban, but has shifted his support to the opponent of Mayor Remandaban. When they did not heed the pressure of the Punong Barangay, they were replaced by the Punong Barangay with another barangay worker. They avered that they were being replaced or terminated without due notice and due process.

The version of the Respondent

The respondent asserts that the complainants voluntarily resigned or stopped working in the barangay because they were receiving the same amount of honorarium and one sack of rice from the incumbent mayor. Since they (Complainants) no longer reported for work, Hon. Morilla terminated the complainants and passed Resolution No. 1, series of 2022 dated January 17, 2023, confirming the removal of all barangay-appointed officials and employees of Barangay Manlawaan, Tabango, Leyte.

Facts of the Case

According to the testimonies of Gilda Pepito, Erit Aringoy, Juanita Epe, Erlinda Quanem, Mylma Ma. Condes, Eda Balleno, Myrna Balleno, Lydia Baronda, Erminihilda Dacalos, and Elma Ayade during the conduct of a formal hearing/investigation on August 31, 2022, September 19, 2022, and September 27, 2022, they were being removed from their respective positions and somebody was already working on their behalf because they did not heed the call of the Punong Barangay to support the latter's mayoralty candidate for the May 2022 National and Local Elections.

Presented as a documentary exhibit on the part of the complainants was a machine copy of Resolution No. 19, dated December 4, 2021, which resolves to confirm the removal of all barangay-appointed officials and employees of Barangay Manlawaan, Tabango, Leyte. An original copy was presented during the formal hearing on August 31, 2023, by the witness, Gilda Pepito. The said resolution contains the signatures of the majority of the Barangay Kagawads as well as the Punong Barangay and bears the seal of Barangay Manlawaan.

The respondent together with his witnesses avered that there was no mass termination instead they (Complainants) either voluntarily resigned or stopped working because they were receiving the same amount of honorarium and one sack of rice from the incumbent mayor, Honorable Remandaban.

The respondent also submitted as part of his documentary exhibits Resolution No. 1, series of 2022 dated January 17, 2022, marked as Annex 1, Resolution No. 03, series of 2022, dated February 7, 2022, marked as Annex 2, Resolution No. 02, series of 2022, dated January 17, 2022, marked as Annex 3, Attendance Logbook, marked as Annex 4, 4-A, and 4-B, Payroll, marked as Annex 4-C, and the letter from Juanita Epe, marked as Annex 5.

According to the counter-affidavit of the Respondent that the passage of Resolution No. 1, series of 2022 dated January 17, 2022, was within the ambit of power of the Punong Barangay as expressly provided under Section 389, (b) (5) of the Local Government Code of 1991 and is necessary for him to appoint new barangay officials and employees.

The issues to be resolved by the Sanggunian as a Quasi-Judicial Body are the following:

- 1) Whether or not there was a mass termination;
- 2) Whether or not the respondent is liable for an abuse of authority;
- 3) Whether or not the respondent is liable for oppression.

The law in reference to Section 60 of the Local Government Code of 1991 provides:

"SECTION 60. Grounds for Disciplinary Actions. - An elective local official may be disciplined, suspended, or removed from office on any of the following grounds:

XXXX

(c) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;

(d) Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor;

(e) Abuse of authority;

XXXX

Abuse of authority is defined as a denial of justice when discretion, under one's position, has not been justly and properly exercised. It signifies the use of that discretion in such a way as to deprive a person of his right or of the remedy to protect or enforce such right.

Oppression on the other hand is defined as an act of cruelty, severity, unlawful exaction, domination, or excessive use of authority.

It was expressly provided in the two resolutions (Resolution No. 19 dated December 4, 2021, or Resolution No. 1 dated January 17, 2022) that the Sangguniang Barangay confirms the removal of all barangay-appointed officials and employees. It can be assumed that the complainants were already been removed before the passage of the said resolutions. Although, the effectivity of the termination or removal cannot be ascertained because there were no termination papers presented. For the sake of argument if the complainants did voluntarily resign, passing a resolution confirming their removal is no longer necessary because, in the first place, there is no one to be removed. The fact that a resolution was passed confirming their removal, it can be concluded that someone has been terminated.

The Punong Barangay himself testified during October 26, 2022, formal hearing that not all barangay-appointed officials and employees were removed, which contradicts Resolution No. 19 or Resolution No. 1 because as far as the two resolutions were concerned, it confirms the removal of all barangay-appointed officials and employees. It is therefore very clear that the complainants were singled out from the rest of the barangay-appointed officials and employees.

It can also be further noted that the removal of the majority of the barangay workers who were appointed by Hon. Albert C. Morilla and have been working in the barangay since 2013 is very unusual and unlikely considering the number of appointed-barangay workers that were removed, not to mention that it happened less than a year before the May 2022 National and Local Elections.

It was also explained by Wilfredo Calesa and Hon. Albert Morilla during the October 12, 2022, and October 26, 2022, formal hearing, respectively, that Resolution No. 19 dated December 4, 2021, a documentary exhibit submitted by the complainants, was just a draft resolution. Although, such an argument is questionable considering that Resolution No.19, dated December 4, 2021, contains the signature of the majority of the Barangay Council as well as the Punong Barangay and the date of its passage. An original copy of Resolution No. 19, dated December 4, 2021, was presented by the witness, Gilda Pepito, during the August 31, 2022, formal hearing. The said original copy contains the signature of the majority of the Barangay Council and the Punong Barangay and bears the seal of Barangay Manlawaan. Although there were side markings on the original copy of the resolution, the Sanggunian firmly believes that it was an authentic copy of Resolution No. 1. Nonetheless, the subject matter of either of the two resolutions was the same, which is to confirm the removal of all barangay-appointed officials and employees.

It was admitted by one of the respondent's witnesses, Jenevie Compuesto, during the October 26, 2022, formal hearing that the reason why the complainants stopped working is because of the election. It was also observed that the testimony of one Jenelyn Arpon was inconsistent. When asked by the Counsel of the Complainants whether she knew whom the Punong Barangay is supporting during the May 2022 National and Local Elections, she answered on the negative. However, when asked why she was not been terminated, she answered:

xxx

"Ingon ani, Attorney, bisan hing traydor ko sa iya ingon ko nga, "Kap ako Benjo ko",

xxxx.

It can be gleaned from Ms. Arpon's statement that she was supporting Mayor Remandaban, however, she also made mention of the word "*traydor*" in her statement, which means "*betray*". It is, therefore, safe to conclude that Hon. Albert C. Morilla was not supporting the incumbent mayor.

Although the Local Government Code of 1991 expressly provides that the Punong Barangay can appoint or replace the barangay treasurer, barangay secretary, and other appointed barangay officials upon approval by the majority of the members of the Sangguniang Barangay, however, such power should be exercised with prudence and due process to protect the rights of the complainants.

The argument presented by the respondent that some of the complainants voluntarily resigned or stopped working in the barangay because they were already receiving the same amount of honorarium and one sack of rice from the incumbent mayor was not proven. There was no evidence submitted proving that the complainants were receiving a monthly honorarium and one sack of rice or were hired by the incumbent mayor.

Ruling of the Sangguniang Bayan as a Quasi-Judicial body

The Honorably Quasi-Judicial Body ruled that the complaint was with merit.

In administrative cases, the quantum of proof necessary is substantial evidence or such relevant evidence as a reasonable mind may accept as adequate to support a conclusion.

The arguments of the opposing parties in this administrative case were carefully and extensively studied and put into consideration to attain a fair and just decision.

Addressing the first issue, on the abuse of authority, the respondent is deemed liable for such an offense. ^{There} This was indeed an exercise of the discretionary power of the Punong Barangay which is embedded under Section 389 (b) (5) of the Local Government Code of 1991, however, the utilization of such was done in a manner in violation of the substantive and procedural due process, to wit, the complainants were not given the due notice prior to their termination which is prejudicial on their part as well as the act was in relation to political affiliation, when in fact Barangay Officials under the Omnibus Election Code and in relation to Section 93 of the Local Government Code is prohibited. The fact that a resolution was passed confirming the removal of all the barangay-appointed officials and employees, thus, mass termination or removal occurred which was manifested under Resolution No. 19 dated December 4, 2021, as well as Resolution No. 1 dated January 17, 2022.

Furthermore, the premise of presumption of regularity on the performance of administrative duties, as asserted by the respondent, while it is true that the Punong Barangay on that matter is presumed to be valid and regular, nevertheless, this presumption can be overthrown by no less than clear and convincing evidence which was due proven on this case.

The other issue on Oppression, as provided by Sec. 1 (c) and (3) of the Rules of Procedure in the Conduct of Administrative Investigation Against Elective Officials adopted by the Sangguniang Bayan of the Municipality of Tabango, provided that:

SECTION 1. GROUNDS. - All elected Barangay Officials of the Municipality of Tabango may be disciplined, suspended, or removed from office on any of the following grounds:

xxx

(c) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;

xxx


One of the cases decided by the Supreme Court (G.R. No. 188066, October 22, 2014, Office of the Ombudsman vs. Cynthia E. Caberoy) stated that oppression is also known as grave abuse of authority, which is a misdemeanor committed by a public officer, who under the color of his office, wrongfully inflicts upon any person any bodily harm, imprisonment or other injury. It is an act of cruelty, severity, or excessive use of authority. To be held administratively liable for oppression or grave abuse of authority, there must be substantial evidence presented proving the complainant's allegations.

In the case at bar, the Respondent was indeed liable for oppression on the ground of excessive use of its authority which was tantamount to abuse of authority. To reiterate,

there was excessive use of authority when the Respondent used its power to remove the complainants unjustly and improperly. In addition, the removal was not fairly implemented because some of the workers were retained in their current positions to the prejudice of the complainants who were once removed.

WHEREFORE, after a careful and thorough investigation, as well as espousing the Ad Hoc Committee Report, this Honorable Quasi-Judicial Body hereby renders the decision finding the Respondent administratively liable for both offenses: Abuse of authority and Oppression and hereby imposes the penalty of suspension from office until the end of his term.

SO ORDERED. June _____, 2023.



KIRSTY VELOSO-JABONETE
Ponente
SB Member



Republic of the Philippines
Province of Leyte
Municipality of Tabango

-o-o-
SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 46th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TABANGO (2022-2025) HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON JUNE 13, 2023.

RESOLUTION NO. 2023 - 62
Series of 2023

A RESOLUTION ADOPTING THE DECISION OF THE SANGGUNIANG BAYAN AS A QUASI-JUDICIAL BODY ON ADMINISTRATIVE CASE NO. SB-2022-03-01, AN ADMINISTRATIVE COMPLAINT AGAINST HON. ALBERT C. MORILLA, PUNONG BARANGAY OF BARANGAY MANLAWAAN, TABANGO, LEYTE FOR ALLEGED ABUSE OF AUTHORITY, OPPRESSION, AND POSSIBLE VIOLATION OF THE OMNIBUS ELECTION CODE IMPOSING THE PENALTY OF SUSPENSION FROM OFFICE UNTIL HIS TERM EXPIRES, AND ENDORSING THE SAME TO THE OFFICE OF THE MUNICIPAL MAYOR FOR ITS IMPLEMENTATION.

WHEREAS, an administrative complaint was filed before the Sangguniang Bayan of Tabango, Leyte against Hon. Albert C. Morilla, Punong Barangay of Barangay Manlawaan, Tabango, Leyte, for alleged abuse of authority, oppression, and possible violation of the Omnibus Election Code;

WHEREAS, the Sangguniang Bayan through the Ad Hoc Committee, conducted a thorough investigation through a series of formal hearings to determine the veracity of the allegations against Hon. Albert C. Morilla;

WHEREAS, based on the Committee Report of the Ad Hoc Committee which was adopted on April 17, 2023, and the findings of the Sangguniang Bayan as a quasi-judicial body, there is a sufficient basis to hold Hon. Albert C. Morilla administratively liable for abuse of authority and oppression;


NOW, THEREFORE, on motion of Rubilita A. Dela Cruz, seconded by Hon. Richard V. Merontos, Hon. Joel Erme E. Robles, Hon. Luis Gabriel U. Veloso, Hon. Jose Welson G. Vosotros, be it;

RESOLVED, as it is HEREBY RESOLVED, by the Sangguniang Bayan of Tabango, Leyte in its session duly assembled that the decision of the Sangguniang Bayan as a quasi-judicial body on Administrative Case No. SB-2022-03-01, an administrative complaint against Hon. Albert C. Morilla, Punong Barangay of Barangay Manlawaan, Tabango, Leyte for alleged abuse of authority and oppression is hereby adopted.

RESOLVED FURTHER that a copy of this resolution together with the decision be furnished to the Respondent for his information, to the DILG Office, Tabango, Leyte, and to the Office of the Municipal Mayor for its implementation.


ADOPTED AND APPROVED this 13th day of June 2023.

I HEREBY CERTIFY that the foregoing is a true and accurate copy of the Resolution, which was duly adopted by the Sangguniang Bayan during its regular session.



VALENTINO A. CODERA
Secretary to the Sanggunian

ATTESTED BY:



ROSLIE E. OMEGA, M.D.
Municipal Vice Mayor
Presiding Officer

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

MEMORANDUM
(for the Respondent)

RESPONDENT, by undersigned counsel, by way of Memorandum, unto this Honorable Office, most respectfully avers, THAT:

1. Respondent, thru undersigned counsel, received an Order from the Honorable Sangguniang Bayan of Tabango, Leyte last February 15, 2023 requiring him to submit a Memorandum within fifteen (15) days from receipt, or until March 2, 2023.
2. Thus, the instant Memorandum is timely filed.

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02 MAR 2023
4:25 PM J

DISCUSSIONS/ARGUMENTS

I. COMPLAINANTS WERE NOT ABLE TO PROVE BY SUBSTANTIAL EVIDENCE THAT RESPONDENT IS ADMINISTRATIVELY LIABLE.

3. Complainants have not, in any way, categorically and positively argued on why the Respondent committed Oppression and Abuse of Authority.

4. The mere allegations of Complainants that they were terminated is lame, weak and cannot sustain a conviction against Respondent.

5. In their Complaints, Complainants have submitted Resolution No. 19 of the Sangguniang Barangay of Manlawaan, entitled "A Resolution Confirming the Remvoal of All Barangay Appointed Officials and Employee of Barangay Manlawaan, Tabango, Leyte."

6. The said Resolution was signed not only by the Punong Barangay but by all the Sangguniang Barangay Members (7 Barangay Kagawads).

7. What Complainants do not understand is that such barangay resolution is **imbued with the presumption of regularity**, and is therefore **presumed valid and regular**.

8. As ruled by the Supreme Court:¹

"It is frequently said that a **presumption of regularity the performance of administrative duties**. That is, when an act has been completed, it is to be supposed that the act was **done in the manner prescribed and by an officer authorized by law to do it**. The presumption is of course a rebuttable one, **but the bare allegation that there has been a failure to observe statutory requirements has been regarded as a mere conclusion** of the pleader; where the administrative order is accompanied by a statement that there has been compliance and there is no showing of fact to the contrary, **the presumption of regularity is ordinarily sufficient to support the official act of a public officer.**"

¹ People vs. Jolliffe, GR No. L-9553, May 13, 1959.

9. That is exactly the case at bar, the mere allegations of the Complainants are just their mere conclusions and cannot rebut the presumption granted to official acts.

10. Moreover, the said attached Resolution No. 19 to the Complaint should also be read in connection with the following resolutions:

Resolution	Title	Remarks
No. 1 Series of 2022	A Resolution Confirming the Removal of All Barangay Appointed Officials and Employees of Barangay Manlawaan, Tabango, Leyte	Exhibit "1"
No. 2 Series of 2022	A Resolution Concurring the Appointment of Donna Jean A. Bacay as Barangay Secretary of Barangay Manlawaan, Tabango, Leyte	Exhibit "3"
No. 3 Series of 2022	A Resolution Concurring the Appointment of Crislyn R. Lerio as Barangay Treasurer of Barangay Manlawaan, Tabango, Leyte	Exhibit "2"

11. Again, such resolutions of the Sangguniang Barangay of Barangay Manlawaan are presumed valid and are within their power to promulgate.

12. Perusing the minutes of the proceedings of the instant case, one can even note that these complainants has stopped working rather than having been terminated. One of the Complainants, in the person of Erit M. Aringoy even testified that:

Atty. Alexander G. Salas, Jr. (Counsel for the Respondent)

- Okay.
- So, that is clear ma'am, klaro karon wa gyud ni ingon si Kapitan nga gipahawa ka. *(So, to be clear, the Barangay Chairman did not personally tell you that you are terminated.)*

Erit M. Aringoy (Complainant)

- Wa.
(No)²

13. Likewise, one of the Complainants, in the person of Erlinda C. Quanem testified during the September 19, 2022 hearing that:

² Page 23, Minutes of the Formal Hearing/Investigation, August 31, 2022.

Atty. Alexander G. Salas, Jr. (Counsel for the Respondent)

- So, ni ingon ka nga gi-terminate ka ni Kapitan, gisultihan ka nga di ka pa dutihon?

(You said that you were terminated by the Barangay Captain, were you told not to report for work anymore?)

Erlinda C. Quanem (Witness):

- O.
(Yes.)

Atty. Alexander G. Salas, Jr. (Counsel for the Respondent)

- So, wala.
- So, wa kay mapakita karon nga ebidensya sa amo nga sinuwat sa papel nga gi terminate ka ni Kapitan, sakto, dili?

xxx xxx xxx

Erlinda C. Quanem (Witness):

- Wala.
(None.)³

14. None of the witnesses/complainants were able to prove that they were really terminated, because the truth of the matter is that they just stopped working, and are now claiming to have been allegedly terminated.

15. However, even granting for the sake of argument that they were terminated, such termination was within the ambit of power of Respondent, being the Punong Barangay, approved and concurred by the majority of the Sangguniang Barangay members, as will be discussed hereunder.

II. THE PUNONG BARANGAY, WITH THE CONCURRENCE OF THE MAJORITY OF THE SANGGUNIANG BARANGAY MEMBERS, CAN REPLACE AND/OR APPOINT APPOINTED BARANGAY OFFICIALS.

16. Section 389 of RA No. 7160 or otherwise known as the Local Government Code of 1991 even provides that:

Section 389. Chief Executive: Powers, Duties, and Functions. -

³ Pages 19-20, Minutes of the Formal Hearing/Investigation, September 19, 2022.

(b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, the punong barangay shall:

(5) Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials;

17. It is very clear in the aforecited provision that the Punong Barangay, upon approval by a majority of all the members of the Sangguniang Barangay, can appoint or replace appointive barangay officials.

18. What is required is only an approval of the majority of all the members of the Sangguniang Barangay, which is clearly present in the instant case.

19. The law is quite very clear and equivocal. Cardinal rule in statutory construction is that when the law is clear and free from any doubt or ambiguity, there is no room for construction or interpretation. There is only room for application.⁴

20. Thus, there was no abuse of power nor oppression on the part of the Respondent.

21. From that provision alone of the Local Government Code, this case against Respondent ought to be dismissed already.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the instant **MEMORANDUM** be **NOTED** and that the case against **RESPONDENT** be **DISMISSED**.

Other just and equitable reliefs and remedies are likewise prayed for. Ormoc City (for Tabango, Leyte), Leyte, Philippines. February 28, 2023.

⁴ Amores v. House of Representatives Electoral Tribunal, G.R. No. 189600, June 29, 2010, citing Twin Ace Holdings Corporation v. Rufina and Company, G.R. No. 160191, June 8, 2006, 490 SCRA 368, 376.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073

escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.

PTR No. 7436498, issued on

January 3, 2023, Ormoc City

IBP O.R. No. 261857, 1/3/2023

Attorney's Roll No. 65086

TIN 263-562-019

MCLE Compliance No. VII-0017823

Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same pleading unto the Honorable Sangguniang for its kind consideration immediately upon receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

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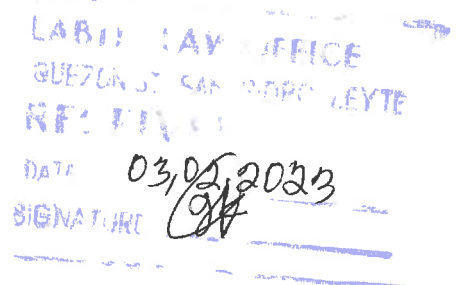
Atty. OCTAVIUS L. LABTIC

Counsel for All Complainants

Labtac Law Office

Quezon Street, San Isidro, Leyte

Copy received by _____



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Tabango
-oOo-
SANGGUNIANG BAYAN

ERIT M. ARINGOY,
LYDIA BARONDA,
GILDA M. PEPITO,
ERLINDA C. QUANEM, ET. AL.,
Barangay Manlawzan, Tabango, Leyte
Complainants,

ADMIN CASE NO. SB-2022-03-01
FOR: Alleged Abuse of Authority,
Oppression, and Possible Violation
of the Omnibus Election Code

- versus -

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte
Respondent.

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MEMORANDUM

Complainants, by counsel, in the above-entitled case, unto the Honorable Court, most respectfully avers that:

NATURE AND TIMELINESS OF THIS MEMORANDUM

That Complainants was in receipt of the copy of the Order on 15 February 2023, hence, this memorandum is filed within the prescriptive period.

**ANTECEDENT FACTS AND FACTUAL BACKGROUND
OF THE CASE**

This is an administrative case for Alleged Abuse of Authority, Oppression and Possible Violation of the Omnibus Election Code. The Complainants were all (either Barangay Workers, Barangay Tanods, and Barangay Health Workers) of Barangay Manlawaan, Tabango, Leyte. On the other hand, Respondent Hon. Albert C. Morilla is the current Punong Barangay of Barangay Manlawaan, Tabango, Leyte. All of the Complainants were duly appointed in their respective positions by the Respondent.

On March 16, 2022, the Complainants through the undersigned counsel formally filed an administrative complaint against the Respondent for Alleged Abuse of Authority, Oppression and Possible Violation of the Omnibus Election Code. This administrative complaint sprung because of the mass termination of the Complainants. This mass termination was rooted on the Complainants' failure and refusal to support the same Mayoralty candidate as that of the Respondent for the 2022 Local Elections. To support their cause, the complainants attached to their Joint Affidavit - Complaint, a copy of Resolution No. 19 dated December 04, 2021 passed by the Sangguniang Barangay of Manlawanan, which is a resolution confirming the removal of all barangay appointed officials and employees of Brgy. Manlawanan, Tabango, Leyte. The said Resolution No. 19 had been signed by the Respondent himself and bears the seal of the office of Barangay Manlawanan. Prior to the passage of this Resolution No. 19, the Complainants did not receive any letter of explanation nor information regarding the said removal. Hence, the present case.

ISSUES TO BE RESOLVED

1. WHETHER OR NOT THERE WAS MASS TERMINATION OF THE COMPLAINANTS;
2. WHETHER OR NOT THE RESPONDENT IS LIABLE FOR ABUSE OF AUTHORITY;
3. WHETHER OR NOT THE RESPONDENT IS LIABLE FOR OPPRESSION;

ARGUMENTS

I. THERE WAS MASS TERMINATION OF THE COMPLAINANTS BY THE RESPONDENT

There is no doubt that the Complainants were former Barangay Workers of Barangay Manlawanan, Tabango, Leyte receiving honoraria from the said Barangay prior to their removal from their respective positions and it is the Respondent himself who appointed the former Barangay workers. Such facts were admitted by the Respondent himself during cross-examination, to wit:

CROSS-EXAMINATION OF HON. ALBERT C. MORILLA¹

ATTY. OCTAVIUS LABTIC:

(TO THE WITNESS)

¹ TSN, 26 October 2022, Cross-Examination of Hon. Albert Morilla, pp. 31-32.

o/m

Q: So imo bang i-kumpirma dire sa talahuron nga Body nga nakaila ka nilang tanan.

(So, do you confirm on this Honorable Body that you knew all these complainants.)

A: Yes, Attorney.

Q: So imo pud i-kumpirma na kani sila nga kanhi barangay workers niya mga barangay health workers niya duha nga barangay tanod nga na apil.

(So, do you will also confirm that they were former barangay workers, barangay health workers, and barangay tanods.)

A: Yes, Attorney.

Q: Hasta pud ni si Lydia Baronda, imo pud ikumpirma na siya ang Barangay Treasurer sa una.

(You will also confirm that Lydia Baronda is the former Barangay Treasurer.)

A: Yes, Attorney.

Q: Ug kini pud si Gilda Pepito mao pud ang imong kanhi Barangay Secretary.

(And also this Gilda Pepito is the former Barangay Secretary.)

A: Yes, Attorney.

X X X

Q: So kaning mga kihante nga nia karon dire, ikaw ang nagtudlo ani.

(So, you are the one who appointed all these complainants.)

A: Yes, Attorney.

Moreover, contrary to the claim of the Respondent, the complainants did not resign nor stopped reporting for work instead they were either orally told by the Respondent that they were terminated from their positions or were replaced by another worker without their knowledge and consent. The complainants were consistent with their testimonies regarding the said facts, to wit:

CROSS-EXAMINATION OF ERIT M. ARINGOY²

ATTY. ALEXANDER G. SALAS, JR.:

(TO THE WITNESS)

Q: Mo uyon ka nga ingon man gud si Geraldine Morilla ba nga nagkaistorya mo usa pa ang eleksyon unya ni ingon ka niya nga mo resign na lang ka tungod kay nag tag-iya sa yuta iga kung asa ka nag puyo supporter ni kanang Remandaban, unya si Kapitan dili supporter ni Remandaban, kahinumdum ka ni sulti ka ana niya, wa?

(Will you agree that you told Geraldine Morilla, that was before the election, that you will resign because the land where you are residing is owned by the Remandaban and that the Barangay Captain is not a supporter of the Remandaban, do you remember that or not?)

A: Wala. Ni ingon ko nga mapaundang ko ani'g trabaho kay si Kapitan hing bale naman.

(No. What I said is that I might be terminated since the Barangay Captain had already shifted his support to another candidate.)

Kung pahawaon kami ni Kapitan, mo hawa kami.

(If we will be terminated, then be it.)

² TSN, 31 August 2022, Cross-Examination of Erit M. Aringoy, p 27.

Pag duty nako gipulihan na kami didto gipahawa lang nga wa magpahibawo.
(When I reported to duty, I learned that I have already been replaced and that I was terminated without notice.)

X X X

CROSS- EXAMINATION OF LYDIA BARONDA³

ATTY. ALEXANDER G. SALAS, JR.:

(TO THE WITNESS)

Q: Pero wala ka ni submit ug resignation letter, sakto?
(But you didn't submit your resignation letter, correct?)

A: Wala.
(I did not.)

X x X

Q: So, of course, tungod kay ni undang ka ug trabaho wala ka ni-submit ug resignation letter.

(Of course, because you already stop working that's why you did not submit your resignation letter.)

Mouyon ka nga walay barangay treasurer atong panahona, sakto?
(Do you agree that there was no barangay treasurer during that time, correct?)

A: Dili kay naa naman toy . . .
(No because . . .)

Q: Sakto o dili?
(Correct or wrong?)

A: **Dili, kay nianha naman ang treasurer naa namay ila gipuli.**
(No, because the new treasurer was already there.)

Unsaon pa man nako pag duty nga naa naman sila diha?
(How can I perform my duty if there is somebody already performing the same?)

X X X

Q: Okay, imo lang tong huna-huna nga nay gipuli sa imo, sakto?
(It was just your imagination that you were replaced, correct?)

A: Dili gyud huna-huna, Nakita jud ko na diha jud siya ni duty na jud siya.
(No, it's not just my imagination, I personally see her reported for duty.)
Dili ingon kay huna-huna kay lain manang huna-huna kaysa nakita.
(It's not just imagination because imagination is different from reality.)
(emphasis ours)

CROSS- EXAMINATION OF ELMA T. AYADE⁴

ATTY. ALEXANDER G. SALAS, JR.:

(TO THE WITNESS)

Q: So, niingon ka diha gi-terminate ka?
(So, you said that you were terminated?)

A: Gi-terminate, sigurado.
(I was definitely terminated.)

Q: Naa kay mapakita nga termination paper?
(Can you present a termination paper?)

A: **Wala. Gipersonal man gad ni Kapitan.**

³ TSN, 27 September 2022, Cross-Examination of Lydia Baronda, p 6.

⁴ TSN, 27 September 2022, Cross-Examination of Elma T. Ayade, p 23.

(None. It was the Barangay Captain who said it himself.)
(emphasis ours)

This representation would likewise emphasize that the mere fact that another worker/s has/have already been assigned for the positions of the Complainants or there were already replacements of them is a clear manifestation of the intent of the Respondent to terminate the Complainants.

On the contrary, the witnesses of the Respondent were inconsistent of their testimonies that there was voluntary resignation on the part of the Complainants because the said witnesses were not able to personally discuss the said matter with all of the Complainants but instead only to a few of the Complainants. Witness Jenevie Compuesto was only able to talk to Merlita Condes⁵ while witness Jenelyn Arpon was able to personally communicate with Edna Balleno⁶. Their claims that all of the Complainants voluntary resigned from their posts is clearly without basis and merit. On the other hand, the Complainants were insistent and consistent that no resignation letters were submitted to the Office of the Barangay of Manlaw-a-an because it is in fact their desire to continue with their work. For arguments sake, it is acceptable to say that one or two barangay workers voluntary resigned from work but to claim that more than twenty people voluntary resigned from their position is both unusual and questionable.

Consequently, it is likewise clear that the root cause for the mass termination of the herein Complainants revolved around the 2022 Local Elections, specifically the difference of Mayoralty bets of the Complainants and the Respondent. The witness of the Respondent Jenevie Compuesto testified on the said facts, to wit:

CROSS- EXAMINATION OF JENEVIE COMPUESTO⁷

ATTY. OCTAVIUS LABTIC:

(TO THE WITNESS)

Q: Unsa may hinungdan ngano ni undang man sila'g trabaho isip barangay worker, barangay tanod ug barangay health worker?

(What was the reason behind why they stopped working as barangay worker, barangay tanod and barangay health worker?)

A: Sa akong nahibaw-an, Attorney, tungod sa eleksyon.

(As far as I know, Attorney, it is because of the election.)

Q: So unsa man nga particular sa eleksyon?

(So, what was about the election?)

A: **Kay lahi man sila'g gilabanan, Attorney, tapos dire man sila kang Mayor Remandaban.**

(It is because they were supporting another candidate, the group of Mayor Remandaban.)

(emphasis ours)

⁵ TSN, 26 October 2022, Cross-Examination of Jenevie Compuesto, p 12.

⁶ TSN, 26 October 2022, Cross-Examination of Jenelyn Arpon, pp 22-23.

⁷ TSN, 26 October 2022, Cross-Examination of Jenevie Compuesto, p 11.

In addition to this, Jenelyn Arpon likewise testified, to wit:

CROSS- EXAMINATION OF JENELYN ARPON⁸

ATTY. OCTAVIUS LABTIC:

(TO THE WITNESS)

Q: Pangutana, nganung ikaw wa man mo hawa?
(Question, why did you not also resign?)

A: Wala man ko tangtanga ni Kapitan.
(Because I was not terminated by the Barangay Captain.)

Q: Wala ka tangtanga ni Kapitan. So, sa ato pa sila gitangtang diay ni Kapitan?
(You were not been terminated. So, in other words they were terminated by the Barangay Captain?)

A: **Dili wala man ko hing sunod sa ila, nagpahibawo ko kang Kapitan, Attorney.**

(No, it's because I did not go along with them and I notified the Barangay Captain, Attorney.)

(emphasis ours)

Basing on the testimonies of the above-mentioned witnesses alone, it is safe to conclude that the Complainants were terminated from their positions because they supported another candidate for the Mayoralty position (Mayor Remandaban, in this case) for the 2022 Local Elections which is not the same candidate supported by the Respondent.

II. RESPONDENT IS LIABLE FOR ABUSE OF AUTHORITY

Section 1 (c) and (e), Rule II of the Rules of Procedure in the Conduct of Administrative Investigation Against Elective Barangay Officials of the Sangguniang Bayan of the Municipality of Tabango state that, to wit:

SECTION 1. GROUNDS – All elected Barangay Officials of the Municipality of Tabango may be disciplined, suspended, or removed from office on any of the following grounds:

(c) Dishonesty, **oppression**, misconduct in office, gross negligence, or dereliction of duty;

X X X

(e) **Abuse of Authority**, which may include insubordination, frequent absences or tardiness, habitual drunkenness, and gambling prohibited by law;
(emphasis ours)

Abuse of Authority is defined under the above-mentioned Rules of Procedure as a denial of justice when discretion, under one's position, has not been justly and properly exercised. It signifies discretion in such a way

⁸ TSN, 26 October 2022, Cross-Examination of Jenelyn Arpon, p 24.

as to deprive a person of his right or of the remedy to protect or enforce such right.⁹

It is without a doubt that the Punong Barangay/Barangay Captain is given the power to appoint as well as the implied power to remove the Barangay Treasurer, the Barangay Secretary, and other appointive Barangay officials upon approval by a majority of all the members of the Sangguniang Barangay under Section 389 (b) (5) of the Local Government Code of the Philippines (LGC). The Complainants do not question the said power to remove by the Respondent because it is provided for under the LGC. However, the Complainants are questioning the exercise of said discretionary power by the Respondent whether or not it was justly or properly exercised.

In this case, there has been a clear abuse of authority on the part of the Respondent. As above-mentioned, for failure of the Complainants to support the same Mayoralty candidate as that of the Respondent, the former terminated the Complainants from their positions or replaced them without their knowledge and consent. To formalize said termination, the Respondent passed Resolution No. 19 dated December 04, 2021, which is a resolution confirming the removal of all barangay appointed officials and employees of Brgy. Manlawan, Tabango, Leyte. Contrary to the claim of the Respondent that the same is a merely a draft resolution, the said Resolution had been signed by the Respondent himself, approved by majority of the members of the Sangguniang Barangay and bears the seal of office of Barangay Manlawan. This representation would like to point out the title of the said Resolution is confirming the removal of all barangay appointed officials and employees of Brgy. Manlawan, Tabango, Leyte – this clearly indicates that there was indeed a prior removal/termination of the subject Barangay appointed officials and employees (the Complainants, in this case) and said Resolution is only to confirm the said removal/termination.

Moreover, just for argument sake, supposed that the said Resolution No. 19 is a draft resolution as what the Respondent claimed and it is Resolution No. 1 dated January 17, 2022 that is the final and approved Resolution. Even under the passage of the latter Resolution, the Respondent is still liable for Abuse of Authority. Resolution No. 1 is a Resolution confirming the removal of all barangay appointed officials and employees of Brgy. Manlawan, Tabango, Leyte. However, when the Respondent was asked by one of the members of the Ad Hoc Committee, the Respondent confirmed that not all of the appointed barangay officials and workers were removed from office after the passage of the said Resolution, to wit:

CROSS- EXAMINATION OF HON. ALBERT MORILLA¹⁰

HON. RICHARD V. MERONTOS:

⁹ Resolution No. 2022-62 (Rule of Procedure in the Conduct of Administrative Investigation Against Elective Barangay Officials, pp. 2-3.

¹⁰ TSN, 26 October 2022, Cross-Examination of Hon. Albert Morilla, p 52.

(TO THE WITNESS)

Q: So, follow-up sa kang Hon. Vosotros nga pangutana sa imo bahin sa resolution sa removal of all barangay appointed officials. Tanan bang mga appointed nimo, Kap, removed from office?

(So, follow-up with the questions of Hon. Vosotros regarding the resolution confirming the removal of all barangay-appointed officials. Are all appointed barangay officials and workers removed from office?)

A: **Wala.**

(No.)

Q: So, kaning inyohang resolution gihimo nga naka title na **removal of all**, so kung ingon ta ug "all", tanan inyong gitangtang sa office, di ba?

(So, in the resolution that you passed which has the title a portion which reads "removal of all", meaning when you used the word "all", that means all the barangay appointed officials and employees, am I right?)

A: Yes.

(emphasis ours)

Here, it is clearly shown that the Resolution passed (whether Resolution No. 19 or Resolution No. 1) was meant to be executed only against the present Complainants. The Respondent admitted for himself that not all appointed barangay officials were terminated, however, it is without a doubt that the Complainants were terminated after the passage of the subject Resolution. The Complainants were singled out from the rest of the appointed barangay officials. The Complainants were clearly deprived of their rights to protect their positions. Considering the premises discussed, the Respondent indeed exercised his discretionary power to remove in an unjust and improper manner and thus liable for abuse of authority.

III. RESPONDENT IS LIABLE FOR OPPRESSION.

Oppression is defined as an act of cruelty, severity, unlawful exaction, domination, or excessive use of authority¹¹.

As discussed above, Respondent is liable for Oppression on the ground of its excessive use of its authority. There was excessive use of authority when the Respondent used its power to remove unjustly and improperly to the prejudice of the Complainants through passing Resolution No. 19 and Resolution No. 1 and only removing the present Complainants from their respective barangay positions.

P R A Y E R

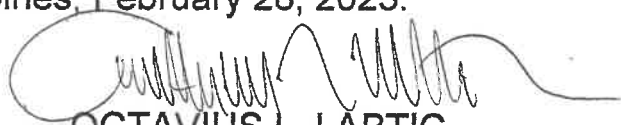
WHEREFORE, in view of all the foregoing, it is most respectfully prayed of this Honorable Court to render a judgment finding the Respondent

¹¹ Resolution No. 2022-62 (Rule of Procedure in the Conduct of Administrative Investigation Against Elective Barangay Officials, p. 2.

administratively liable for Abuse of Authority and Oppression and to impose on the Respondent the appropriate administrative penalty.

Such other reliefs and remedies equitable in the premises are also prayed for.

San Isidro, Leyte, Philippines, February 28, 2023.



OCTAVIUS L. LABTIC

Counsel for the Complainants

Quezon St., San Isidro, Leyte

Roll No. 44,913

PTR No. 7520869 1/03/23

IBP No. 249421 -01/09/23

Leyte Chapter

MCLE Compliance Cert. No. VII

0023264 -08/30/22

The Sangguniang Bayan Secretary
Sangguniang Bayan
Tabango, Leyte

Greetings:

Please submit forthwith the foregoing memorandum to form part of the records of the above-entitled case and for consideration of the Honorable Body sans without further arguments and presence of counsel.



OCTAVIUS L. LABTIC

Counsel for the Complainants

Copy furnished:

Atty. Alexander G. Salas
Escalon and Escalon Law Office
Counsel for the Respondent
Corner Real and Aviles Sts.
Ormoc City

AFFIDAVIT OF SERVICE AND EXPLANATION

I, MICHAEL ADREANNE M. BARBASA, of legal age, Filipino, single, and residing at Brgy. Crossing, San Isidro, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

That I am the Clerk/Messenger in the Law Office of Atty. Octavius L. Latic at Quezon St., San Isidro, Leyte;

That on March 01, 2023, I personally served a copy of the said Memorandum in a sealed envelope and plainly addressed to the following and mailed it by registered mail. This mode of service has been resorted instead of personal service due to distance where personal service is not feasible, it is expensive and there is no personnel who can do the same:

a.) Atty. Alexander G. Salas, Escalon and Escalon Law Office, Corner Real and Aviles Sts., Ormoc City, as evidenced by Registry Receipt No. RE 504 205 110 22, dated March 01, 2023;

That attached herewith in this Affidavit of Service and Explanation is the Registry Receipt No. enumerated above as Annex "A";

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of March, 2023, in the Municipality of Tabango, Province of Leyte, Philippines.


MICHAEL ADREANNE M. BARBASA
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public, for and in the Municipality of Tabango, Villaba and Palompon, Province of Leyte, Philippines, this 1st day of March, 2023, in the Municipality of Tabango, Province of Leyte, Philippines. Affiant exhibited to me his Competent Proof of Identity using his National ID Card No. , issued by the Philippine Statistics Authority (PSA). With Commission/Serial No. NC NO. R-PAL-22-08-044, issued by the Regional Trial Court, Branch 17, Palompon, Leyte.


ATTY. JOLLEANNE CLAIRE E. PERINO
Notary Public

Until Dec. 31, 2023

PTR No. 6624337 -01/04/23

Roll No. 76,783

IBP No. 291954 -01/20/23

Cebu Chapter
Admitted to the Philippines Bar –
05/05/22
NC NO. R-PAL-22-08-044
RTC 17, Palompon, Leyte

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Series of 2023



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-o-o-
SANGGUNIANG BAYAN

ERIT M. ARINGOY
LYDIA BARONDA
GILDA M. PEPITO
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

~versus~

Complainants,

Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X


ORDER

Furnishing both parties copies of the Minutes of the formal hearings conducted by the Ad Hoc Committee for their reference in the submission of their respective memorandum.

Both parties through their Counsels are hereby directed to submit their respective memoranda, together with your respective draft resolution for consideration of the Sanggunian within fifteen (15) days of receipt hereof.


SO, ORDERED.

February 13, 2023, Sangguniang Bayan, Tabango, Leyte.


ROSLIE E. OMEGA, M.D.
Municipal Vice Mayor/Presiding Officer

Received:

Counsel for the Complainants:

 15 FEB 2023 8:52 am

Counsel for the Respondent: _____



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-o-o-
SANGGUNIANG BAYAN

ERIT M. ARINGOY
LYDIA BARONDA
GILDA M. PEPITO
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

~versus~

Complainants,

Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X

ORDER

The Complainants and the Respondent through their respective Counsels submitted their formal offer of documentary exhibits/evidence relative to the administrative case. The Sangguniang Bayan of Tabango per SB Resolution No. 2022-144 hereby adopts the recommendation of the Ad Hoc Committee admitting all documentary exhibits presented and offered by the Complainants and the Respondent.

The Complainants and the Respondent through their Counsels are hereby directed to submit their respective memoranda within fifteen (15) days upon receipt hereof.

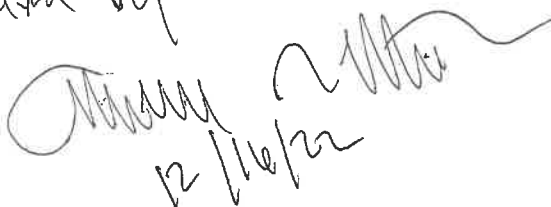
SO, ORDERED.

November 28, 2022, Sangguniang Bayan, Tabango, Leyte.


ROSLIE E. OMEGA, M.D.

Municipal Vice Mayor/Presiding Officer

Received by:


12/16/22

Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
SANGGUNIANG BAYAN

ERIT M. ARINGOY,
LYDIA BARONDA
GILDA M. PEPTIO
ERLINADA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte
Complainants,

Admin. Case No. SB-2022-03-01
For: "Alleged Abuse of Authority,
Oppression and possible violation of the
Omnibus Election Code"

-versus-

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte
Respondent.

X- - - - - X

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8:08 P.M. - N

MANIFESTATION

COMES NOW, the complainants by the undersigned attorney, and unto this Honorable Court, most respectfully avers that;

1. That on December 16, 2022, complainants through counsel received a copy of the Order dated November 28, 2022 of Hon. Roslie E. Omega, Municipal Vice Mayor/Presiding Officer, directing the parties to submit their respective memoranda within fifteen (15) days) from receipt thereof;

2. That one of the materials needed in the preparation of a memoranda is the transcript of stenographic notes (tsn) of the testimonies of witnesses to the proceedings, because it will served the parties in the preparation of the same;

3. That complainants would like to request to held in abeyance the running of the fifteen (15) day period to file memoranda until such time that each party can be provided or secure a copy of the transcript of stenographic notes (tsn) of the testimonies of witnesses, *thus*, they are requesting the Secretariat of the Honorable Body to prepare the same and inform the parties when it is available;

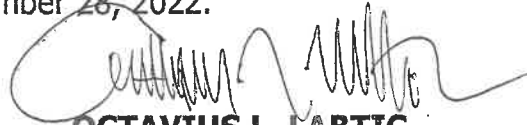
P R A Y E R

WHEREFORE, it is most respectfully prayed of this Honorable Body, the following.

1. To provide complainants of the transcript of stenographic notes (tsn) of the testimonies of all witnesses to the proceedings;

2. To held in abeyance the running of the fifteen (15) day period within which to file the said memoranda until such time each party is provided of the transcript of stenographic notes (tsn) of the testimonies of all witnesses to the proceedings;

San Isidro, Leyte, Philippines, December 28, 2022.



OCTAVIUS L. LABTIC

Counsel for the Complainants

Quezon St. San Isidro, Leyte

Roll No. 44,913

PTR No. 6131609 - 01-03-22

IBP No. 222470 - 05-18-22

Leyte Chapter

MCLE Compliance Cert. No. VII

0023264 -08/30/22

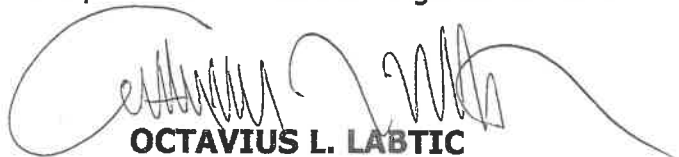
Cellphone No. 09994761605

E-mail address: octaviuslechido
labtic@gmail.com

The Sangguniang Bayan Secretary
Sangguniang Bayan
Tabango, Leyte

Greetings:

Please submit this Manifestation for the consideration and approval of the Honorable Body immediately upon receipt hereof without arguments and presence of counsel.



OCTAVIUS L. LABTIC

Counsel for the Complainants

Atty. Alexander G. Salas, Jr.
Counsel for the Respondent
Escalon and Escalon Law Office
Corenr Real and Aviles St.
Ormoc City

Greetings;


Please take notice that this Manifestation is submitted for the consideration and approval of the Honorable Body immediately upon receipt hereof without arguments and presence of counsel.

OCTAVIUS L. LABTIC

Counsel for the Complainants

CERTIFICATION

I hereby certify that on December 29, 2022, a copy of this Manifestation was furnished to Atty. Alexander G. Salas, Jr. by registered mail as evidenced by Registry Receipt No. RE504704785ZZ dated December 29, 2022. This mode of service has been resorted to due to distance where personal service is not practicable.



OCTAVIUS L. LABTIC
Counsel for the Complainants

Morilla
1-7-2022

RECEIVED
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[Signature]

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

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SB 82 9/10
02 NOV 2022
[Signature]

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

FORMAL OFFER OF DOCUMENTARY EXHIBITS
(of Respondent Punong Barangay Albert C.
Morilla)

RESPONDENT, by undersigned counsel, by way of
Formal Offer of Documentary Exhibits, unto this Honorable
Office, most respectfully avers, THAT:

1. During the October 26, 2022 hearing, Respondent was given five (5) days to offer his documentary exhibits in writing, or until October 31, 2022.
2. Since October 31, 2022¹ and November 1, 2022² are holidays, Respondent has the next working day,

¹ Proclamation No. 79 declaring October 31, 2022.
² Proclamation No. 1236, October 29, 2021.

November 2, 2022, to file the instant formal offer of exhibits.

3. Respondent hereunder formally offers the following documentary exhibits with its respective purposes, viz:

<u>Exhibit</u>	<u>Nature</u>	<u>Purpose/s</u>
1	<p>Resolution No. 01, Series of 2022 of Barangay Manlawanan, Tabango, Leyte.</p> <p>The same is attached as Annex "1" to the Joint Judicial Affidavit of Witnesses of Barangay Kagawads (of Rolly R. Lerio et. al.).</p>	<ol style="list-style-type: none"> 1. As part of the testimony of the Respondent and his witnesses. 2. To prove that, as testified by the Respondent and Sangguniang Barangay Member (Kagawad) Wilfredo Calesa, the same was made in order to create a vacancy as there were several barangay workers and employees, including the Barangay Secretary and Barangay Treasurer, who stopped reporting and working, but refused to submit a resignation. 3. Such Resolution is necessary considering that before the Punong Barangay can appoint, a vacancy must first be created, and no vacancy was created yet since these barangay employees and workers refused to submit resignation letters. 4. Such Resolution was made after the barangay sought opinion from the MLGOO of DILG Tabango, Leyte, Ma'am Sandy Libanan. 5. Moreover, the Punong Barangay, as approved by the majority of the Sangguniang Barangay Members, can terminate or replace the barangay treasurer, secretary and other appointive barangay officials as per Section 389 (b) (5) of RA 7160 or the Local Government Code of 1991. 6. For all intents and purposes, the

		same is considered as valid and regular.
2	<p>Resolution No. 03, Series of 2022 of Barangay Manlawanan, Tabango, Leyte.</p> <p>The same is attached as Annex "2" to the Joint Judicial Affidavit of Witnesses of Barangay Kagawads (of Rolly R. Lerio et. al.).</p>	<p>1. As part of the testimony of the Respondent and his witnesses, as testified by the Respondent and Sangguniang Barangay Member (Kagawad) Wilfredo Calesa.</p> <p>2. To prove that the Sangguniang Barangay of Barangay Manlawanan, Tabango, Leyte confirmed/concurred the appointment of Crislyn R. Lerio as the new Barangay Treasurer.</p> <p>3. Moreover, the Punong Barangay, as approved by the majority of the Sangguniang Barangay Members, can terminate or replace the barangay treasurer, secretary and other appointive barangay officials as per Section 389 (b) (5) of RA 7160 or the Local Government Code of 1991.</p> <p>4. For all intents and purposes, the same is considered as valid and regular.</p>
3	<p>Resolution No. 2, Series of 2022 of Barangay Manlawanan, Tabango, Leyte.</p> <p>The same is attached as Annex "3" to the Joint Judicial Affidavit of Witnesses of Barangay Kagawads (of Rolly R. Lerio et. al.).</p>	<p>1. As part of the testimony of the Respondent and his witnesses, as testified by the Respondent and Sangguniang Barangay Member (Kagawad) Wilfredo Calesa.</p> <p>2. To prove that the Sangguniang Barangay of Barangay Manlawanan, Tabango, Leyte confirmed/concurred the appointment of Donna Jean A. Bacay as the new Barangay Secretary.</p> <p>3. Moreover, the Punong Barangay, as approved by the majority of the Sangguniang Barangay Members, can terminate or replace the barangay treasurer, secretary and</p>

		<p>other appointive barangay officials as per Section 389 (b) (5) of RA 7160 or the Local Government Code of 1991.</p> <p>4. For all intents and purposes, the same is considered as valid and regular.</p>
4 and series	<p>Logbook/payroll which would show that Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro were still working in the Barangay even until June 2022.</p> <p>The same is attached as Annex "4 and series" to the Joint Judicial Affidavit of Witnesses of Barangay Kagawads (of Rolly R. Lerio et. al.).</p>	<p>1. To belie the very claim of these Complainants that they were terminated even as early as the year 2021 (paragraph 4 of their Joint Affidavit-Complaint dated March 16, 2022.)</p> <p>2. To refute the series of accusation against Respondent for alleged mass termination.</p>
5	<p>Statement made by Juanita Epe dated April 6, 2022.</p> <p>The same is attached as Annex "5" to the Joint Judicial Affidavit of Witnesses of Barangay Kagawads (of Rolly R. Lerio et. al.).</p>	<p>1. The same exhibit was identified and confirmed by Juanita Epe herself when she was presented last September 19, 2022.</p> <p>2. To prove that as per said written and signed statement, also signed by her husband, she was not terminated but voluntarily resigned.</p> <p>3. To refute the series of accusation against Respondent for alleged mass termination.</p>

4. All of the foregoing exhibits were listed in the Order (Preliminary Conference) dated September 12, 2022 and were already submitted to this Honorable Body and to the opposing counsel, thus, for all intents and purposes, they have already formed part of the record of the instant case.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the foregoing Exhibits be **ADMITTED** for the purposes the same were formally offered.

Other just and equitable reliefs and remedies are likewise prayed for.

Ormoc City (for Tabango, Leyte), Leyte, Philippines.
October 29, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE

Counsel for the Respondent

Corner Real & Aviles St., Ormoc City

TeleFax Nos. (053)255-4573/561-2073

escalonlaw@gmail.com

By:

ALEXANDER G. SALAS, JR.

PTR No. 7053400 issued on

January 3, 2022, Ormoc City

IBP O.R. No. 183020, 1/3/2022

Attorney's Roll No. 65086

TIN 263-562-019

MCLE Compliance No. VII-0017823

Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE
Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!


Kindly submit the same pleading unto the Honorable
Prosecutor for its kind consideration immediately upon
receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

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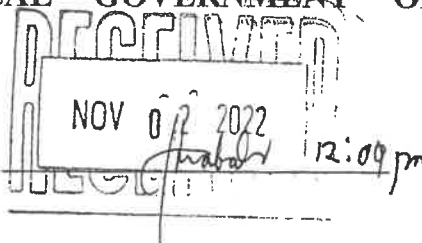
Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labt看 Law Office
Quezon Street, San Isidro, Leyte

Copy received by 11/2/22 

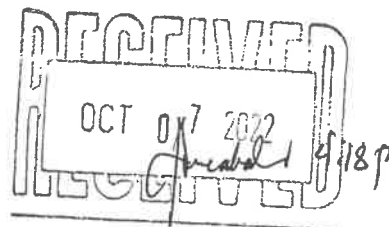
**MUNICIPAL LOCAL GOVERNMENT OPERATIONS OFFICERS
(MLGOO)**

DILG-Tabango, Leyte
Tabango, Leyte

Copy received by _____



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO



OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

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-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

SUBMISSION OF JUDICIAL AFFIDAVITS
(of Respondent and his witnesses)

**with COMMENTS/OBJECTIONS TO THE FORMAL
WRITTEN OFFER OF EVIDENCE BY THE
COMPLAINANTS**

RESPONDENT, by undersigned counsel, by way of
Submission of Judicial Affidavits, unto this Honorable Office,
most respectfully avers, THAT:

By way of Submission of Judicial Affidavits

1. The instant case is set to be heard on October 12,
2022 at 9:00 AM.

2. In view thereof, Respondent submits his Judicial Counter Affidavit, together with the Judicial Affidavits of his witnesses.

3. Attached herein are the following:

- a. Judicial Counter Affidavit of Respondent;
- b. Joint Judicial Affidavit of Witnesses (Barangay Kagawads) namely Rolly R. Lerio and Wilfredo L. Calesa;
- c. Joint Judicial Affidavit of Witnesses (Barangay Workers) namely Rowena C. Jordan, Genelyn M. Arpon and Jenevie S. Compuesto; and
- d. Joint Judicial Affidavit of Witnesses (Barangay Tanods) namely Hospicio D. Rosa and Artemio M. Compuesto.

4. Their respective Judicial Affidavits are mere reiterations of their already submitted Affidavits which already form part of the record of the instant case.

5. The submission of the Judicial Affidavits is intended to provide a more orderly proceedings in the presentation of witnesses on the part of the Respondent during the above-said hearing date.

By way of Comments/Objections to the Formal Written Offer of Evidence by the Complainants

6. During the September 27, 2022 hearing, Complainants thru counsel asked for a five (5) day period to file their Formal Written Offer of Evidence.

7. Reckoning from September 27, 2022, the Complainants should have submitted last October 2, 2022 (Sunday), or until the following working day, October 3, 2022 (Monday). However, undersigned only received on October 4, 2022 the Formal Written Offer of Evidence by the Complainants.

8. Complainants thus **filed their Formal Written Offer of Evidence late** with **no written explanation** as to the said late filing.

9. On that basis alone, Respondent opposes the admission of the Formal Written Offer of Evidence by the Complainants.

10. Be that as it may, Respondents, in the exercise of diligence and prudence, hereunder interposes his objection to the exhibits of the Complainants, viz:

Exhibit	Comment/Objection
A	<ul style="list-style-type: none"> • No original was produced. • It was not proven that the same was actually passed by the Sangguniang Barangay of Manlawa-an, Tabango, Leyte. • Even granting for the sake of argument that the same was passed by the Sangguniang Barangay, with all due respect, the Punong Barangay, as approved by the majority of the Sangguniang Barangay Members, can terminate or replace the barangay treasurer, secretary and other appointive barangay officials as per Section 389 (b) (5) of RA 7160 or the Local Government Code of 1991.
B	<ul style="list-style-type: none"> • Entries in the police blotter are not evidence of the truth thereof but merely of the fact that the entries were made.¹ • If she was really held against her will, she only made the blotter on April 9, 2022 or three days after, which is contrary to human experience and even simple logic. • A very glaring inconsistency also to show that Juanita Epe is lying is that in her Judicial Affidavit dated August 3, 2022, particularly Answer No. 14, she said she was made to sign a paper wherein she voluntarily resigned, however, the subject police blotter states that she was forced to sign a blank paper. Certainly, signing that she

¹ People v. Gomez, 357 Phil. 684, 694 (1998); People v. Ledesma, 320 Phil. 215, 221-222 (1995).

	voluntarily resigned is different from signing a blank paper.
C	<ul style="list-style-type: none"> • Entries in the police blotter are not evidence of the truth thereof but merely of the fact that the entries were made.² • The allegations therein is that it was a certain Teotimo Jorda who went to the house of Juanita Epe. The name of the Respondent was never mentioned, hence, irrelevant.

11. Thus, foregoing considered, Respondent respectfully asks that the evidence formally offered be **DENIED ADMISSION** for: **(1) being filed out of time**; and for **(2) being irrelevant and holds no probative value**.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that:

1. The foregoing **SUBMISSION OF JUDICIAL AFFIDAVITS** be **NOTED**; and
2. The **COMMENTS/OBJECTIONS** of the Respondent to the **Formal Written Offer of Evidence** by the Complainants be **NOTED**, and that the same Formal Written Offer of Evidence be **DENIED ADMISSION**.

Other just and equitable reliefs and remedies are likewise prayed for. Ormoc City (for Tabango, Leyte), Leyte, Philippines. October 7, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent
 Corner Real & Aviles St., Ormoc City
 TeleFax Nos. (053)255-4573/561-2073
escalonlaw@gmail.com escalonlaw@yahoo.com.ph

² People v. Gomez, 357 Phil. 684, 694 (1998); People v. Ledesma, 320 Phil. 215, 221-222 (1995).

By:

ALEXANDER G. SALAS, JR.
PTR No. 7053400 issued on
January 3, 2022, Ormoc City
IBP O.R. No. 183020, 1/3/2022
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same pleading unto the Honorable
Prosecutor for its kind consideration immediately upon
receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:

Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labtic Law Office
Quezon Street, San Isidro, Leyte
Copy received by _____

LABTIC LAW OFFICE
QUEZON ST. SAN ISIDRO LEYTE
RECEIVED
DATE 07 OCT 2022
SIGNATURE *Labtic*

**MUNICIPAL LOCAL GOVERNMENT OPERATIONS OFFICERS
(MLGOO)**
DILG-Tabango, Leyte
Tabango, Leyte
Copy received by _____

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,**
Respondent.

X-----X

**JUDICIAL COUNTER-AFFIDAVIT
(OF ALBERT C. MORILLA)**

Ako, **ALBERT C. MORILLA**, human manumpa subay sa balaod, mosaysay ug mosulti NGA: (I, **ALBERT C. MORILLA**, after having duly sworn to in accordance with law, do hereby depose and state THAT:)

1. Ako usa ka Filipino, minyo, hingkud ang panuigon, nagpuyo ug Kapitan sa Brgy. Manlawa-an, Tabango, Leyte Philippines; (I am a Filipino citizen, married, of legal age, resident and at the same time the Punong Barangay of Brgy. Manlawa-an, Tabango, Leyte, Philippines;)

2. Ang pag-imbestigar kanako mahitungod sa paghimo niining Judicial Affidavit gipahigayon ubos sa pagdumala ni **Atty. Alexander G. Salas, Jr.** sa **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines; (My examination in connection with the execution of this Judicial Affidavit was conducted and taken under the supervision of **Atty. Alexander G. Salas, Jr.**, at the **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines;)

3. Gitubag nako sa tinud-anay ang mga gipangutana kanako, ubos sa akong pagpanumpa sa balaod, ug nga mahimo nga mag-atubang ako ug kaso criminal sa akong pagpamakak or sa pagsulti ug dili tinuod; (I have honestly answered the questions propounded to me, fully conscious that I do so under oath, and that I may face criminal liability for false testimony or perjury;)

4. Ang mga pangutana ug ang akong mga tubag niini mao kining mosunod: (The questions asked of me and my corresponding answers are as follows:)

The purposes of the testimony of the witness is being offered to prove the following:

1. To prove that there was no mass termination done by the Respondent, Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that in order not to impede the operations of the barangay, the Respondent, with the concurrence of the Sangguniang Barangay, concurred the appointments of the new appointed officials.
4. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.
5. To prove that Respondent is not liable for abuse of authority or oppression.
6. To testify on other relevant matters and to testify on other relevant documents.

1) Q: Why are you here in our office? (Nganong di-a kaman sa among opisina?)

A: Aron maghimo ni-ining Judicial Affidavit, Attorney. (To execute this Judicial Affidavit, Attorney.)

For Complainant Lydia Baronda.

2) Q: What do you have to say, if any? (Unsa man imong masulti, kung naa man gani?)

A: Bahin sa reklamo ni **Lydia Baronda**, Attorney, ang tinuod ana kay December 2021 pa lang, ni-ingon na siya sa barangay council namo nga kutob nalang siya December 31, 2021 kay mo-resign na unta siya anang petsaha. (Insofar as **Lydia Baronda** is concerned, the former barangay treasurer of our barangay, the truth of the matter is that as early as December 2021, she told the council that she will only be working until December 31, 2021 and intends to resign on the said date.)

3) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Pero ang konseho ni-hangyo niya nga dili lang sa sa December 31, 2021 mo-resign pero sa January 31, 2021 na, para ma process pa niya ang mga papeles sa barangay sama sa payroll, vouchers, ug uban pa. Ni-uyon pud si Lydia Baronda, ug ni-ingon pa gani siya nga namo nga mangita na ug ikapuli niya para iyang ma-train. (However, the council asked her to resign not on December 31, 2021 but on January 31, 2022 instead, so that she will still be able to process the important papers of the barangay such as the payroll, vouchers, among others. Lydia Baronda agreed and even asked us to find her replacement already so that she will be able to train him/her.)

4) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Sa January 10, 2022 na session, naghatag pa gani siya ug usa ka libo para pang despideda, mao pud among gipalit ug snacks kay ingon man siya mao na to iyang last day sa trabaho. (On our January 10, 2022 session, she even gave the council One Thousand Pesos (P1,000.00) for her despideda, which we used to buy snacks, as she said that would be her last day to work.)

5) Q: Did she give her resignation, only if she did? (Kaila ba ani ni Josephine P. Del Rosario?)

A: Mao na ang problema kay dili siya mohatag sa iyang resignation letter, Attorney. Naglibog ang konseho unsaon pag appoint ug bago nga treasurer kay wala pa may vacancy kay bisan ug ni-undang na siya ug trabaho, dili man siya mohatag ug resignation letter. (However, Lydia Baronda refused to give her resignation letter. Thus, the council was in quandary how to appoint a new treasurer since

there is no vacancy yet because even if she already stopped working, she refused to file her resignation letter.)

6) Q: What did you do, if any? (Unsa man imong gibuhad, kung naa man gani?)

A: Mao to nangutana mi sa DILG Tabango, Leyte sa iyang opinion, ug niingon siya nga kay tungod dili man mo-submit ug resignation bisan ni-undang na ug trabaho, mas maayo kung i-terminate sa Kapitan ug uyonan sa mga miyembro sa konseho. (We then asked the DILG officer assigned in Tabango, Leyte for her opinion, to which she answered that since they refused to submit her resignation letter even if they already stopped working, then it would be better if they would be terminated by the Punong Barangay and concurred by the Sangguniang Barangay members.)

7) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Mao nga ang Sangguniang Barangay naghimo ug Resolution No. 1, Series of 2022, nga gi-kompirma ang pag tanggal sa mga appointed officials and employees. Ang maong kopya sa Resolution naka-attach na isip Annex "1" sa the Joint Affidavit of Witnesses of Rolly R. Lerio et. al., mga Barangay Kagawads sa Manlawa-an, Tabango, Leyte. (Thus, the Sangguniang Barangay, through Resolution No. 01, Series of 2022, issued a resolution confirming the removal of the barangay appointed officials and employees. A copy of the same is attached as **Annex "1"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte]).

8) Q: Were you able to appoint a new Barangay Treasurer, only if you were? (Unya naka-appoint ba mo ug Barangay Treasurer, kung naka-appoint lang mo?)

A: Oo, Attorney. Sa February 7, 2022, ang Sangguniang Barangay ni-uyon sa appointment ni Crislyn R. Lerio isip bago nga Barangay Treasurer pinaagi sa Resolution No. 03, Series of 2022, ang kopya naka-attach isip **Annex "2"** sa Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte). (Yes, Attorney. On February 7, 2022, the Sangguniang Barangay concurred the appointment

of Crislyn R. Lerio as the new Barangay Treasurer of Barangay Manlawan, Tabango, Leyte, thru Resolution No. 03, Series of 2022, a copy of which is attached as **Annex "2"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan, Tabango, Leyte].)

9) Q:What else do you have to say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A:Si Lydia Baronda wala na siya gi-illegally terminate, iya nang kaugalingon nga desisyon nga mounding ug trabaho isip Barangay Treasurer. (Lydia Baronda was not illegally terminated nor prevented to work, it was her personal decision to stop working as Barangay Treasurer.)

For Complainant Gilda M. Pepito

10) Q:How about Gilda M. Pepito, what do you have to say if any? (Sa kang Gilda M. Pepito, unsa man imong masulti, kung naa man gani?)

A: Bahin kang Gilda M. Pepito, kahuman sa among January 10, 2022 nga session, ni-ingon na siya nga dili na siya motrabaho isip Barangay Secretary. Ug tinuod man, wala na siya ni-report sa trabaho kahuman adto. (Insofar as Complainant Gilda M. Pepito is concerned, after the January 10, 2022 barangay session, she intimated to us that she will no longer work as a barangay secretary. True enough, she no longer reported for work.)

11) Q:What happened after she longer reported for work, if any? (Unsa may nahitabo sa niingon siya nga ?)

A: Ang iyang pag undang sa trabaho naghimo ug bakante sa barangay, mao nga kinahanglan mi mag appoint ug bago nga secretary. Mao sab na ang us aka rason nganong napsaar ang Resolution No. 01, Series of 2022 nga naka-attach nga **Annex "1"** sa the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Her refusal to go to work created a vacuum, thus, the need to appoint a new secretary. The same was likewise one of the reasons why Resolution No. 01, Series of 2022, **Annex "1"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al., was passed by the Sangguniang Barangay.)

12) Q: What else do you want to say, if any? (Unsa pa man imong gusto isulti, kung naa pa man gani?)

A: Kung wala mi nagpasa sa maong Resolution No. 01, Series of 2022, dili mi maka appoint ug bago nga secretary (Without the said Resolution No. 01, Series of 2022, the barangay could not appoint a new secretary.)

13) Q: Were you able to appoint a new secretary, only if you did? (Naka-appoint ba mo ug bago nga secretary, kung naka-appoint lang mo?)

A: Oo, Attorney. Kadtong January 17, 2022, ang Sangguniang Barangay ni-uyon sa appointment ni Donna Jean A. Bacay isip bago nga Barangay Secretary sa Barangay Manlaw-an, Tabango, Leyte pinaagi sa Resolution No. 02, Series of 2022, ang kopya naka attach sa Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte isip **Annex "3"**). (Yes, Attorney. On January 17, 2022, the Sangguniang Barangay concurred the appointment of Donna Jean A. Bacay as the new Barangay Secretary of Barangay Manlaw-an, Tabango, Leyte thru Resolution No. 02, Series of 2022, a copy of which is attached as **Annex "3"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte].)

For Complainant Erit Aringoy

14) Q: How about Complainant, Erit Aringoy, what do you have to say, if any? (Sa kaso nga gipasaka ni Erit Aringoy, unsa man imong masulti, kung naa man gani?)

A: Bahin kang Erit Aringoy, wala siya gi-terminate, siya mismo ang ni-resign, Attorney. (Insofar as Complainant Erit Aringoy is concerned, she was not terminated but she voluntarily resigned.)

15) Q: What else can you say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A: Kadtong pag testigo niya niadtong August 31, 2022, siya mismo niingon nga wala siya nako mismo pa-resigna. (When she testified last August 31, 2022, she confirmed that I did not ask her to resign.)

16) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Ug sa testimonya pa ni Barangay Kagawad Geraldine Rose P. Morilla sa ilang Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawan, Tabango, Leyte), ni-ingon siya nga naka-storya niya mismo si Erit Aringoy. Unya niingon si Erit Aringoy nga mo-resign nalang siya kay ang tag-iya sa yuta nga iyang gipuy-an ang incumbent man nga mayor ang suportahan ug giingnan sila sa tag-iya sa yuta nga ang incumbent ang suportahan. (As testified by Barangay Kagawad Geraldine Rose P. Morilla in the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan, Tabango, Leyte], she said that she able to talk personally with Erit Aringoy. Erit Aringoy told Kagawad Morilla that she will just resign since she will be supporting the incumbent mayoralty candidate for the 2022 election as the owner of the lot where their house is erected is a supporter of the incumbent mayor and they were asked to support the same candidate.)

17) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na nako gi-terminate si Erit Aringoy. Iya nang kaugalingong desisyon ang mga moboluntary ug hawa. (Erit Aringoy was not terminated by me nor of the barangay council. She voluntarily resigned for reasons stated above.)

For Complainants Erlinda C. Quanem et. al.

18) Q: For Complainants Erlinda C. Quanem et. al., what do you have to say, if any? (Sa kihanti nga si Erlinda C. Quanem ug sa iyang mga kauban, unsa man imong masulti, kung naa man gani?)

A: Para sa kihanti nga sila Erlinda C. Quanem ug uban pa, wala gyud na sila gipugos nako o sa konseho nga mo-resign. (Insofar as Complainants Erlinda C. Quanem et. al. are concerned, they were not pressured in any way by me nor of the barangay council to resign.)

19) Q: Please continue. (Sige padayon lang.)

A: Ilang kagustohan nga mounding ug trabaho kay gi-promisan sila ug ug pareho nga sweldo. Tungod kay daghan ug mga barangay workers nga nangundang ug trabaho, mao nga naghimo ang Sangguniang Barangay ug Resolution No. 01, Series of 2022. (It was their own volition to stop working for a promise of the same salary. Considering that many of the barangay workers stopped reporting for work, as stated above, the Sangguniang Barangay passed Resolution No. 01, Series of 2022.)

20) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Nakuratan man gani mi nga ni-apil sa kiha sila Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro nga nag trabaho pa man na sila sa barangay kutob June 2022. (It is even to our surprise that Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the complaint when in fact they are still working in our barangay until June 2022.)

21) Q: Do you have proof of that, if any? (Naa ka bay pruwena, kung naa man gani?)

A: Ang kopya sa logbook/payrook kung diin magpakita nga ang maong mga tawhana nag trabaho pa sa barangay kay naka-attach nga **Annex "4 and series"** sa Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte). (A copy of the logbook/payroll wherein it would show that these people are still working in the barangay are attached as **Annex "4 and series"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte].)

22) Q: What is, if any? (Unsa pa man, kung naa pa man gani?)

A: Ang usa gani ka kihanti nga si Juanita Epe, niingon sa iyang statement nga may petsa April 6, 2022 nga wala siya gi-terminate pero siya mismo ni-resign. Ang kopya sa maong statement naka attach nga **Annex "5"** sa Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte] (One of the complainants, Juanita Epe, even made a

statement dated April 6, 2022 that she was not terminated but she voluntarily resigned. A copy of the same is attached as **Annex "5"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawanan, Tabango, Leyte].)

Statements common to all Complainants

23) Q: What else do you have to say, if any? (Unsa pa man imong gusto isulti, kung naa pa man gani?)

A: Ang uban mga barangay workers sa Barangay Manlawanan ni-execute pud ug ilang mga Affidavits nga ni-uyon anin akong testimonya nga ang mga kihanti wala gi-terminate pero sila mismo ang nihawa o ni-undang ug trabaho. Kung tinuod pa nga nag mass termination ko, ang uban barangay workers nga testigo namo aning kasoha, terminated na pud unta. (The other barangay workers of Barangay Manlawanan have executed their respective affidavits corroborating my testimony that the complainants were not terminated but voluntarily resigned or stopped reporting to work. If what Complainants are claiming is true, that there was mass termination, then the other barangay workers would also have been terminated.)

24) Q: Please continue. (Sige padayon lang.)

A: Ang mga kihanti mismo ang niundang ug trabaho, ug valid na ground para sila tanggalon. Kinahanglan man naay vacancy para maka appoint ang kapitan ug mga bago nga mopuli, mao nga napasara ang Resolution No. 01, Series of 2022. Kay kung wala mi mopasar ana nga Resolution, dili makalihok ang barangay. (It was the complainants in this case who refused to report to work, and that is a valid cause or ground for their removal. There is a need to establish a vacancy in order for me, as the Punong Barangay, to be able to appoint new appointees, thus, Resolution No. 01, Series of 2022 was passed. Otherwise, the function of the barangay would be greatly hampered and impeded.)

Atty. Salas: By way of Manifestation, as already above-stated, the same Resolution No. 01, Series of 2002 is attached as **Annex "1"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al.

25) Q: Please continue. (Sige padayon lang.)

A: Ang maong mga Resolutions nga gi-issue sa Sangguniang Barangay kay gi-issue sa among official capacity, so kini regular ug valid. Tungod kay gi-issue to namo sa among official capacity, dapat tagaan to ug kabug-aton nianing Sangguniang Bayan. (The subject Resolutions were issued by the Sangguniang Barangay in its official capacity, which for all intents and purposes, are presumed valid and regular. The resolutions enjoys the presumption of regularity, which should be upheld by this Honorable Sanggunian Bayan.)

26) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na sa pagka karon, Attorney, labot lang kung pangutan-on pa ko. (None for now, Attorney, unless otherwise required.)

5. Naghimo ko niining "Judicial Counter Affidavit" aron sa pagmatuod sa mga nahi-asoy, kini isumiter sa hukmanan ug gamiton unya isip akong pagtestigo ni-ining kasoha. (I have executed this "Judicial Affidavit" to attest to the truth of the foregoing, the same to be submitted in lieu of my direct testimony in the instant case.)

IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.



ALBERT C. MORILLA
Affiant

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; affiant is personally known to the undersigned for being a client of this office.

ALEXANDER G. SALAS, JR.

Notary Public
Ormoc City, Kananga, Matag-ob
Manda and Isabel, Leyte
Until December 31, 2023
Commission No. ORM-22-07-007
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 65086
PTR No. 7053400
Ormoc City, January 3, 2022
IBP O.R. No. 183020, 1/3/2022
MCLE Compliance No. VII-0017823
Valid until April 14, 2025
TIN 263-562-019

Doc. No. 101
Page No. 2
Book No. X
Series of 2022.

SWORN ATTESTATION

I, **ALEXANDER G. SALAS, JR.**, of legal age, single, a Filipino citizen, and with office address at **Escalon & Escalon Law Office**, Corner Real and Aviles Sts., Ormoc City, Leyte, Philippines, after having been duly sworn to in accordance with law, hereby depose and state, THAT:

1. I faithfully recorded the questions I asked of and the corresponding answers that the witness gave;
2. Neither I nor any other person then present or assisting him coached the witness regarding the latter's answers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.

ALEXANDER G. SALAS, JR.
Affiant

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; I hereby certify that the affiant is personally known to me.

EMMANUEL K. SALOMON

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2022
Commission No. ORM-21-03-005
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 75860
PTR No. 7053406
Ormoc City, January 3, 2022
IBP O.R. No. 195015, 1/3/2022
MCLE Compliance No. VII-0018528
Valid until April 14, 2025
TIN 943-252-512

Doc. No. 3/3 ;
Page No. 61 ;
Book No. II ;
Series of 2022.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

**JOINT JUDICIAL AFFIDAVIT OF
WITNESSES OF BARANGAY KAGAWDS
(OF ROLLY R. LERIO and WILFREDO L. CALESA)**

KAMI, ROLLY R. LERIO ug WILFREDO L. CALESA,
human manumpa subay sa balaod, mosaysay ug mosulti
NGA: (WE, ROLLY R. LERIO and WILFREDO L. CALESA, after
having duly sworn to in accordance with law, do hereby depose and state
THAT:)

1. Kami **ROLLY R. LERIO** (minyo) and **WILFREDO
L. CALESA** (minyo) Filipino citizens ug nagpuyo sa Barangay
Manlawa-an, Municipality of Tabango, Leyte, ug

kasamtangang miyembro sa Sangguniang Barangay (Barangay Kagawad) of Barangay Manlawan, Tabango, Leyte; (**WE, ROLLY R. LERIO** (married) and **WILFREDO L. CALESA** (married), all Filipino citizens and residents of Barangay Manlawan, Municipality of Tabango, Leyte, and are members of the Sangguniang Barangay (Barangay Kagawad) of Barangay Manlawan, Tabango, Leyte;)

2. Ang pag-imbestigar kanako mahitungod sa paghimo niining Judicial Affidavit gipahigayon ubos sa pagdumala ni **Atty. Alexander G. Salas, Jr.** sa **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines; (My examination in connection with the execution of this Judicial Affidavit was conducted and taken under the supervision of **Atty. Alexander G. Salas, Jr.**, at the **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines;)

3. Gitubag nako sa tinud-anay ang mga gipangutana kanako, ubos sa akong pagpanumpa sa balaod, ug nga mahimo nga mag-atubang ako ug kaso criminal sa akong pagpamakak or sa pagsulti ug dili tinuod; (I have honestly answered the questions propounded to me, fully conscious that I do so under oath, and that I may face criminal liability for false testimony or perjury;)

4. Ang mga pangutana ug ang akong mga tubag niini mao kining mosunod: (The questions asked of me and my corresponding answers are as follows:)

The purposes of the testimony of the witnesses is being offered to prove the following:

1. To prove that there was no mass termination done by the Respondent, Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that in order not to impede the operations of the barangay, the Respondent, with the concurrence of the Sangguniang Barangay, concurred the appointments of the new appointed officials.
4. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.
5. To prove that Respondent is not liable for abuse of authority or oppression.
6. To testify on other relevant matters and to testify on other relevant documents.

1) Q: Why are you here in our office? (Nganong di-a kaman sa among opisina?)

A: Aron maghimo ni-ining among Joint Judicial Affidavit, Attorney. Ug para motestigo para kang Kapitan Morilla, Attorney. (To execute our Joint Judicial Affidavit, Attorney, and to testify for Punong Barangay Morilla, Attorney.)

For Complainant Lydia Baronda.

2) Q: What do you have to say, if any? (Unsa man imong masulti, kung naa man gani?)

A: Bahin sa reklamo ni **Lydia Baronda**, Attorney, ang tinuod ana kay December 2021 pa lang, ni-ingon na siya sa amo nga kutob nalang siya December 31, 2021 kay mo-resign na unta siya anang petsaha. (Insofar as **Lydia Baronda** is concerned, the former barangay treasurer of our barangay, the truth of the matter is that as early as December 2021, she us that she will only be working until December 31, 2021 and intends to resign on the said date.)

3) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Pero kami nga konseho ni-hangyo niya nga dili lang sa sa December 31, 2021 mo-resign pero sa January 31, 2021 na, para ma process pa niya ang mga papeles sa barangay sama sa payroll, vouchers, ug uban pa. Ni-uyon pud si Lydia Baronda, ug ni-ingon pa gani siya nga namo nga mangita na ug ikapuli niya para iyang ma-train. (However, the council asked her to resign not on December 31, 2021 but on January 31, 2022 instead, so that she will still be able to process the important papers of the barangay such as the payroll, vouchers, among others. Lydia Baronda agreed and even asked us to find her replacement already so that she will be able to train him/her.)

4) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Sa January 10, 2022 na session, naghatag pa gani siya ug usa ka libo para pang despida, mao pud among gipalit ug snacks kay ingon man siya mao na to iyang last day sa trabaho. (On our January 10, 2022 session, she even gave the council One Thousand Pesos (P1,000.00) for her despida, which we used to buy snacks, as she said that would be her last day to work.)

5) Q: Did she give her resignation, only if she did? (Kaila ba ani ni Josephine P. Del Rosario?)

A: Mao na ang problema kay dili siya mohatag sa iyang resignation letter, Attorney. Naglibog ang koneseho unsaon pag appoint ug bago nga treasurer kay wala pa may vacancy kay bisan ug ni-undang na siya ug trabaho, dili man siya mohatag ug resignation letter. (However, Lydia Baronda refused to give her resignation letter. Thus, the council was in quandary how to appoint a new treasurer since there is no vacancy yet because even if she already stopped working, she refused to file her resignation letter.)

6) Q: What did you do, if any? (Unsa man imong gibuhad, kung naa man gani?)

A: Mao to nangutana mi sa DILG Tabango, Leyte sa iyang opinion, ug niingon siya nga kay tungod dili man mo-submit ug resignation bisan ni-undang na ug trabaho, mas maayo kung i-terminate sa Kapitan ug uyonan sa mga miyembro sa konseho. (We then asked the DILG officer assigned in Tabango, Leyte for her opinion, to which she answered that since they refused to submit her resignation letter even if they already stopped working, then it would be better if they would be terminated by the Punong Barangay and concurred by the Sangguniang Barangay members.)

7) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Mao nga ang Sangguniang Barangay naghimo ug Resolution No. 1, Series of 2022, nga gi-kompirma ang pag tanggal sa mga appointed officials and employees. Ang maong kopya sa Resolution naka-attach na isip **Annex "1"** sa among gihimo Joint Affidavit of Witnesses of Rolly R. Lerio et. al., mga Barangay Kagawads sa Manlawa-an, Tabango, Leyte. (Thus, the Sangguniang Barangay, through Resolution No. 01, Series of 2022, issued a resolution confirming the removal of the barangay appointed officials and employees. A copy of the same is attached as **Annex "1"** to our Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte]).

Atty. Salas: By way of Manifestation, a copy of the said **Resolution No. 1, Series of 2022** is herein reproduced and attached as

Annex "1". Likewise, the same is listed as **Exhibit "1"** of the Respondent as per Preliminary Conference Order dated September 12, 2022.

8) Q: Were you able to appoint a new Barangay Treasurer, only if you were? (Unya naka-appoint ba mo ug Barangay Treasurer, kung naka-appoint lang mo?)

A: Oo, Attorney. Sa February 7, 2022, kami nga miyembro sa Sangguniang Barangay ni-uyon sa appointment ni Crislyn R. Lerio isip bago nga Barangay Treasurer pinaagi sa Resolution No. 03, Series of 2022, ang kopya naka-attach isip **Annex "2"** sa Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Yes, Attorney. On February 7, 2022, we the Sangguniang Barangay members concurred the appointment of Crislyn R. Lerio as the new Barangay Treasurer of Barangay Manlawan, Tabango, Leyte, thru Resolution No. 03, Series of 2022, a copy of which is attached as Annex "2" to our Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan, Tabango, Leyte].)

Atty. Salas: By way of Manifestation, a copy of the said **Resolution No. 3, Series of 2022** is herein reproduced and attached as **Annex "2"**. Likewise, the same is listed as **Exhibit "2"** of the Respondent as per Preliminary Conference Order dated September 12, 2022.

9) Q: What else do you have to say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A: Si Lydia Baronda wala na siya gi-illegally terminate, iya nang kaugalingon nga desisyon nga mounding ug trabaho isip Barangay Treasurer. (Lydia Baronda was not illegally terminated nor prevented to work, it was her personal decision to stop working as Barangay Treasurer.)

For Complainant Gilda M. Pepito

10) Q: How about Gilda M. Pepito, what do you have to say if any? (Sa kang Gilda M. Pepito, unsa man imong masulti, kung naa man gani?)

A: Bahin kang Gilda M. Pepito, kahuman sa among January 10, 2022 nga session, ni-ingon na siya nga dili na siya motrabaho isip Barangay

Secretary. Ug tinuod man, wala na siya ni-report sa trabaho kahuman adto. (Insofar as Complainant Gilda M. Pepito is concerned, after the January 10, 2022 barangay session, she intimated to us that she will no longer work as a barangay secretary. True enough, she no longer reported for work.)

11) Q: What happened after she longer reported for work, if any? (Unsa may nahitabo sa niingon siya nga ?)

A: Ang iyang pag undang sa trabaho naghimo ug bakante sa barangay, mao nga kinahanglan mi mag appoint ug bago nga secretary. Mao sab na ang us aka rason nganong napsaar ang Resolution No. 01, Series of 2022 nga naka-attach nga **Annex "1"** sa among Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Her refusal to go to work created a vacuum, thus, the need to appoint a new secretary. The same was likewise one of the reasons why Resolution No. 01, Series of 2022, **Annex "1"** to our Joint Affidavit of Witnesses of Rolly R. Lerio et. al., was passed by the Sangguniang Barangay.)

12) Q: What else do you want to say, if any? (Unsa pa man imong gusto isulti, kung naa pa man gani?)

A: Kung wala mi nagpasa sa maong Resolution No. 01, Series of 2022, dili mi maka appoint ug bago nga secretary (Without the said Resolution No. 01, Series of 2022, the barangay could not appoint a new secretary.)

13) Q: Were you able to appoint a new secretary, only if you did? (Naka-appoint ba mo ug bago nga secretary, kung naka-appoint lang mo?)

A: Oo, Attorney. Kadtong January 17, 2022, ang Sangguniang Barangay ni-uyon sa appointment ni Donna Jean A. Bacay isip bago nga Barangay Secretary sa Barangay Manlaw-an, Tabango, Leyte pinaagi sa Resolution No. 02, Series of 2022, ang kopya naka attach sa among Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte isip **Annex "3"**. (Yes, Attorney. On January 17, 2022, the Sangguniang Barangay concurred the appointment of Donna Jean A. Bacay as the new Barangay Secretary of Barangay Manlaw-an, Tabango, Leyte thru Resolution No. 02, Series of 2022, a copy of which is attached as **Annex "3"** our Joint Affidavit of Witnesses of Rolly R.

Lerio et. al. [Barangay Kagawads of Barangay Manlawanan, Tabango, Leyte].)

Atty. Saías: By way of Manifestation, a copy of the said **Resolution No. 3, Series of 2022** is herein reproduced and attached as **Annex “3”**. Likewise, the same is listed as **Exhibit “3”** of the Respondent as per Preliminary Conference Order dated September 12, 2022.

For Complainant Erit Aringoy

14) Q: How about Complainant, Erit Aringoy, what do you have to say, if any? (Sa kaso nga gipasaka ni Erit Aringoy, unsa man imong masulti, kung naa man gani?)

A: Bahin kang Erit Aringoy, wala siya gi-terminate, siya mismo ang ni-resign, Attorney. (Insofar as Complainant Erit Aringoy is concerned, she was not terminated but she voluntarily resigned.)

15) Q: What else can you say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A: Kadtong pag testigo niya niadtong August 31, 2022, siya mismo niingon nga wala siya nako mismo pa-resigna. (When she testified last August 31, 2022, she confirmed that I did not ask her to resign.)

16) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Ug sa testimonya pa ni Barangay Kagawad Geraldine Rose P. Morilla sa among Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawanan, Tabango, Leyte), ni-ingon siya nga naka-storya niya mismo si Erit Aringoy. Unya niingon si Erit Aringoy nga mo-resign nalang siya kay ang tag-iya sa yuta nga iyang gipuy-an ang incumbent man nga mayor ang suportahan ug giingnan sila sa tag-iya sa yuta nga ang incumbent ang suportahan. (As testified by Barangay Kagawad Geraldine Rose P. Morilla in the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawanan, Tabango, Leyte], she said that she able to talk personally with Erit Aringoy. Erit Aringoy told Kagawad Morilla that she will just resign since she will be supporting the incumbent mayoralty candidate for the 2022 election as the owner of the

lot where their house is erected is a supporter of the incumbent mayor and they were asked to support the same candidate.)

17) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na gi-terminate si Erit Aringoy. Iya nang kaugalingong desisyon ang mga moboluntary ug hawa. (Erit Aringoy was not terminated by Punong Barangay Morilla. She voluntarily resigned for reasons stated above.)

For Complainants Erlinda C. Quanem et. al.

18) Q: For Complainants Erlinda C. Quanem et. al., what do you have to say, if any? (Sa kihanti nga si Erlinda C. Quanem ug sa iyang mga kauban, unsa man imong masulti, kung naa man gani?)

A: Para sa kihanti nga sila Erlinda C. Quanem ug uban pa, wala gyud na sila gipugos ni Kapitan Morilla o sa konseho nga mo-resign. (Insofar as Complainants Erlinda C. Quanem et. al. are concerned, they were not pressured in any way by Punong Barangay nor of the barangay council to resign.)

19) Q: Please continue. (Sige padayon lang.)

A: Ilang kagustohan nga mounding ug trabaho kay gi-promisan sila ug ug pareho nga sweldo. Tungod kay daghan ug mga barangay workers nga nangundang ug trabaho, mao nga naghimo ang Sangguniang Barangay ug Resolution No. 01, Series of 2022. (It was their own volition to stop working for a promise of the same salary. Considering that many of the barangay workers stopped reporting for work, as stated above, the Sangguniang Barangay passed Resolution No. 01, Series of 2022.)

20) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Nakuratan man gani mi nga ni-apil sa kiha sila Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro nga nag trabaho pa man na sila sa barangay kutob June 2022. (It is even to our surprise that Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the

complaint when in fact they are still working in our barangay until June 2022.)

21) Q: Do you have proof of that, if any? (Naa ka bay pruwera ana, kung naa man gani?)

A: Ang kopya sa logbook/payrook kung diin magpakita nga ang maong mga tawhana nag trabaho pa sa barangay kay naka-attach nga **Annex "4 and series"** sa among Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawan-an, Tabango, Leyte). (A copy of the logbook/payroll wherein it would show that these people are still working in the barangay are attached as **Annex "4 and series"** to our Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan-an, Tabango, Leyte].)

Atty. Salas: By way of Manifestation, a copy of the logbook/payrool is herein reproduced and attached as **Annex "4 and series"**. Likewise, the same is listed as **Exhibit "4 and series"** of the Respondent as per Preliminary Conference Order dated September 12, 2022.

22) Q: What is, if any? (Unsa pa man, kung naa pa man gani?)

A: Ang usa gani ka kihanti nga si Juanita Epe, niingon sa iyang statement nga may petsa April 6, 2022 nga wala siya gi-terminate pero siya mismo ni-resign. Ang kopya sa maong statement naka attach nga **Annex "5"** sa among Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan-an, Tabango, Leyte] (One of the complainants, Juanita Epe, even made a statement dated April 6, 2022 that she was not terminated but she voluntarily resigned. A copy of the same is attached as **Annex "5"** to our Joint Affidavit of Witnesses of Rolly R. Lerio et. al. [Barangay Kagawads of Barangay Manlawan-an, Tabango, Leyte].)

Atty. Salas: By way of Manifestation, a copy of the statement of Juanita Epe dated April 6, 2022 is herein reproduced and attached as **Annex "5"**. Likewise, the same is listed as **Exhibit "5"** of the Respondent as per Preliminary Conference Order dated September 12, 2022.

Statements common to all Complainants

23) Q:What else do you have to say, if any? (Unsa pa man imong gusto isulti, kung naa pa man gani?)

A:Ang uban mga barangay workers sa Barangay Manlawan ni-execute pud ug ilang mga Affidavits nga ni-ingon nga ang mga kihanti wala gi-terminate pero sila mismo ang nihawa o ni-undang ug trabaho. Kung tinuod pa nga nag mass termination si Kapitan Morilla, ang uban barangay workers nga testigo namo aning kasoha, terminated na pud unta. (The other barangay workers of Barangay Manlawan have executed their respective affidavits corroborating the fact that the complainants were not terminated but voluntarily resigned or stopped reporting to work. If what Complainants are claiming is true, that there was mass termination, then the other barangay workers would also have been terminated.)

24) Q:Please continue. (Sige padayon lang.)

A:Ang mga kihanti mismo ang niundang ug trabaho, ug valid na ground para sila tanggalon. Kinahanglan man naay vacancy para maka appoint ang kapitan ug mga bago nga mopuli, mao nga napasara ang **Resolution No. 01, Series of 2022**. Kay kung wala mi mopasar ana nga Resolution, dili makalihok ang barangay. (It was the complainants in this case who refused to report to work, and that is a valid cause or ground for their removal. There is a need to establish a vacancy in order Punong Barangay to be able to appoint new appointees, thus, **Resolution No. 01, Series of 2022** was passed. Otherwise, the function of the barangay would be greatly hampered and impeded.)

25) Q:Please continue. (Sige padayon lang.)

A:Ang maong mga Resolutions nga gi-issue sa Sangguniang Barangay kay gi-issue sa among official capacity, so kini regular ug valid. Tungod kay gi-issue to namo sa among official capacity, dapat tagaan to ug kabug-aton nianing Sangguniang Bayan. (The subject Resolutions were issued by the Sangguniang Barangay in its official capacity, which for all intents and purposes, are presumed valid and regular. The resolutions enjoys the presumption of regularity,

which should be upheld by this Honorable Sanggunian Bayan.)

Atty. Salas: By way of Manifestation, undersigned counsel cites Section 389 (b) (5) of RA No. 7160 or the Local Government Code of 1991 which states that:

SECTION 389. Chief Executive: Powers, Duties, and Functions. – (a) The punong barangay, as the chief executive of the barangay government, shall exercise such powers an

(b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, the punong barangay shall:

(5) Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials; (Underscoring and emphasis supplied.)

26) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na sa pagka karon, Attorney, labot lang kung pangutan-on pa ko. (None for now, Attorney, unless otherwise required.)

5. Naghimo mi niining "Judicial Counter Affidavit" aron sa pagmatuod sa mga nahi-asoy, kini isumiter sa hukmanan ug gamiton unya isip among pagtestigo ni-ining kasoha. (We have executed this "Judicial Affidavit" to attest to the truth of the foregoing, the same to be submitted in lieu of our direct testimony in the instant case.)


IN WITNESS WHEREOF, we have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.



ROLLY R. LERIO

Affiant

National ID No. 4908-4298-0756-2035



WILFREDO L. CALESA

Affiant

BIR TIN 219-952-702-00000

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; affiants exhibited to me their respective proof of identification indicated below their respective names.

Doc. No. 98 ;
Page No. 10 ;
Book No. X ;
Series of **2022**.

ALEXANDER G. SALAS, JR.

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2023
Commission No. ORM-22-07-007
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 65086
PTR No. 7053400
Ormoc City, January 3, 2022
IBP O.R. No. 183020, 1/3/2022
MCLE Compliance No. VII-0017823
Valid until April 14, 2025
TIN 263-562-019

SWORN ATTESTATION

I, **ALEXANDER G. SALAS, JR.**, of legal age, single, a Filipino citizen, and with office address at **Escalon & Escalon Law Office**, Corner Real and Aviles Sts., Ormoc City, Leyte, Philippines, after having been duly sworn to in accordance with law, hereby depose and state, THAT:

1. I faithfully recorded the questions I asked of and the corresponding answers that the witness gave;
2. Neither I nor any other person then present or assisting him coached the witness regarding the latter's answers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.

ALEXANDER G. SALAS, JR.

Affiant

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; I hereby certify that the affiant is personally known to me.

EMMANUEL K. SALOMON

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2022
Commission No. ORM-21-03-005
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 75860
PTR No. 7053406
Ormoc City, January 3, 2022
IBP O.R. No. 195015, 1/3/2022
MCLE Compliance No. VII-0018528
Valid until April 14, 2025
TIN 943-252-512

Doc. No. 310 ;
Page No. 60 ;
Book No. II ;
Series of **2022**.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,**
Respondent.

X-----X

**JOINT JUDICIAL AFFIDAVIT OF
WITNESSES OF BARANGAY WORKERS
(ROWENA C. JORDAN, GENELYN M. ARPON and
JENEVIE S. COMPUESTO)**

KAMI, ROWENA C. JORDAN (minyo) ug **GENELYN M. ARPON** (dalaga) ug **JENEVIE S. COMPUESTO** (dalaga), human manumpa subay sa balaod, mosaysay ug mosulti NGA: (WE, ROWENA C. JORDAN (married) and GENELYN M. ARPON (single) and JENEVIE S. COMPUESTO (single), after having duly sworn to in accordance with law, do hereby depose and state THAT:)

1. **KAMI** pareho nga Filipino hingkod ang panu-igon, nagpuyo ug mga Barangay Workers sa Brgy. Manlawa-an, Tabango, Leyte Philippines; (WE all both Filipino citizens, of legal age, resident and at the same time Barangay Workers of Brgy. Manlawa-an, Tabango, Leyte, Philippines;)

2. Ang pag-imbestigar kanako mahitungod sa paghimo niining Judicial Affidavit gipahigayon ubos sa pagdumala ni **Atty. Alexander G. Salas, Jr.** sa **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines; (My examination in connection with the execution of this Judicial Affidavit was conducted and taken under the supervision of **Atty. Alexander G. Salas, Jr.**, at the **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines;)

3. Gitubag nako sa tinud-anay ang mga gipangutana kanako, ubos sa akong pagpanumpa sa balaod, ug nga mahimo nga mag-atubang ako ug kaso criminal sa akong pagpamakak or sa pagsulti ug dili tinuod; (I have honestly answered the questions propounded to me, fully conscious that I do so under oath, and that I may face criminal liability for false testimony or perjury;)

4. Ang mga pangutana ug ang akong mga tubag niini mao kining mosunod: (The questions asked of me and my corresponding answers are as follows:)

The purposes of the testimony of the witnesses is being offered to prove the following:

1. To prove that there was no mass termination done by the Respondent, Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that there was no mass termination, otherwise, these barangay workers would have already been also terminated.
4. To testify on other relevant matters and to testify on other relevant documents.

1) Q: Why are you here in our office? (Nganong di-a kaman sa among opisina?)

A: Aron maghimo ni-ining among Joint Judicial Affidavit, Attorney. Ug para motestigo para kang Kapitan Morilla, Attorney. (To execute our Joint Judicial Affidavit, Attorney, and to testify for Punong Barangay Morilla, Attorney.)

2) Q: What do you have to say, if any? (Unsa man imong

masulti, kung naa man gani?)

A: Nagsuugod mi trabaho isip Barangay Workers sa Barangay Manlawa-an, Tabango, Leyte, sugod pa adtong tuig 2013 hasta karon, Attorney. (We have started working and have been working as Barangay Workers in Brgy. Manlawa-an, Tabango from the year 2013 until the present.)

3) Q: Please continue. (Sige padayon lang.)

A: Dili na tinuod nga gi-terminate sila sa trabaho sa among kapitan. Ni-undang sila ug trabaho kay ingon sila magdaswat sila ug honorarium pud pareha sa ilang honorarium sa barangay gikan sa Mayor. (It is not true that other workers stopped working for the barangay because they were terminated by our barangay captain. They stopped working out of their own volition because according to them they will be receiving an honorarium, of the same amount as the honorarium they are receiving from the barangay, from the Municipal Mayor.)

4) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Ang mga barangay workers niundang ug trabaho bisan wala ni-file ug resignation or pasabot naman lang sa sa barangay o kang kapitan. (The barangay workers stopped working for the barangay without filing the proper resignation or notice to the barangay and barangay captain.)

5) Q: What else happened, if any? (Unsa pa man ang sunod nahitabo, kung naa pa man gani?)

A: Kami (Genelyn M. Arpon ug Jenevie S. Compuesto) gi-offeran pud ug parihong binuwan nga honorarium sa among mga kauban nga nangundang kadtong mga hinapos sa 2021. Pero nibalibad mi ug nagpabadyon ug trabaho sa barangay hasta karon. (We (Genelyn M. Arpon and Jenevie S. Compuesto) were offered a monthly honorarium by our fellow barangay workers if they would stop working in the barangay, sometime late in 2021. But we refused such offer and continued working for the barangay until the present.)

6) Q: What else do you want to say, if any? (Unsa man imong gusto isulti, kung naa pa man gani?)

A: Gikan February karong tuiga sa 2022 hangtod mga Agosto, wala mi kadawat ug honorarium tungod kay ang fidelity bond wala pirmahi sa treasurer ug sa mayor. (From February of this year 2022 until around August we have not been able to receive our honorarium because the fidelity bond of our barangay treasurer was not signed by the Municipal Treasurer/Municipal Mayor.)

7) Q: How about the Barangay Secretary and Barangay Treasurer, as far as you know, were they also terminated by Punong Barangay Morilla, only if you know? (Ang mga Barangay Secretary ug Barangay Treasurer, base sa inyong nahibaw-an, gi-terminate pud ba sila ni Kapitan Morilla, kung kabalo lang mo?)

A: Mao gihapon, ang barangay secretary ug barangay treasurer niundang sa ilang kaugalingon nga kabubut-on karon lang tuiga, sa susama gihapon nga rason. (Likewise, the barangay secretary and the barangay treasurer stopped working on their own volition sometime this year for the same reason.)

8) Q: What else do you have to say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A: Walay kamatu-oran nga ang mga nag trabaho sa barangay, Barangay Health Workers, Barangay Secretary ug Barangay Treasurer kay gi-terminate ni Kapitan Morilla, wala sab abusoha ni Kapitan Morilla ang iyang awtoridad, sila mismo ang ni-undang ug trabaho. (That there is no truth that other barangay workers, including the Barangay Health Workers, the Barangay Secretary, and the Barangay Treasurer were illegally terminated by Punong Barangay Morilla, nor Punong Barangay Morilla abused his authority nor oppressed them. It was them who refused to report to work.)

9) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na sa pagka karon, Attorney, labot lang kung pangutan-on pa ko. (None for now, Attorney, unless otherwise required.)

5. Naghimo mi niining "Judicial Affidavit" aron sa pagmatuod sa mga nahi-asoy, kini isumiter sa hukmanan ug gamiton unya isip among pagtestigo ni-ining kasoha. (We

have executed this "Judicial Affidavit" to attest to the truth of the foregoing, the same to be submitted in lieu of our direct testimony in the instant case.)

IN WITNESS WHEREOF, we have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.

R Jordan
ROWENA C. JORDAN
Affiant
Voter's Identification No.
3745-0049A-J2080RCJ20000

Genelyn M. Arpon
GENELYN M. ARPON
Affiant
National ID No. 5396-3249-2146-9571

Jenevie S. Compuesto
JENEVIE S. COMPUESTO
National ID No. 2413-8749-3614-2568

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; affiants exhibited to me their respective proof of identification indicated below their respective names.

Doc. No. 100 ;
Page No. 10 ;
Book No. X ;
Series of 2022.

ALEXANDER G. SALAS, JR.

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2023
Commission No. ORM-22-07-007
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 65086
PTR No. 7053400
Ormoc City, January 3, 2022
IBP O.R. No. 183020, 1/3/2022
MCLE Compliance No. VII-0017823
Valid until April 14, 2025
TIN 263-562-019

SWORN ATTESTATION

I, **ALEXANDER G. SALAS, JR.**, of legal age, single, a Filipino citizen, and with office address at **Escalon & Escalon Law Office**, Corner Real and Aviles Sts., Ormoc City, Leyte, Philippines, after having been duly sworn to in accordance with law, hereby depose and state, THAT:

1. I faithfully recorded the questions I asked of and the corresponding answers that the witness gave;

2. Neither I nor any other person then present or assisting him coached the witness regarding the latter's answers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.

ALEXANDER G. SALAS, JR.
Affiant

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; I hereby certify that the affiant is personally known to me.

EMMANUEL K. SALOMON

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2022
Commission No. ORM-21-03-005
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 75860
PTR No. 7053406
Ormoc City, January 3, 2022
IBP O.R. No. 195015, 1/3/2022
MCLE Compliance No. VII-0018528
Valid until April 14, 2025
TIN 943-252-512

Doc. No. 312 ;
Page No. 61 ;
Book No. II ;
Series of **2022**.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

**JOINT JUDICIAL AFFIDAVIT OF WITNESSES
OF BARANGAY TANODS
(HOSPICIO D. ROSA AND ARTEMIO M. COMPUESTO)**

KAMI, HOSPICIO D. ROSA (minyo) ug **ARTEMIO M. COMPUESTO** (minyo), human manumpa subay sa balaod, mosaysay ug mosulti NGA: (WE, **JAIME C. SALUDAGA** (married) and **ARTEMIO M. COMPUESTO** (married), after having duly sworn to in accordance with law, do hereby depose and state THAT:)

1. KAMI pareho nga Filipino, hingkod ang panu-igon, nagpuyo ug mga Barangay Tanods sa Brgy. Manlawa-an, Tabango, Leyte Philippines; (WE are both Filipino citizens, married,

of legal age, resident and at the same time the Barangay Tanods of Brgy. Manlawa-an, Tabango, Leyte, Philippines;)

2. Ang pag-imbestigar kanako mahitungod sa paghimo niining Judicial Affidavit gipahigayon ubos sa pagdumala ni **Atty. Alexander G. Salas, Jr. sa Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines; (My examination in connection with the execution of this Judicial Affidavit was conducted and taken under the supervision of **Atty. Alexander G. Salas, Jr.**, at the **Escalon & Escalon Law Office**, corner Real and Aviles Sts., Ormoc City, Leyte, Philippines;)

3. Gitubag nako sa tinud-anay ang mga gipangutana kanako, ubos sa akong pagpanumpa sa balaod, ug nga mahimo nga mag-atubang ako ug kaso criminal sa akong pagpamakak or sa pagsulti ug dili tinuod; (I have honestly answered the questions propounded to me, fully conscious that I do so under oath, and that I may face criminal liability for false testimony or perjury;)

4. Ang mga pangutana ug ang akong mga tubag niini mao kining mosunod: (The questions asked of me and my corresponding answers are as follows:)

The purposes of the testimony of the witnesses is being offered to prove the following:

1. To prove that there was no mass termination done by the Respondent, Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that there was no mass termination, otherwise, these barangay workers would have already been also terminated.
4. To testify on other relevant matters and to testify on other relevant documents.

1) Q: Why are you here in our office? (Nganong di-a kaman sa among opisina?)

A: Aron maghimo ni-ining among Joint Judicial Affidavit, Attorney. Ug para motestigo para kang Kapitan Morilla, Attorney. (To execute our Joint Judicial Affidavit, Attorney, and to testify for Punong Barangay Morilla, Attorney.)

2) Q: What do you have to say, if any? (Unsa man imong masulti, kung naa man gani?)

A: Nagsuugod mi trabaho isip Barangay Tanods sa Barangay Manlawa-an, Tabango, Leyte, sugod pa

adtong tuig 2013 hasta karon, Attorney. (We started working as Barangay Tanods in Brgy. Manlaw-an, Tabango from the year 2013.)

3) Q: Please continue. (Sige padayon lang.)

A: Sa ni-aging tuig, ang uban nga mga barangay tanods ug workers, apil na ang mga health workers, ni-undang ug trabaho sa ilang kaugalingon nga kagustohan kay inogn sila nga makadawat sila ug pareho nga "honorarium" ug usa ka sako nga bugas gikan sa Mayor. (Sometime last year, some barangay tanods and workers, including barangay health workers, stopped working on their own volition from the barangay because they said they will be receiving an 'honorarium', of the same amount as our barangay honorarium, and a sack of rice from the Mayor.)

4) Q: What happened next, if any? (Unsa may sunod nahitabo, kung naa man gani?)

A: Mga buwan to sa December 2021, sila Milma Ma. Condes, Maria M. Delantar, Erminigilda Dacalos, Erlinda C. Quanem, Merlita C. Condes, ug ang uban barangay workers giingna mi nga mangundang mi ug trabaho sa barangay kay makadawat man lagi mi ug pareho nga "honorarium" ug usa ka sako nga bugas gikan sa Mayor. (That sometime in December 2021, Milma Ma. Condes, Maria M. Delantar, Erminigilda Dacalos, Erlinda C. Quanem, Merlita C. Condes, and other barangay workers, told us that should we stop working in the barangay, we will be receiving an honorarium equivalent to our barangay honorarium and a sack of rice from the Mayor every month.)

5) Q: Please continue. (Sige padayon lang.)

A: Ang barangay secretary ug barangay treasurer niundang ug trabaho karong tuiga sa ila pud kaugalingon nga kagustohan ug sa samang rason. (The barangay secretary and the barangay treasurer stopped working on their own volition sometime this year for the same reason.)

6) Q: How about the both of you and the other barangay tanods, did you also stop working, only if you did? (Kamo nga mga barangay tanods, ni-undang ba pud mo ug trabaho, kung ni-undang lang ba pud mo?)

A: Wala mi nisunod sa ilang gi-ingon, ug kami nipadayon ug trabaho sa barangay isip mga barangay tanod. (We refused to follow their suggestion and continued working in the barangay as barangay tanods.)

7) Q: What else do you have to say, if any? (Unsa pa man imong masulti, kung naa pa man gani?)

A: Walay kamatu-oran nga ang mga nag trabaho sa barangay, Barangay Health Workers, Barangay Secretary ug Barangay Treasurer kay gi-terminate ni Kapitan Morilla, wala sab abusoha ni Kapitan Morilla ang iyang awtoridad, sila mismo ang ni-undang ug trabaho. (That there is no truth that other barangay workers, including the Barangay Health Workers, the Barangay Secretary, and the Barangay Treasurer were illegally terminated by Punong Barangay Morilla, nor Punong Barangay Morilla abused his authority nor oppressed them. It was them who refused to report to work.)

8) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Kami nagdawat ug honorarium nga P850 ang buwan, pero sugod adtong February 2022 hangtod August 2022, wala mi kadawat ug honorarium kay ang fidelity bond sa barangay wala pirmahi sa treasurer ug sa mayor. (We have been receiving an honorarium of P850 every month, but from February 2022 until August 2022 we have not been able to receive our honorarium since the fidelity bond of the barangay treasurer has not been signed by the Municipal Treasurer/Municipal Mayor.)

9) Q: What else, if any? (Unsa pa man, kung naa pa man gani?)

A: Wala na sa pagka karon, Attorney, labot lang kung pangutan-on pa ko. (None for now, Attorney, unless otherwise required.)

5. Naghimo mi niining "Judicial Affidavit" aron sa pagmatuod sa mga nahi-asoy, kini isumiter sa hukmanan ug gamiton unya isip among pagtestigo ni-ining kasoha. (We have executed this "Judicial Affidavit" to attest to the truth of the foregoing, the same to be submitted in lieu of our direct testimony in the instant case.)

IN WITNESS WHEREOF, we have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.


HOSPICIO D. ROSA
Affiant
Tax Identification No.
603-085-887-00000


ARTEMO M. COMPUESTO
Affiant
Voters Identification No.
37450045CK2566AMC100000-4

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; affiants exhibited to me their respective proof of identification indicated below their respective names.

Doc. No. 99 ;
Page No. 20 ;
Book No. X ;
Series of **2022**.

ALEXANDER G. SALAS, JR.

Notary Public
Ormoc City, Kananga, Matag-ob
Merida and Isabel, Leyte
Until December 31, 2023
Commission No. ORM-22-07-007
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 65086
PTR No. 7053400
Ormoc City, January 3, 2022
IBP O.R. No. 183020, 1/3/2022
MCLE Compliance No. VII-0017823
Valid until April 14, 2025
TIN 263-562-019

SWORN ATTESTATION

I, **ALEXANDER G. SALAS, JR.**, of legal age, single, a Filipino citizen, and with office address at **Escalon & Escalon Law Office**, Corner Real and Aviles Sts., Ormoc City, Leyte, Philippines, after having been duly sworn to in accordance with law, hereby depose and state, THAT:

1. I faithfully recorded the questions I asked of and the corresponding answers that the witness gave;

2. Neither I nor any other person then present or assisting him coached the witness regarding the latter's answers.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 7th day of October, 2022 in Ormoc City, Leyte, Philippines.

ALEXANDER G. SALAS, JR.
Affiant

SUBSCRIBED AND SWORN TO before me this 7th day of October, 2022 in Ormoc City, Leyte, Philippines; I hereby certify that the affiant is personally known to me.


EMMANUEL K. SALOMON

Notary Public
Ormoc City, Kananga, Matag-ob
Merina and Isabel, Leyte
Until December 31, 2022
Commission No. ORM-21-03-005
Real cor. Aviles Sts., Ormoc City
Attorney's Roll No. 75860
PTR No. 7053406
Ormoc City, January 3, 2022
IBP O.R. No. 195015, 1/3/2022
MCLE Compliance No. VII-0018528
Valid until April 14, 2025
TIN 943-252-512

Doc. No. 811 ;
Page No. 61 ;
Book No. II ;
Series of 2022.

Republic of the Philippines
Province of Leyte
Municipality of Tabaco
Barangay Manlawaan

OFFICE OF THE SANGGUNIANG BARANGAY

to Go

Resolution No. 01
Series of 2022

A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE BARANGAY MANLAWAAN, TABANGO, LEYTE

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 389, Paragraph (b) (5) states that the Punong Barangay, as the Chief Executive of the barangay government, shall appoint or replace the Secretary upon approval by a majority of all the members of the Sangguniang Barangay.

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 394, Paragraph (a) states that the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members.

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 395, Paragraph (a) states that the Barangay Treasurer shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members.

NOW THEREFORE On motion of Kagawad ROLLY LERIO with the unanimous accord of the members of the Sangguniang Barangay present:

BE IT RESOLVED, AS IT IS HEREBY RESOLVED confirming the removal of all the Barangay Appointed Officials and Employee Barangay Manlawaan, Tabango, Leyte

UNANIMOUSLY APPROVED adopted on January 17, 2022 at Barangay Manlawaan.

Certified Correct:

GERALDINE ROSE MORILLA
In-charge as Secretary

Conforme

ROLLY LERIO
Sangguniang Barangay Member

MONSOHITO BACAY
Sangguniang Barangay Member

TEOTIMO JORDAN
Sangguniang Barangay Member

ERNESTO CAPUYAN
Sangguniang Barangay Member

WILFREDO CALESA
Sangguniang Barangay Member

GERALDINE ROSE MORILLA
Sangguniang Barangay Member

ANTONIO PEPTO SR.
Sangguniang Barangay Member

AIDA NUÑEZ
SK Chairperson

Approved:

ALBERT C. MORILLA

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGUNIANG BARANGAY OF BARANGAY MANLAWAAN, TABANGO, LEYTE HELD ON FEBRUARY 07, 2022 AT THE BARANGAY SESSION HALL:

PRESENT:

HON. ALBERT C. MORILLA	Punong Barangay
HON. ROLLY LERIO	Brgy. Kagawad
HON. TEOTIMO JORDAN	Brgy. Kagawad
HON. WILFREDO CALESA	Brgy. Kagawad
HON. MONSOHITO BACAY	Brgy. Kagawad
HON. ERNESTO CAPUYAN	Brgy. Kagawad
HON. GERALDINE ROSE MORILLA	Brgy. Kagawad
Ms. DONNA JEAN A. BACAY	Brgy. Secretary
HON. ANTONIO PEPITO SR.	Brgy. Kagawad
HON. AIDA NUNEZ	SK Chairperson

[Handwritten signature and date: Feb 8 2022]

-oOo-

**Resolution No. 03
Series of 2022**

A RESOLUTION CONCURING THE APPOINTMENT OF CRISLYN R. LERIO AS BARANGAY TREASURER OF BARANGAY MANLAWAAN, TABANGO, LEYTE

WHEREAS, LYDIA BARONDA was terminated as Barangay Treasurer effective January 28, 2022

WHEREAS, such termination created a vacancy in the position of Barangay Treasurer:

WHEREAS, in the exigency of public service, CRISLYN R. LERIO was appointed as Barangay Treasurer effective February 07, 2022

WHEREAS, CRISLYN R. LERIO meets all the qualifications required as Barangay Treasurer pursuant to Section 395 of the Local Government Code of 1991;

WHEREAS, it is the function of the Sangguniang Barangay to concur the appointment of CRISLYN LERIO as Barangay Treasurer;

NOW THEREFORE, on motion of Kagawad Wilfredo Calesa and duly seconded by Kagawad Teotimo Jordan;

BE IT RESOLVED, AS IT IS RESOLVED BY THE SANGGUNIANG BARANGAY OF BARANGAY MANLAWAAN, TABANGO, LEYTE, by virtue of the powers vested in it by law, do hereby concur the appointment of CRISLYN LERIO as Barangay Treasurer effective February 07, 2022

RESOLVED FINALLY, that a copy of this resolution be furnished to the office of the Municipal Local Government Operations Office, Department of Interior and Local Government and to all offices concerned for information and appropriate action.

ADOPTED this February 07, 2022 at Barangay Manlawaan, Tabango, Leyte.

Certified true and correct:


[Handwritten signature: Donna Jean A. Bacay]
DONNA JEAN A. BACAY
Brgy. Secretary


MONSCHITO BACAY
Barangay Kagawad


ERNESTO CAPUYAN
Barangay Kagawad


GERALDINE ROSE MORILLA
Barangay Kagawad

AIDA NUÑEZ
SK Chairperson

Approved: 
ALBERT C. MORILLA
Punong Barangay

-oOo-

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGUNIANG BARANGAY OF BARANGAY MANLAWAAN, TABANGO, LEYTE HELD ON JANUARY 17, 2022 AT THE BARANGAY SESSION HALL:

PRESENT:

HON. ALBERT C. MORILLA	Punong Barangay
HON. ROLLY LERIO	Brgy. Kagawad
HON. TECTIMO JORDAN	Brgy. Kagawad
HON. WILFREDO CALESA	Brgy. Kagawad
HON. MONSOHITO BACAY	Brgy. Kagawad
HON. ERNESTO CAPUYAN	Brgy. Kagawad
HON. GERALDINE ROSE MORILLA	Brgy. Kagawad

-oOo-

Resolution No. 02
Series of 2022

[Handwritten signature]
3-17-22

A RESOLUTION CONCURING THE APPOINTMENT OF DONNA JEAN A. BACAY AS BARANGAY SECRETARY OF BARANGAY MANLAWAAN, TABANGO, LEYTE

WHEREAS, pursuant to Section 394 of R.A. 7160, the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the Sangguniang Barangay;

WHEREAS, the Barangay Secretary GILDA PEPTO is found by the barangay council as incapable to carry on her duties as such an inevitably impeding the normal flow of work and restraining giving off services to the Barangay;

WHEREAS, MS. DONNA JEAN A. BACAY is appointed by the Punong Barangay ALBERT MORILLA as the Barangay Secretary subject for the concurrence of this body;

WHEREAS, DONNA JEAN A. BACAY possesses all the qualifications and none of the disqualifications to the possession as the new Barangay Secretary of this Barangay;

NOW THEREFORE, on motion of Kagawad ERNESTO CAPUYAN and duly seconded by Kagawad ROLLY LERIO;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the above appointed Barangay Secretary of Barangay Manlawaan is hereby CONCURED

RESOLVED FINALLY, that a copy of this resolution be furnished to the office of the Municipal Local Government Operations Office, Department of Interior and Local Government and to all offices concerned for information and appropriate action.

ADOPTED this January 17, 2022 at Barangay Manlawaan, Tabango, Leyte

Certified true and correct:

[Handwritten signature]
GERALDINE ROSE MORILLA
In-charge as Secretary


ROLLY LERIO

Barangay Kagawad


TEOTIMO JORDAN

Barangay Kagawad


WILFREDO GALESA

Barangay Kagawad

ANTONIO PEPITO SR.

Barangay Kagawad


MONSOHITO BACAY

Barangay Kagawad


ERNESTO CARUYAN

Barangay Kagawad


GERALDINE ROSE MORILLA

Barangay Kagawad

AIDANUÑEZ

SK Chairperson

Approved:


ALBERT C. MORILLA

Punong Barangay

ANNEX: 41 CONT

No	Name	Position	Signature
10-11	Luisa e. B. T.	BKID	[Signature]
11-11	Eda Ballena	DIW	[Signature]
12-11	Rosalinda Halibula		
13-11	EPI		
14-11	Ballena Eda	DIW	[Signature]
15-11	Balicho MYRNA	BHW	[Signature]
16-11	Halibula Rosalinda	BHW	[Signature]
17-11	Alina O. Corton	BHW	[Signature]
18-11	Luisa S. Venet	BHW	[Signature]
19-11	Josephine O. Epe	BHW	[Signature]
20-11	MYRNA B. BALLENO	BHW/BKS	[Signature]
21-11	Eda S. BALLENO	DIW	[Signature]
22-11	MYRNA B. BALLENO	BHW/BKS	[Signature]
23-11	Alina S. Salondro	BHW	[Signature]
24-11	Eda BALLENO	BHW	[Signature]
25-11	MYRNA BALLENO	BHW/BKS	[Signature]
26-11	AOLYN SALONDRO	BHW	[Signature]
27-11	Renilda M. [unclear]	BHW	[Signature]
28-11	[unclear]	DIW	[Signature]

Date	Name	Position	Signature
3-17-22	MARK P. BARNES ✓ KATHLEEN WALKER ✓	BUS (PH) BHW	[Signature]
3-21-22	MARK P. BARNES KATHLEEN WALKER	BUS (PH) BHW	[Signature]
3-28-22	Luciano C. Cortes Josephine A. Ege	BHW BHW	[Signature]
4-4-22	Allyson Dalat Josephine A. Ege Suzanne C. Salim	BHW BHW BHW	[Signature]
4-18-22	Michelle M. Alyson Allyson D. Cortes Josephine A. Ege	BHW BHW BHW	[Signature]
4-19-22	MARK P. BARNES ✓ Allyson D. Cortes Josephine A. Ege	BHW BHW BHW	[Signature]

ANNEX: 4-B

Date	Name of	Position	Signature
29-2-2022	1. Lucrecia Jalat	BHW	Jal
	2. Josephine A. Epe	BHW	Jal
	3. Alicia O. Corton	BHW	Jal
2-20-2022	1. Lucrecia C. Jalat	BHW	Jal
	2. Alicia O. Corton	BHW	Jal
	Josephine A. Epe	BHW	Jal
	Reneida M. Abaya	BHW	Jal
10-2-02	1. Josephine Epe	BHW	Jal
	2. Alicia Corton	BHW	Jal
	3. Lucrecia C. Jalat	BHW	Jal
	4. Reneida M. Abaya	BHW	Jal
2-2-2022	1. Reneida M. Abaya	BHW	Jal
	2. Alicia O. Corton	BHW	Jal
	3. Josephine A. Epe	BHW	Jal
	4. Lucrecia C. Jalat	BHW	Jal
30-2-22	1. Lucrecia C. Jalat	BHW	Jal
	Josephine A. Epe	BHW	Jal
3-2-2022	1. Lucrecia C. Jalat	BHW	Jal
	2. Josephine A. Epe	BHW	Jal
	3. Alicia O. Corton	BHW	Jal
	4. Reneida M. Abaya	BHW	Jal
6-2-2022	1. Lucrecia C. Jalat	BHW	Jal
	2. Reneida M. Abaya	BHW	Jal

ANNEX: 4c

Marlawaan
er : Lydia R. Baronda

Period Covered : January 2022
City / Municipality : Tabango
Province : Leyte

Payroll : _____

Name	Monthly Incentive Position	Compensation								Net amount Due	Signature of Recipient	
		Salaries & Wages	Incentive & Allowance	Honoraria	Other Benefits	Total	BIR w/ Holding Tax	Differential for the Month of	Total			
DRILLA JO	Brgy. Chairman	11,500.00								11,500.00	1. AW	
JORDAN	Brgy. Councilor	10,000.00								10,000.00	2. [Signature]	
CALESA		10,000.00								10,000.00	3. [Signature]	
PEPITO SR.		10,000.00								10,000.00	4. [Signature]	
D. BACAY		10,000.00								10,000.00	5. [Signature]	
CAPUYAN		10,000.00								10,000.00	6. [Signature]	
JOSE P. MORILLA		10,000.00								10,000.00	7. [Signature]	
PEPITO	Brgy. Secretary	10,000.00								10,000.00	8. [Signature]	
ONDA	Brgy. Treasurer	10,000.00								10,000.00	9. [Signature]	
IEZ	Brgy. St. Chairman	10,000.00								10,000.00	10. [Signature]	
REGIR	Brgy. Record Keeper	7,000.00								7,000.00	11. [Signature]	
ORDAN	DCW	2,550.00								2,550.00	12. [Signature]	
ALLENO	DNS	1,200.00								1,200.00	13. [Signature]	
	BHW	800.00								800.00	14. [Signature]	
NDRO	BHW	800.00								800.00	15. [Signature]	
IALIK HIK	BHW	800.00								800.00	16. [Signature]	
	BHW	800.00								800.00	17. [Signature]	
SA	CHIEF TANOD	1,000.00								1,000.00	18. [Signature]	
TAGA	TANOD	850.00								850.00	19. [Signature]	
O		850.00								850.00	20. [Signature]	
O-AS		850.00								850.00	21. [Signature]	
		Php 107,000.00								Php 107,000.00		

ability of
In the amount of
ONE HUNDRED SEVENTY-NINE THOUSAND ONLY (91,100)
L. CALESA
Appropriations

I, Certified as to validity, propriety and legality of
Debit and Credit
Signature: [Signature]
Printed Name: ALBERTO G. ALBERTO
Position: Punong Barangay
Date: _____

I, Certified that such entries / envelope
Approved as correct and all has been paid
Signature: [Signature]
Printed Name: L. CALESA
Position: Barangay Treasurer
Date: _____

Account Code	Debit	Credit	Prepared by:	Date
			CLARENCE M. MORILLA Barangay Treasurer	
			Approved by: L. CALESA City / Municipality Accountant	


ANNEX: 5

APRIL 6, 2022

Ako si JUANITA EPE usa ka Barangay Worker sa Manlawaan ako voluntaryo nga ni-undang sa pagtarbaho sa Barangay niadtong bulan sa Septembre 2021 og wala ako tang-tanga sa Kapitan og sa mga konsehal.

Aron sapagmatood sa naasoy sa ibabaw ako kining permihan niing adlaw Mirkules April 6, 2022 uban sa akong bana og testigos.


JUANITA EPE
Brgy. Worker


SERGIO EPE
Bana

Testigos:


ROLLY LERIO
Barangay Kagawad


TEOTIMO JORDAN
Barangay Kagawad


WILFREDO CALESA
Barangay Kagawad


ERNESTO CAPUYAN
Barangay Kagawad


CRISLYN LERIO
Brgy. Treasurer

Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C QUANEM,
ET. AL.,
Barangay Manlawa-an, Tabango, Leyte
Complainants,**

**ADMIN CASE No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression, Possible
Violation of the
Omnibus Election Code**

- versus -

**HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawa-an, Tabango, Leyte,
Respondent.**

RECEIVED
SIB Sec. Appl.
04 OCT 2022
4:40 P.M. J

X-----X

FORMAL WRITTEN OFFER OF EVIDENCE

COMES NOW the Complainants, through the undersigned counsel, respectfully offer the following evidence:

1. **Exhibit "A"** is Resolution No. 19 (A Resolution Confirming the Removal of All Barangay Appointed Officials and Employees of Barangay Manlawaan, Tabango, Leyte)

Purpose: To prove –

- a) That Respondent Hon. Albert C. Morilla passed said Resolution No. 19 and thereby terminated all of the complainants on December 04, 2021.
2. **Exhibit "B"** is the Certification of Police Blotter with Entry No. 2000 dated 9 April 2022

Purpose: To prove –

- a) The fact that Juanita D. Epe and her husband went to the Brgy. Hall of Brgy. Manlawa-an, Tabango, Leyte on April 6, 2022 upon the request of Respondent Hon. Albert C. Morilla;
- b) It is offered to establish the fact that they were held for almost four hours and later were forced to sign a blank paper.

3. **Exhibit "C"** is the Certification of Police Blotter with Entry No. 2022 dated 16 July 2022

Purpose: *To prove –*


- a) The fact that Teotimo Jorda a Brgy. Councilor of Brgy. Manlawaan, Tabango, Leyte threatened complainant Juanita D. Epe to forego and not attend the hearing scheduled for this case.

WHEREFORE, the foregoing evidences are respectfully submitted to this Honorable Court for its kind consideration.

San Isidro, Leyte for Tabango, Leyte, Philippines, October 4, 2022.

LABTIC LAW OFFICE
Counsel for the Complainants

By:


JOLLEANNE CLAIRE E. PERINO
Counsel for the Complainants
Quezon St., San Isidro, Leyte
Roll No. 76783
PTR No. 7125606 -21 June 2022
IBP OR No. 231154 -13 June 2022
Admitted to the Bar -05 May 2022

THE RECEIVING CLERK OF OFFICE
Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit forthwith the foregoing Formal Written Offer of Evidence unto the Honorable Court for its consideration immediately upon receipt hereof.

Thank You.


JOLLEANNE CLAIRE E. PERINO
Counsel for the Complainants

Copy furnished:

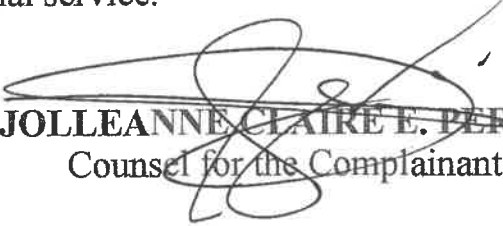
ATTY. ALEXANDER G. SALAS, JR.

 10-4-22

Counsel for the Respondent
Escalon & Escalon Law Office
Corner Real & Aviles St., Ormoc City

CERTIFICATION


I hereby certify that a copy of this Formal Written Offer of Evidence was furnished to Atty. Alexander G. Salas, Jr. at Corner Real & Aviles St., Ormoc City Philippines on October 4, 2022, by personal service.


JOLLEANNE CLAIRE E. PERINO
Counsel for the Complainants


**LIST OF PERSONNEL WHO WERE IN THE PAYROLL OF BARANGAY MANLAWAAN FROM
JANUARY TO DECEMBER 2019**

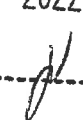
	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
1 Arline Salondro	√	√	√	√	√	√	√	√	√	√	√	√
2 Danilo E. Baticolon	√	√	√	√	√	√	√	√	√	√	√	√
3 Eda S. Balleno	√	√	√	√	√	√	√	√	√	√	√	√
4 Edwin D. Manriquez	√	√	√	√	√	√	√	√	√	√	√	√
5 Erlinda C. Quanem	√	√	√	√	√	√	√	√	√	√	√	√
6 Elma T. Ayade	√	√	√	√	√	√	√	√	√	√	√	√
7 Erit M. Aringoy	√	√	√	√	√	√	√	√	√	√	√	√
8 Ermenigelda M. Dacalos	√	√	√	√	√	√	√	√	√	√	√	√
9 Hermela E. Epe	√	√	√	√	√	√	√	√	√	√	√	√
10 Josephine E. Señar	√	√	√	√	√	√	√	√	√	√	√	√
11 Jovelin P. Simbahon	√	√	√	√	√	√	√	√	√	√	√	√
12 Juanita D. Epe	√	√	√	√	√	√	√	√	√	√	√	√
13 Lelia Ramo	√	√	√	√	√	√	√	√	√	√	√	√
14 Liezei D. Valenzona	√	√	√	√	√	√	√	√	√	√	√	√
15 Lydia Bararonda	√	√	√	√	√	√	√	√	√	√	√	√
16 Ma. Gilda M. Pepito	√	√	√	√	√	√	√	√	√	√	√	√
17 Marcelino Pagadora	√	√	√	√	√	√	√	√	√	√	√	√
18 Maria M. Delantar	√	√	√	√	√	√	√	√	√	√	√	√
19 Maricel R. Mapula	√	√	√	√	√	√	√	√	√	√	√	√
20 Merlita C. Condes	√	√	√	√	√	√	√	√	√	√	√	√
21 Milma Ma. Condes	√	√	√	√	√	√	√	√	√	√	√	√
22 Myrna B. Balleno	√	√	√	√	√	√	√	√	√	√	√	√
23 Norma Bohol	√	√	√	√	√	√	√	√	√	√	√	√
24 Ophelia C. Ramo	√	√	√	√	√	√	√	√	√	√	√	√
25 Riza D. Sario	√	√	√	√	√	√	√	√	√	√	√	√
26 Rosalinda M. Halikhik	√	√	√	√	√	√	√	√	√	√	√	√
27 Visitacion B. Mapula	√	√	√	√	√	√	√	√	√	√	√	√

Prepared by:


MARGIE N. ARCABAL
Barangay Bookkeeper

Noted by:


LORNA G. ATIBULA
Municipal Accountant

RECEIVED
SP. SEC. 9/16
12 OCT 2022
9:20 AM.


LIST OF PERSONNEL WHO WERE IN THE PAYROLL OF BARANGAY MANLAWAAN FROM

JANUARY TO DECEMBER 2020

	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
1 Arline Salondro	√	√	√	√	√	√	√	√	√	√	√	√
2 Danilo E. Baticolon	√	√	√	√	√	√	√	√	√	√	√	√
3 Eda S. Balleno	√	√	√	√	√	√	√	√	√	√	√	√
4 Edwin D. Manriquez	√	√	√	√	√	√	√	√	√	√	√	√
5 Erlinda C. Quanem	√	√	√	√	√	√	√	√	√	√	√	√
6 Elma T. Ayade	√	√	√	√	√	√	√	√	√	√	√	√
7 Erit M. Aringoy	√	√	√	√	√	√	√	√	√	√	√	√
8 Ermenigelda M. Dacalos	√	√	√	√	√	√	√	√	√	√	√	√
9 Hermela E. Epe	√	√	√	√	√	√	√	√	√	√	√	√
10 Josephine E. Señar	√	√	√	√	√	√	√	√	√	√	√	√
11 Jovelín P. Simbahon	√	√	√	√	√	√	√	√	√	√	√	√
12 Juanita D. Epe	√	√	√	√	√	√	√	√	√	√	√	√
13 Lelia Ramo	√	√	√	√	√	√	√	√	√	√	√	√
14 Liezel D. Valenzona	√	√	√	√	√	√	√	√	√	√	√	√
15 Lydia Bararonda	√	√	√	√	√	√	√	√	√	√	√	√
16 Ma. Gilda M. Pepito	√	√	√	√	√	√	√	√	√	√	√	√
17 Marcelino Pagadora	√	√	√	√	√	√	√	√	√	√	√	√
18 María M. Delantar	√	√	√	√	√	√	√	√	√	√	√	√
19 Maricel R. Mapula	√	√	√	√	√	√	√	√	√	√	√	√
20 Merlita C. Condes	√	√	√	√	√	√	√	√	√	√	√	√
21 Milma Ma. Condes	√	√	√	√	√	√	√	√	√	√	√	√
22 Myrna B. Balleno	√	√	√	√	√	√	√	√	√	√	√	√
23 Norma Bohol	√	√	√	√	√	√	√	√	√	√	√	√
24 Ophelia C. Ramo	√	√	√	√	√	√	√	√	√	√	√	√
25 Riza D. Sario	√	√	√	√	√	√	√	√	√	√	√	√
26 Rosalinda M. Halikhik	√	√	√	√	√	√	√	√	√	√	√	√
27 Visitacion B. Mapula	√	√	√	√	√	√	√	√	√	√	√	√

Prepared by:

M. Arcabal

MARGIE N. ARCABAL

Barangay Bookkeeper

Noted by:

L. G. Afibula

LORNA G. AFIBULA

Municipal Accountant

RECEIVED
SB Sec. Office
 12 OCT 2022
 9:20 A.M. *P*

LIST OF PERSONNEL WHO WERE IN THE PAYROLL OF BARANGAY MANLAWAAN FROM

JANUARY TO DECEMBER 2021

	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
1 Arline Salondro							✓	✓	✓	✓	✓	✓
2 Danilo E. Baticolon			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3 Eda S. Balleno	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
4 Edwin D. Manriquez	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
5 Erlinda C. Quanem	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
6 Elma T. Ayade	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
7 Erit M. Aringoy	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
8 Ermenigelda M. Dacalos	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
9 Hermela E. Epe	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
10 Josephine E. Señar	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
11 Jovelín P. Simbahon	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
12 Juanita D. Epe	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
13 Lelia Ramo	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
14 Liezel D. Valenzona	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
15 Lydia Bararonda	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
16 Ma. Gilda M. Pepito	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
17 Marcelino Pagadora	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
18 Maria M. Delantar	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
19 Maricel R. Mapula	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
20 Merlita C. Condes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
21 Milma Ma. Condes	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
22 Myrna B. Balleno	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
23 Norma Bohol	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
24 Ophelia C. Ramo	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
25 Riza D. Sario	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
26 Rosalinda M. Halikhik	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
27 Visitacion B. Mapula	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Prepared by:



MARGIE N. ARCABAL

Barangay Bookkeeper

Noted by:

LORNA G. ATIBULA

Municipal Accountant

RECEIVED
SB. Sec. gfr
 12 OCT 2022
 9:20 A.M. *J*

Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C QUANEM,
ET. AL.,
Barangay Manlawan-an, Tabango, Leyte
Complainants,**

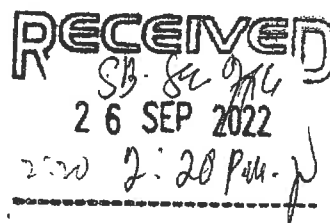
**ADMIN CASE No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression, Possible
Violation of the
Omnibus Election Code**

- versus -

**HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawan-an, Tabango, Leyte,
Respondent.**



X-----X

**LORNA G. ATIBULA
Municipal Accountant
Municipal Government
Tabango, Leyte**

Dear Madam,

Pursuant to the mandate of the Ad Hoc Committee of the Office of the Sangguniang Bayan of Tabango, Leyte, Complainants, through the undersigned counsel, formally requests from your good office a list/summary reflecting the payrolls for the period of January 2019 to December 2021 of the following Barangay Workers, Barangay Health Workers, Barangay Tanods of Brgy. Manlawan-an, Tabango, Leyte, mentioned herein below, and to bring the same list/summary as well as the original copies of the covered Payrolls before the Ad Hoc Committee on the next hearing scheduled on September 27, 2022 at 9:00 o'clock in the morning at the Municipal Session Hall, Tabango, Leyte:

Names of Barangay Workers, Health Workers and Tanods:

Erit M. Aringoy
Lydia Baronda
Erlinda C. Quanem
Maria M. Delantar
Eda S. Balleno

Mryna B. Balleno
Ma. Gilda M. Pepito
Norma Bohol
Jovelin P. Simbajon
Marcelino Pagadora

9/26/22

yl

Maricel R. Mapula
Edwin D. Manriquez
Riza D. Sario
Liezal D. Valemoma
Merlita C. Condes
Josephine E. Señar
Elma T. Ayade
Hermela E. Epe
Juanita DelantarEpe

Ermenigelda M. Dacalos
LeliaRamo
Ophelia C. Ramo
Rosalinda M. Halikhik
Visitacion B. Mapula
Danilo E. Baticolon
ArlynSalondro
Milma Ma. Condes

San Isidro, Leyte for Tabango, Leyte, September 20, 2022.

LABTIC LAW OFFICE
Counsel for the Complainants

By:



JOLLEANNE CLAIRE E. PERINO
Counsel for the Complainants
Quezon St., San Isidro, Leyte
Roll No. 76783
PTR No. 7125606 -21 June 2022
IBP OR No. 231154 -13 June 2022
Admitted to the Bar -05 May 2022

Copy furnished:

ATTY. ALEXANDER G. SALAS, JR.
Counsel for the Respondent
Escalon & Escalon Law Office
Corner Real & Aviles St., Ormoc City

-  9-23-22

Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

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SB. 84. 916
06 SEP 2022
9:26 AM. J

ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C. QUANEM,
ET. AL.,
Barangay Manlawanan, Tabango, Leyte
Complainants,

Adm. Case No. SB-
2022-03-01

For: Abuse of Authority
Oppression Possible
Violation of the
Omnibus Election Code

-versus-

HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawanan, Tabango, Leyte,
Respondent.

x-----x

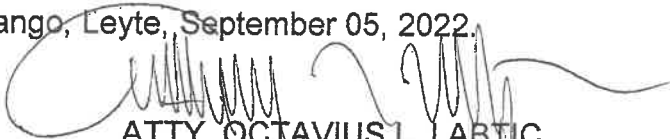
Hon. Roslie E. Omega
Municipal Vice Mayor
Tabango, Leyte

Greetings:

Complainants, through the undersigned counsel, requests for the issuance of a subpoena ad *testificandum/duces tecum*, requiring the following person to appear and testify, mentioned herein below, at the hearing of this case to be held on September 19, 2022, at 2:00 o'clock in the afternoon, in the Municipal Session Hall and to bring with her the original copy of Payrolls of Barangay Workers, Barangay Health Workers and Barangay Tanods of Brgy. Manlawanan, Tabango, Leyte for the period January 2019 to December 2021;

<u>Names</u>	<u>Addresses</u>
1. Mrs. Lorna Atibula or her Authorized Representative	Municipal Accountant Tabango, Leyte

San Isidro, Leyte for Tabango, Leyte, September 05, 2022.


ATTY. OCTAVIUS L. LABTIC
Counsel for the Complainants
Quezon, Street
San Isidro, Leyte
PTR No. 6131609 -01-03-22
IBP No. 222470- 05-18-22
Leyte Chapter
MCLE Compliance No. VI
0011138 08/03/18
Roll No. 44,913

Republic of the Philippines
Province of Leyte
Municipality of Tabango
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OFFICE OF THE SANGGUNIANG BAYAN

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SB Sec 9/6
06 SEP 2022
9:26 AM

ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C. QUANEM,
ET. AL.,
Barangay Manlawa-an, Tabango, Leyte
Complainants,

Adm. Case No. SB-
2022-03-01

For: Abuse of Authority
Oppression Possible
Violation of the
Omnibus Election Code

-versus-

HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawa-an, Tabango, Leyte,
Respondent.

X-----X

Hon. Roslie E. Omega
Municipal Vice Mayor
Tabango, Leyte

Greetings:

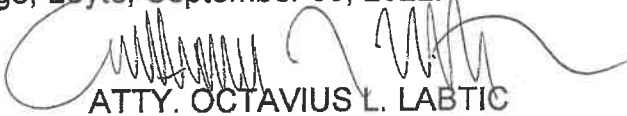
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Names

Addresses

1. Mrs. Lorna Atibula Municipal Accountant
or her Authorized Representative Tabango, Leyte

San Isidro, Leyte for Tabango, Leyte, September 05, 2022.


ATTY. OCTAVIUS L. LABTIC
Counsel for the Complainants
Quezon, Street
San Isidro, Leyte
PTR No. 6131609 -01-03-22
IBP No. 222470- 05-18-22
Leyte Chapter
MCLE Compliance No. VI
0011138 08/03/18
Roll No. 44,913

Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

RECEIVED
SB Sec. Off. U
06 SEP 2022
9:26 AM J

ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C. QUANEM,
ET. AL.,
Barangay Mariawa-an, Tabango, Leyte
Complainants,

Adm. Case No. SB-
2022-03-01

For: Abuse of Authority
Oppression Possible
Violation of the
Omnibus Election Code

-versus-

HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawan-an, Tabango, Leyte,
Respondent.

X-----X

Hon. Roslie E. Omega
Municipal Vice Mayor
Tabango, Leyte

Greetings:

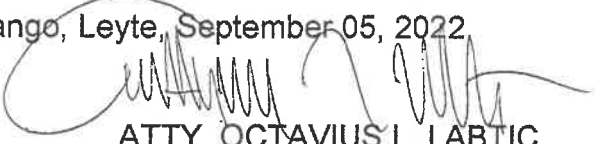
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Names

Addresses

1. Mrs. Lorna Atibula
or her Authorized Representative
Municipal Accountant
Tabango, Leyte

San Isidro, Leyte for Tabango, Leyte, September 05, 2022


ATTY. OCTAVIUS L. LABTIC
Counsel for the Complainants
Quezon, Street
San Isidro, Leyte
PTR No. 6131609 -01-03-22
IBP No. 222470- 05-18-22
Leyte Chapter
MCLE Compliance No. VI
0011138 08/03/18
Roll No. 44,913



Republic of the Philippines
Province of Leyte
Municipality of Tabango

-o-o-

SANGGUNIANG BAYAN

MINUTES OF THE PROCEEDING OF THE FORMAL HEARING/INVESTIGATION OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON OCTOBER 26, 2022.

Present:

Hon. Rubilita A. Dela Cruz	Sangguniang Bayan Member/ Chairman, Ad hoc Committee
Hon. Jose Wilson G. Vosotros	Sangguniang Bayan Member/ Vice-Chairman, Ad hoc Committee
Hon. Richard V. Merontos	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Kirsty V. Jabonete	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Luis Gabriel U. Veloso	Sangguniang Bayan Member/ Member, Ad hoc Committee

Absent:

Hon. Fortune Frauline T. Misa	Ex-Officio SB Member/ President, Pambayang Pederasyon ng mga SK Member, Ad hoc Committee
-------------------------------	---

CALL TO ORDER: 9:30 AM

PRAYER: Hon. Richard V. Merontos

- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Good morning.
 - May the Counsel proceed?
 - Kinsa karon ang mga witnesses?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Good morning, Your Honor.
 - The same appearance as Counsel for the respondent.
 - We have 4 witnesses today, your Honor.
 - We will be presenting them all if time would permit and then we will be resting our case already, your Honor.
 - We would call first for this morning, your Honor, the Chief Tanod, Hospicio de Rosa, your Honor.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay, you may proceed.
- Mr. Valentino A. Codera (SB Secretary):
 - Mr. Witness, manumpa ka ba nga ang tanan nimong isulti karong adlaw ma lamang ang tinuod walay lain ug ang tinuod?
(*Mr. Witness, do you solemnly swear that the testimony that you are going to give today will be the truth the whole truth, and nothing but the truth?*)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O. (Yes.)
- Mr. Valentino A. Codera (SB Secretary):
 - Madam Chair our first witness is Mr. Hospicio de Rosa, Jr., 57 years old and residing at Sitio Tigo, Manlawaan, Tabango, Leyte.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- May I proceed, your Honor?
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
 - The purposes of his testimony, your Honor, are already incorporated in his joint judicial affidavit.
 - We will be adopting the same, your Honor, the same purposes for his testimony for today.
 - May I be allowed, your Honor, that he will identify the same judicial affidavit?
 - Maayong buntag, Mr. De Rosa.
 - Kahinumdom ka nga naghimo ka'g joint judicial affidavit of witnesses of Barangay Tanods bahin aning kasoha?
(Do you recall executing a joint judicial affidavit of witnesses relative to this case?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kung ipakita sa imo makaila ba ka ana nga judicial affidavit?
(If it will be shown to you, will you recognize it?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O. (Yes)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Diay joint judicial affidavit of witnesses of Barangay Tanods nga na submit ani nga talahurong opisina sa Sangguniang Bayan niadtong October 7, 2022, kitaa daw kung mao ba na ang joint judicial affidavit nga imong gihimo?
(Here is a joint judicial affidavit of witnesses of Barangay Tanods that was submitted to this Honorable Body last October 7, 2022, is this the joint judicial affidavit that you are referring to?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sa page 5 sa maong judicial affidavit naay pirma ibabaw sa sa pangan na Hospicio De Rosa, kinsa man nang pirma?
(On page 5 of the said judicial affidavit there is a signature above the name Hospicio De Rosa, whose signature is that?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Ako na, Attorney.
(That is mine, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kana kay imo mang giingon nga imo nang pirma, imo bang pamatud-an ang nahisulat ani nga judicial affidavit?
(Since you confirmed that it was your signature, do you also attests to the veracity of all the statements reflected in your judicial affidavit?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, usa ka ning pirma ani gi-explain ba sa imo kung unsay sud aning judicial affidavit?
(So, before you affixed your signature, does the content of your affidavit was explained to you?)

- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
 - He's now ready for cross-examination.
 - We will utilize the same judicial affidavit as his direct testimony in today's proceeding.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Committee.
 - Now, Mr. Witness, ingon ka Barangay Tanod ka sa Manlawaan.
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, hangtud karon Barangay Tanod gihapon ka.
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, ikaw ang Chief Tanod.
(So, you are the Chief Tanod.)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O, Chief Tanod.
(Yes, I'm the Chief Tanod.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kaila ka sa mga tanod nga kauban nimo sa una hangtud karon?
(So, are you still familiar with your co-tanods.)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Si Marcelino Pagadora ug si Edwin Manriquez, na usa sa kihante niining maong kaso batok sa kapitan sa Barangay Manlawaan, nakaila ka ani nila?
(Marcelino Pagadora and Edwin Manriquez, both two of the complainants of this case against the Barangay Captain of Barangay Manlawaan, do you know them?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O, nakaila.
(Yes, I knew them.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imong i-kumpirma or angkunon dire nga sila Barangay Tanod pud sa Barangay Manlawaan sa una?
(So, will you confirm that both of them were Barangay Tanod of Barangay Manlawaan before?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O, sa una.
(Yes, before.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kung nakahibalo ka kanus-a sila na undang pagka Barangay Tanod?
(So, if you can recall, when was the last time that they reported for work as Barangay Tanod?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Kani sila, Attorney, ni undang ni sila wa magdunganay.

- (These two, Attorney, did not stop working simultaneously.)
 - Si Edwin Manriquez, ni undang ni siya niadtong July pa.
(Edwin Manriquez, stopped reporting for work last July.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - July?
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - 2021.
 - Si Pagadora, ning undang ni siya niadtong October.
(Pagadora stopped reporting for work last October 2021.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, Mr. Witness, kung makahinumdom ka, kung nakahibalo ka, kanus-a man ni sila nagsugod pagka Barangay Tanod, si Marcelino ug is Ediwn?
(Mr. Witness, if you can recall or if you have the knowledge, when did Marcelino and Edwin start working as Barangay Tanod?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Kani sila since 2013 mura'g nagkadunganay ni sila.
(They started as Barangay Tanod since 2013.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nagkadunganay ni sila sukad pa niadtong 2013.
(They started working since 201.?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, straight gyud ang ilang pagka Barangay Tanod hangtud na undang sila niadtong Hulyo ug Oktubre, sakto?
(So, they were Barangay Tanods until they stopped working last July and October, correct?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kinsa may nagtudlo sa ila isip tanod sa pagsugod gyud?
(Who appointed them as tanod?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Ang nagtudlo ini si kapitan kay wala may laing mo appoint.
(It was the Barangay Captain since he is the only one who can appoint.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Si kapitan Albert Morilla.
(It was Barangay Captain Albert Morilla.)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O, Attorney.
(Yes, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, katong 2013 si Kapitan Albert Morilla na diay ang kapitan.
(So, it was already Albert Morilla who is the Barangay Captain last 2013.)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Oo.
(Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Mr. Witness, dire sa imong judicial affidavit ni ingon ka nga sa niaging tuig ang uban nga mga barangay tanods ug workers apil na ang mga health workers ni undang ug trabaho sa ilang kaugalingon nga kagustohan kay ingon sila nakadawat sila ug pareho na honorarium ug usa ka sako nga bugas gikan sa mayor, sakto ni nga asoy nimo sa imong judicial affidavit?
(Mr. Witness, in your judicial affidavit you mentioned that last year some of the barangay tanods and workers including the health workers stopped working in the barangay of their own volition because they were already receiving the same honorarium and a 1 sack of rice from the mayor, is this statement in your judicial affidavit correct?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, kaugalingong kabubut-on gyud nila ang pag undang.
(Yes, it was their own volition to stop working.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Sakto ning imong gisulti dire sa imong affidavit?
(Is the statement in your affidavit true?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, kinsa man ni nga mayor ilang buot gipasabot?
(Who's the mayor that they are referring to?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Ang kaning nga mayor, si mayor Benjo na.
(The mayor that they are referring to is Mayor Benjo.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, ngano man kaha, kung nakahibalo ka, nga si mayor Benjo ni hatag man ug honorarium ug usa ka sakong bugas sa ila nga nagdawat man kaha ni sila ug honorarium sa barangay?
(So, why is it, if you have an idea, that mayor Benjo gave them an honorarium and 1 sack of rice when they are receiving an honorarium from the barangay?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Katong okasyona, Attorney, pagpangundang nila bisan sa akong bahina kato boluntaryo tong pag undang nila.
(As far as I know, Attorney, it is their decision not to work anymore.)
 - Unya bisan sa ako gikumbinse ko nila na undang sa serbisyo kay mao na makadawat ug kwarta ug usa ka sakong bugas matag buwan.
(They even convinced me to stop working in the barangay for the same reason that I can receive money and a 1 sack of rice per month.)
 - Pero kay ako wa man gyud ko ni undang.
(But I did not stop working.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Kinsa may nagkumbinse sa imo?
(Who convinced you?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Kanang mga opponent, mga kauban sa una.
(These complainants.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Unsa kahay rason ngano nga nangumbinse man sila?
(What do you think is the reason why they are trying to convince you?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Para mokuyog, Attorney, kay nagkalahi naman lagi'g partido.
(To go along with them, Attorney, because we are of different political parties.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, nganong mo ingon man ka nagkalahi-lahi ug partido?
(So, why do you say of different political parties?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Nagkalahi-lahi'g partido, Attorney, kay sila nag grupo pud sila ngadto kang mayor ug ang si kuan pud pero ang kami dire mi sa administrasyon.
(I said of different political parties because they have grouped themselves with the mayor but for us, we are on the side of the administration.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, mi ingon man ka nga nag grupo, kinsa man diay laing grupo na imong gitumbok?
(So, you said that they have grouped themselves, whose group you are referring to?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Kay kumo nagkalain-lain man ug kana ang partido ba, kang Aropo ug kang mayor Benjo.
(It's because there were different political parties, Aropo, and mayor Benjo.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, nganong mo ingon man ka nagkalain-lain ug partido?
(So, why did you say different political parties?)
 - So kani diay sila si katong tanod nga akong ginganlan diin man diay silang partidoha?
(So, the tanods that I have mentioned earlier, what parties do they belong to?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Gumikan, Attorney, nga nahibaw-an to nga nagkalain-lain ug partido sayo pa to sila nangundang kay hing sunod sila kang mayor Benjo.
(It was learned, Attorney, when they stopped working in the barangay because they manifested their support to mayor Benjo.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, ang buot nimo ipasabot sa inyong barangay nabahin.
(So, what are you trying to say is the barangay was divided.)
 - Dunay mga barangay workers nga dire nagsuportar sa partido ni incumbent mayor Benjo, diha puy uban nga nagsuporta sa kontra niya, sakto ko?
(There are barangay workers who supported the group/political party of the incumbent mayor Benjo and likewise, there were also those who supported the other group/political party, am I correct?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - O, yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kinsa gani tuy kontra ni mayor Benjo?
(By the way who was the opponent of mayor Benjo?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Si Romel Aropo.
(Romel Aropo.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, kung nakahibalo lang ka ang inyong kapitan diin man ato?
(Now, if you know, to whom your Barangay Captain gave his support?)
- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - Wa ko kahibawo, Attorney, ato nga panahon kung diin si Kapitan ato kay iya mang katungod kung asa siya mo pili.
(I have no knowledge, Attorney, on what party he gave his support to because it is his right to choose whom he will support.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Pero imong i-kompirmar ug i-klaro dinhi sa talahurong nga committee nga kadto diay higayuna sa paghawa nila niadtong July ug Oktubre, mura'g angat-angat na ang election ato sa 2022?
(But will you confirm in this Honorable Committee that the time when these complainants stopped working last July and October, the 2022 election is already near?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, imo pud i-kompirma na kini silang ingon nimo nga ninghawa tua naga-suporta sa incumbent mayor nga si Benjo Remandaban?
(So, will you also confirm that these barangay workers who were terminated are supporters of the incumbent mayor, Benjo Remandaban?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, ingon pud ka imo pud i-kompirma dire nga sa inyong barangay naay nabuwag kay duna puy nag suporta sa kang Aropo?
(So, you also said and you will confirm that in your barangay people were divided because some supported Aropo.)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Ako ana, Attorney, wa ko ana.
(For me, Attorney, I do not know.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Dili sa inyong barangay lang wa ko magtumbok ug tawo basta isip mga botante mga lumalaban.
(No, I am not referring to a specific person. As a voter or supporter, you have to choose whom you will support.)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Wa pud ko kahibawo, Attorney.
(I really don't know, Attorney.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Mr. Witness, kini sila si Erlinda Quanem, kaila ka?
(Mr. Witness, do you know Erlinda Quanem?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Oo, mga BW.
(Yes, BW.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Kini si Norma Bohol, kail apud ka?
(Do you also know Norma Bohol?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Ofelia Ramo, kaila ka?
(Do you also know Ofelia Ramo?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, silang tanan.
(Yes, all of them.)
- Atty. Octavius Labtic (Counsel for the Complainants):

- Tanan nga kihante, kaila ka?
(Do you know all the complainants?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, imong i-admiter dire kini sila sa una mga barangay workers, barangay health workers sa barangay Manlawaan?
(So, will you admit that these complainants were barangay workers, barangay health workers in barangay Manlawaan?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O. (Yes.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, kini pud silang tanan tinudlo sa Kapitan ni Albert Morilla?
(So, all of them were appointed by the Barangay Captain, Albert Morilla?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, kay di man makasud, Attorney, sa barangay ug dili ang Kapitan ang mo appoint gyud.
(Yes, because no one can work in the barangay if they will not be appointed by the Barangay Captain.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, katong naa pa sila sa barangay wa pa sila mahawa, so nagdawat sila'g honorarium pud pareha sa imo?
(So, when they were still working in the barangay, they were also receiving an honorarium, just like you?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, natural, Attorney.
(Yes, Attorney.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Nagdawat gyud.
(They are receiving.)
 - So, imo na i-kumpirma dinhi.
(So, you will confirm it.)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O, kay active pa man sila adto, Attorney.
(Yes, since they are still active during that time, Attorney.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, kaning mga barangay workers duna pud silay rate nga kaugalingon?
(So, these barangay workers do have their respective rates of honorarium?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - O. (Yes.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Nakahibalo ka kung pila?
(Do you know how much?)
- Mr. Hospicio de Rosa, Jr. (Witness):
 - Katong sa pagpanghawa nila ning abot nato'g 750 ang buwan.
(At the time they stop working, it was around 750 per month.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Ang sa inyo, Barangay Tanod?
(As Barangay Tanod?)

- **Mr. Hospicio de Rosa, Jr. (Witness):**
 - 850 kada buwan.
(850 per month.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I think that would be all for the cross-examination of this witness, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - No re-direct, your Honor.
 - We're ready to present our next witness.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay, you may proceed with your second witness.
- **Valentino A. Codera (SB Secretary):**
 - Madam Witness, manumpa ka ba nga ang tanang nimong isulti karong adlaw maong lamang ang tinuod walay lain ug ang tinuod?
(Madam Witness, do you solemnly swear that your testimony today shall be the truth, the whole truth, and nothing but the truth?)
- **Ms. Jenevie Compuesto (Witness):**
 - Oo. (Yes.)
- **Valentino A. Codera (SB Secretary):**
 - Madam Chair, your Honor, our second witness is Ms. Jenevie Compuesto, 31 years old, and residing at Sitio Colonia, Manlawaan, Tabango, Leyte.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, just like our previous witness, this witness has already executed also a joint judicial affidavit of witnesses wherein the purposes of her testimony are already incorporated, your Honor.
 - We will be adopting the same.
 - May we be allowed, your Honor, for her to identify her judicial affidavit?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes, you may proceed.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Thank you, your Honor.
 - Maayong buntag, Ms. Jenevie.
(Good morning, Ms. Jenevie.)
- **Ms. Jenevie Compuesto (Witness):**
 - Maayong buntag, Attorney.
(Good morning, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kahinumdom ka ba nga naghimo mo'g joint judicial affidavit of witnesses of barangay workers bahin aning kasoha?
(Do you recall executing a joint judicial affidavit of witnesses of barangay workings about this case?)
- **Ms. Jenevie Compuesto (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - By the way, Your Honor, just like the same with other judicial affidavits, it was submitted to this Honorable Body last October 7, 2022.
 - Kung ipakita na sa imo makaila ba ka?
(If this will be shown to you, will you recognize it?)
- **Ms. Jenevie Compuesto (Witness):**

- Makaila, Attorney.
(I can recognize, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Naa koy ipakita nimo nga joint judicial affidavit of witnesses nga nila Rowena C. Jordan, Jenelyn M. Arpon ug Jenevie S. Compuesto, kitaa kung mao ba na ang mao nga judicial affidavit.
(I will show you a joint judicial affidavit of witnesses of Rowena C. Jordan, Jenelyn M. Arpon ug Jenevie S. Compuesto, try to look at it if that is the judicial affidavit that you are referring to.)
- **Ms. Jenevie Compuesto (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Now, sa page 5 aning maong judicial affidavit kauban nila ni Rowena C. Jordan ug Jenelyn M. Arpon, naay pangan nga Jenevie S. Compuesto ug naay pirma igbaw sa pangan nga Jenevie S. Compuesto, akong pangutana kaila ba ka kung kinsa nang pirma?
(Now, on page 5 of this judicial affidavit together with the names of Rowena C. Jordan and Jenelyn M. Arpon, there is a name Jenevie S. Compuesto with a signature above it, do you know whose signature is this?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ako, Attorney.
(Mine, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Imo bang pamatud-an ang nahisulat aning nga judicial affidavit?
(Will you attest to the veracity of the statements of your judicial affidavit?)
- **Ms. Jenevie Compuesto (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor, and she is now ready for the cross-examination.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Body, madam witness, niingon man ka nga ang kining mga kihante wala sila gitang-tang sa inyong Kapitan, sakto?
(Madam witness, you said that all these complainants were not terminated by the Barangay Captain, correct?)
- **Ms. Jenevie Compuesto (Witness):**
 - O, (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Unsa may hinungdan ngano nga ni undang man sila'g trabaho isip barangay worker, barangay tanod ug barangay health worker?
(What was the reason behind why they stopped working as barangay workers, barangay tanod, and barangay health workers?)
- **Ms. Jenevie Compuesto (Witness):**
 - Sa ako lang nahibaw-an, Attorney, tungod sa eleksyon.
(As far as I know, Attorney, it is because of the election.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, unsa man nga particular sa eleksyon?
(So, what was about the election?)
- **Ms. Jenevie Compuesto (Witness):**
 - Kay lahi man sila'g gilabanan, Attorney, tapos dire man sila kang mayor Remandaban.
(It is because they were supporting another candidate, the group of mayor

Remandaban.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Karon, ug dire sila kang mayor nganong mo undang man sila, wa man kaha sila papahawa-ε?
(Now, if they were on the side of the mayor, why did they stop working?)
- **Ms. Jenevie Compuesto (Witness):**
 - Sila ray nahibawo ana Attorney.
(They are the only ones who knew Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero duna ba kay nakaistorya maski usa sa ila nga mo undang sila?
(But where you able to talk at least one of them saying that they will stop working?)
- **Ms. Jenevie Compuesto (Witness):**
 - May napangutana ko, Attorney.
(I was able to ask one, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kinsa man ang imong napangutana?
(Whom did you asked?)
- **Ms. Jenevie Compuesto (Witness):**
 - Si Merlita Condes.
(It was Merlita Condes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Merlita Condes.
 - So, kini si Merlita Condes, barangay worker?
(So, is Merlita Condes a barangay worker?)
- **Ms. Jenevie Compuesto (Witness):**
 - Barangay worker.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, unsa may iyang gisulti sa imo?
(So, what did she tell you?)
- **Ms. Jenevie Compuesto (Witness):**
 - Nga dili na siya mo duty.
(That she will no longer report for work.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kay ngano man?
(Why?)
 - Unsa may rason daw?
(What was the reason behind?)
- **Ms. Jenevie Compuesto (Witness):**
 - Tungod sa eleksyon, Attorney.
(It is because of the election, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nagno man diay ug tungod sa eleksyon, di na diay siya mo duty ug tungod sa eleksyon?
(What is the relation of the election that made her decide not to work anymore?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala ko kahibawo ana, Attorney, kung unsay iyang rason.
(I don't know what was her reason, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala diay ka mangutana sa iya?

(Did you not ask her?)

● **Ms. Jenevie Compuesto (Witness):**

- Wala, Attorney.
(No, Attorney.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, aside kang Merlita Condes, duna pa kay lain nga kihante nga imong nakaistoryanga ang rason nila mo undang tungod sa eleksyon?
(So, aside from Merlinda Condes, is there any other person from the complainants that were you able to talk to, stating their reason for not working anymore is because of the election?)

● **Ms. Jenevie Compuesto (Witness):**

- Wala na, Attorney.
(No more, Attorney.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- So siya ra ang imong nakaistorya.
(So, she was the only one whom you talked to.)

● **Ms. Jenevie Compuesto (Witness):**

- Oo. (Yes.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, mao nang mo ingon ka nga sila wa tangtanga tungod sa istorya ni Merlita Condes.
(So, that's the reason why you said that they were not terminated because of the statement of Merlita Condes.)

● **Ms. Jenevie Compuesto (Witness):**

- Oo, Attorney. (Yes, Attorney.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, tungod sa istorya ni Merlita Condes imo lang pud na gi ganlas sila nga tungod sa eleksyon nga wala sila tangtanga bisa'g wala ka makaistorya nila?
(So, because of the statement of Merlita Condes that you concluded that they stopped working because of the election even if you were not able to talk to the rest of the complainants?)

● **Ms. Jenevie Compuesto (Witness):**

- Kay kahibawo man ko ato, Attorney.
(It's because I know about it, Attorney.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- Tubaga lang akong pangutana, si Merlita Condes ra imong nakaistorya nga ni ingon na mo undang siya tungod sa eleksyon, sakto ba?
(Just answer my question, it was only Merlita Condes whom you talked to about her stopping from working in the barangay because of the election, correct?)

● **Ms. Jenevie Compuesto (Witness):**

- Oo, Attorney.
(Yes, Attorney.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- Unya mi tubag pud ka sa akong pangutana ganiha na tanan nga kihante, siya ra ang imong nakaistorya?
(You also answered earlier that of all the complainants, it was only her that were you able to talk to?)

● **Ms. Jenevie Compuesto (Witness):**

- Oo. (Yes.)

➤ **Atty. Octavius Labtic (Counsel for the Complainants):**

- Unya sa imong affidavit ni ingon ka nga silang tanan wala tangtanga, sakto?
(And then in your affidavit you said that all of them were not terminated, correct?)
- **Ms. Jenevie Compuesto (Witness):**
 - Oo, Attorney.
(Yes, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero mo angkon ka dire nga si Merlinda ra ang imong ka istorya?
(But you will confirm that it was only Merlinda that you were able to talk to.)
 - Wala nimo ika istorya ang uban nga kihante nga mi sulti sila sa imo nga boluntaryo sila nga mo undang ug trabaho tungod sa eleksyon.
(You were not able to talk with the other complainants that they voluntarily stop working because of the election.)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala, Attorney, pero.....
(No, Attorney, but.....)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Oo o wala?
(Yes or no?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala.
(No.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala.
 - Wala nimo naka istorya.
(You were not able to talk?)
 - So, tubaga lang, wala or oo?
(So, just answer, yes or no?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala jud sa personal.
(No, not in person.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala sa personal.
 - So, sa ato pa ang imo diay gisulti dire sa imong affidavit na ni ingon ka nga wala sila tangtangan, imo lang nang huna-huna, gi assume lang nimo, wala gyud kay personal nga kahibalo nga sila wala tangtanga.
(So, in other words, your statement in your affidavit saying that they were not terminated was just your own conclusion because you were not able to talk to them in person.)
 - Kay wa man mo nagka istorya, sakto?
(It is because you were not able to talk to them, correct?)
 - Tubaga, sakto or dili?
(Correct or not?)
- **Ms. Jenevie Compuesto (Witness):**
 - Dili, Attorney.
(No, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong maka ingon man ka nga dili?
(Why is it that you said no?)
- **Ms. Jenevie Compuesto (Witness):**
 - Tungod kay pareha man gud mi nga trabahante sa barangay.
(It's because we are both working at the barangay.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero wala gyud nimo sila personal makaistorya.
(But you have not talked to them personally.)
 - Si Merlita lang ang imong nakaistorya.
(It was only Merlita whom you talked to.)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala, Attorney.
(No, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa matag usa-usa nila kay wala man nimo na makaistorya personal, wala pud ka kadungog gikan gyud sa ilang baba nga mo undang na sila'g trabaho, oo, dili?
(So, in other words, you never heard from them, the rest of the complainants, that they will stop working in the barangay.)
 - Oo, wala?
(Yes or no?)
 - Nakadungog ka gikan sa ilang baba nga ingon sila mo undang sila'g trabaho or wala?
(Have you heard directly from them that they will stop working or not?)
 - So, I would like to manifest before this Honorable Body that the witness did not answer the question.
 - So, madam witness, imo pung ikompirma dinhi sa Honorable Body nga kining tanang mga kihante sa ingon nimo nga nangundang sila'g trabaho, imo pung giangkong pud dire nga sila pulos mga barangay worker, barangay health worker ug barangay tanod sa barangay Manlawaan?
(So, madam witness, will you also confirm to this Honorable Body that these complainants are all barangay workers, barangay health workers, and barangay tanods of barangay Manlawaan?)
- **Ms. Jenevie Compuesto (Witness):**
 - Oo, Attorney.
(Yes, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imo pung gi-asyumer dinhi nga sa sila diha pa sa barangay nagdawat pud sila ug honorarium pareha nimo?
(So, will you also agree that they were receiving an honorarium just like you when they were still working at the barangay?)
- **Ms. Jenevie Compuesto (Witness):**
 - Oo, sa dihang ning duty pa sila.
(Yes, when they were still reporting for work.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, lain pay ato, unsa man diay imong puwesto sa barangay?
(So, by the way, what is your position in the barangay?)
- **Ms. Jenevie Compuesto (Witness):**
 - Barangay worker.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pila man ang imong honorarium?
(How much is your honorarium?)
- **Ms. Jenevie Compuesto (Witness):**
 - Sa una 750.
(Before 750.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, mao pud ning mga barangay worker nga nangiha karon, parehas mo?
(So, is this the same honorarium received by the complainants?)

- **Ms. Jenevie Compuesto (Witness):**
 - O. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, katong panahona nga ni ingon ka nga boluntaryong ning undang si Merlinda tungod sa eleksyon, so katong panahona unsa man diay to duol na ang eleksyon ato? (Now, during that time when Merlinda voluntarily resigned from work, you said she resigned because of the election, does it mean that the election is near?)
- **Ms. Jenevie Compuesto (Witness):**
 - Duol na, Attorney. (It's near, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Duol na.
 - So, eleksyon sa local. (So, local election.)
- **Ms. Jenevie Compuesto (Witness):**
 - Local.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kahibalo ka ato kung kinsay managanay? (Do you know who are running for the election?)
- **Ms. Jenevie Compuesto (Witness):**
 - Oo. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kinsa may managanay ug mayor dinhi sa Tabango? (So, who are those running for mayor here in Tabango?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ang nahibaw-an nako si mayor Remandaban ug si Romel Aropo. (As far as I know, it was mayor Remandaban and Romel Aropo.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, Merlinda, kay ni ingon man siya na ning hawa siya tungod sa eleksyon, kahibawo ka kung kung diin siya nagsuporta? (So, since you said that Merlinda voluntarily resigned because of the election, do you happen to know whom she was supporting?)
- **Ms. Jenevie Compuesto (Witness):**
 - Kahibawo, Attorney. (I know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Diin man? (To whom?)
- **Ms. Jenevie Compuesto (Witness):**
 - Kay mayor Remandaban. (To mayor Remandaban.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ikaw? (You?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ako, Attorney, mayor Remandaban gyud ko. (Me, Attorney, I supported mayor Remandaban.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Now, nganong wa man ka ni undang pud ug trabaho?
(Now, why did you not resigned also from the barangay?)
- **Ms. Jenevie Compuesto (Witness):**
 - Nagkigistorya ko ni Kapitan, Attorney.
(I talked with the Barangay Captain, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Unsa may imong giistorya sa Kapitan?
(What did you tell to the Barangay Captain?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ang akong suportahan si mayor jud, mayor Remandaban.
(That I will supporting mayor Remandaban.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Hing sugot ra pud si Kapitan?
(Did the Barangay Captain agree?)
- **Ms. Jenevie Compuesto (Witness):**
 - Okay ra man siya.
(He's fine with it.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong nananghid man ka sa Kapitan?
(Why did you asked permission from the Barangay Captain?)
- **Ms. Jenevie Compuesto (Witness):**
 - Hing istorya lang ko sa iyaha.
(I just told him.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Dili ba, nganong mananghid man ka?
(No, what I mean is why did you ask permission?)
 - Necessary diay nga mananghid ka sa Kapitan kung kinsa imong suportahan?
(Is it necessary to ask permission from the Barangay Captain to whom you will give your support?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ni istorya lang ko, Attorney.
(I just told him, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Inyong Kapitan diin man diay nagasuporta?
(To whom did your Barangay Captain give his support?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala ko kahibawo, Attorney.
(I do not know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, requirement ba diay sa usa ka barangay worker nga mananghid kung kinsa imong suportahan?
(So, is it a requirement for a barangay worker to ask for permission to whom he or she will support during the election?)
- **Ms. Jenevie Compuesto (Witness):**
 - Dili. (No.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Niya nganong nananghid man ka?
(Then why did you ask for permission?)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, I object to that because the witness has been repeating nga she did not ask for permission.
 - She only told the Punong Barangay.
 - I will object to the word "mananghid", your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, so nganong nagpahibalo pa man ka sa Kapitan? (Okay, so why did you inform the Barangay Captain?)
- **Ms. Jenevie Compuesto (Witness):**
 - Ni istorya lang. (I just informed him.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, ni ingon pud ka dire sa imong affidavit nga wala sila mo file ug resignation, sakto? (So, you also said in your affidavit that the complainants did not file their resignation, correct?)
- **Ms. Jenevie Compuesto (Witness):**
 - O. (Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong kahibawo man ka nga wala sila nag file ug resignation? (How did you know that they did not file their resignation?)
- **Ms. Jenevie Compuesto (Witness):**
 - Kay wala man jud sila ni pass ug bisan unsa dihaa. (Because they did not pass whatever documents.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero wala ka makaistorya sa tanan gawas kang Merlinda nga sila wala mag file ug resignation? (But, were you able to talk to the rest of them, besides Merlinda, with regards to their non-filing of resignation.)
- **Ms. Jenevie Compuesto (Witness):**
 - Nakahibawo jud ko, Attorney. (I really did know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ang pangutana tubaga, wala ka makaistorya sa uban nga kihante gawas sa kang Merlinda, nga wala sila mag file ug resignation? (Answer the question, have you talked to the other complainants besides Merlinda with regards to their non-filing of resignation?)
 - Kay ni ingon man ka ganiha nga si Merlinda ray imong ka istorya. (Because you mentioned earlier that it was only Merlinda whom you have conversations with.)
 - Oo, wala? (Yes or no?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala, Attorney. (No, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, wala ka kahibalo. (So, you do not know.)
- **Ms. Jenevie Compuesto (Witness):**
 - O. (Yes.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, si Merlinda nag ingon man ka nagkaistorya mo, wa siya mo istorya nganong wa siya ni file ug resignation?
- **Ms. Jenevie Compuesto (Witness):**
 - Wala sad.
(No, she did not.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nangutana ka niya?
(Did you ask her?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala ko mangutana sa iya, Attorney.
(I did not ask, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, that would be all for the cross, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Just a few re-direct, Your Honor.
 - Gipangutana man ka ganina nga nagkaistorya mo ni Merlita, Merlinda?
(You were asked earlier that you have a conversation with Merlita, Merlinda?)
- **Ms. Jenevie Compuesto (Witness):**
 - Merlita.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Merlita Condes.
- **Ms. Jenevie Compuesto (Witness):**
 - O. (Yes.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya didto nakahibawo ka nga wala siya tangtanga pero gipangutana ka nganong naka-ingon man ka, labot lang niya, nga ang ubang barangay workers ug trabahante sa barangay wala man tangtanga, nganong naka-ingon man ka ana sa imong judicial affidavit?
(It was then you learned that she was not terminated, and you were asked why you said that all other barangay workers and other workers of the barangay were also not terminated, why did you state that in your judicial affidavit?)
- **Ms. Jenevie Compuesto (Witness):**
 - Kay dihaa man jud ko ato pag last namo nga general cleaning.
(Because I was there at that time during our last general cleaning.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya unsa may nahitabo sa general cleaning?
(What happened during the general cleaning?)
- **Ms. Jenevie Compuesto (Witness):**
 - Gipakig-istoryahan mi ni Kapitan.
(We have a conversation with the Barangay Captain.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Nga?
(Of what?)
- **Ms. Jenevie Compuesto (Witness):**
 - Nga mao ra to sa increase ra daw.
(Regarding the increase.)
 - Wala man si Kapitan ni ingon nga manangtang.

(He did not mentioned of terminating someone.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya nganong naka-ingon sad ka nga wa sila nag file ug resignation?
(And then why did you said that they did not file their resignation?)
- **Ms. Jenevie Compuesto (Witness):**
 - Wala man jud bisan usa sa ila hing pass ug resignation.
(No one from them submitted their resignation)
 - Wa pud sila nananghid.
(They did not even inform the Barangay Captain.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Makahibawc diay ka kung nagsubmit sila'g resignation?
(Will you know if they will submit their resignation?)
- **Ms. Jenevie Compuesto (Witness):**
 - O, kay kanunay man gud mi mo duty, Attorney.
(Yes, because we always report for work, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - No, re-cross, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may call now for the next witness.
- **Valentino A. Codera (SB Secretary):**
 - Madam witness, manumpa ka ba nga ang tanan nimong isulti karon mao lamang ang tinuod walay lain ug ang tinuod?
(Madam witness, do you solemnly swear that your testimony today will be the truth, the whole truth, and nothing but the truth?)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes.
- **Valentino A. Codera (SB Secretary):**
 - Madam Chair, your Honor, our third witness is Jenelyn Arpon, 35 years old and residing at Sitio La Fortuna II, Manlawaan.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - The same earlier manifestation, your Honor, that the purposes of the testimony of the witness are already incorporated in her joint judicial affidavit of witnesses of barangay workers.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may proceed.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Thank you, your Honor.
 - Maayong buntag, Jenelyn.
(Good morning, Jenelyn.)
- **Ms. Jenelyn Arpon (Witness):**
 - Maayong buntag usab, Attorney.
(Good morning, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kahinumdom ka ba nga naghimo ka'g joint judicial affidavit of witnesses of barangay workers kauban sila Rowena Jordan, Jenelyn Arpon ug Jenevie Compuesto?

(Do you recall executing a joint judicial affidavit of witnesses of barangay workers together with Rowena Jordan, Jenelyn Arpon, and Jenevie Compuesto?)

- **Ms. Jenelyn Arpon (Witness):**
 - Yes.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kung ipakita sa imo makaila ba ka anang judicial affidavit?
(If this will be shown to you will you recognize it?)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Diay judicial affidavit nga akong ipakita nimo, pakli-pakli-a daw kung mao ba na?
(I have here a judicial affidavit, is this the one you are referring to?)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sa page 5 sa maong judicial affidavit kauban nila Rowena Jordan ug Jenevie Compuesto, naay pangan nga Jenelyn M. Arpon ug naay perma sa igbaw, kaila ba ka kung kinsa nang perma?
(On page 5 of the said judicial affidavit there is the name Jenlyn M. Arpon with a signature above it, do you recognize whose signature was it?)
- **Ms. Jenelyn Arpon (Witness):**
 - Oo, Attorney.
(Yes, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kinsa ma nang perma?
(Whose signature it is?)
- **Ms. Jenelyn Arpon (Witness):**
 - Ako, Attorney.
(Mine, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Tungod kay naay imong perma sa igbaw, imo bang pamatud-an ang nahisulat ani nga judicial affidavit?
(Since you have your signature above your name, will you attest to the veracity of your statements in the judicial affidavit?)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
 - She's now ready for a cross-exam.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Body?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may proceed.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Madam witness, unsay imong pwesto sa barangay?
(Madam witness, what is your position in the barangay?)

- Ms. Jenelyn Arpon (Witness):
 - BW.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Barangay worker?
- Ms. Jenelyn Arpon (Witness):
 - Yes.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, kaila ka aning mga nagreklamo batok sa kang Kapitan?
(So, are you familiar with these complainants?)
- Ms. Jenelyn Arpon (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, sila mga barangay workers, mga barangay health workers niya naa puy barangay tanods, sakto?
(So, they are barangay workers, barangay health workers and barangay tanods, correct?)
- Ms. Jenelyn Arpon (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Sa wala pa sila mabuwag sa trabaho diha sa barangay nagdawat gyud sila'g honorarium?
(When they were still connected with the barangay, are they receiving an honorarium?)
- Ms. Jenelyn Arpon (Witness):
 - Yes, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Pila to gane ang honorarium nimo?
(By the way how much is your honorarium?)
- Ms. Jenelyn Arpon (Witness):
 - 850.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, dire sa imong judicial affidavit ni ingon ka nga "dili na tinuod nga gi-terminate sila sa trabaho sa among Kapitan".
(Now, in your judicial affidavit you stated that "it is not true that they were terminated by the Barangay Captain.)
 - Ni undang sila ug trabaho kay ingon sila magdawat sila ug honorarium pud pareha sa ilang honorarium sa barangay gikan sa mayor, so sakto ni nga salaysay nimo?
(That they stopped working because they will be receiving the same honorarium from the mayor, is this statement correct?)
- Ms. Jenelyn Arpon (Witness):
 - Yes.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, kinsa may imong nahibaw-an nga wala sila tangtanga, boluntaryo lang sila na ni undang tungod kay tagaan sila ug pareha nga honorarium sa barangay gikan sa kang mayor?
(So, who told you that they were not terminated and that they just volunteered to stop working because they will be receiving the same honorarium from the mayor?)
- Ms. Jenelyn Arpon (Witness):
 - Akong nahibaw-an kay ning ngare sila kang mayor tas hing sunod ko sa ila ato.

(I learn it when we went to the mayor.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pwede ka maka hatag ug pangan kung kinsang tawhana nga nia karon dinhi?
(Can you name who among these people that are here?)
- **Ms. Jenelyn Arpon (Witness):**
 - Silang tanan akong gisundan.
(I followed all of them.)
 - Ni sunod ko sa ilahang tanan niadtong tungora.
(I followed them that time.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Diin man nimo sila gisundan?
(Where did you follow them?)
- **Ms. Jenelyn Arpon (Witness):**
 - Diha sa ilang mayor.
(At the mayor's house.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kahinumdom ka kung kanus-a to?
(Can you recall when was that?)
- **Ms. Jenelyn Arpon (Witness):**
 - Mga September.
(Around September.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero nasundan lang nimo sila ngadto sa ilang mayor.
(But you just followed them up to the house of the mayor.)
- **Ms. Jenelyn Arpon (Witness):**
 - Didto jud ko sa sulod, Attorney.
(I was inside, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Didto ka sa sulod.
(You were inside.)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero wala kay naka istorya maski usa nila nga ni ingon nga mo undang siya boluntaryo tungod kay tagaan siya'g pareha nga honorarium gikan sa mayor.
(But you were not able to talk to any of the complainants saying that they will voluntarily stop working because they will be receiving the same amount of honorarium coming from the mayor.)
- **Ms. Jenelyn Arpon (Witness):**
 - Pasensya namong tanan ha, akong isulti si Eda Balleno.
(No offense, but it was Eda Balleno.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Si Eda Balleno ang nag istorya.
(It was Eda Balleno who told you.)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, siya lang?
(So, it's only her?)
- **Ms. Jenelyn Arpon (Witness):**
 - Daghan man sila pero ang akong na kuanan gyud Attorney siya lang.
(There are many of them but it was only her that I was able to talk to.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Siya ra ang imong naka istorya.
(So, it was only her that you talked to.)
- **Ms. Jenelyn Arpon (Witness):**
 - Oo.
(Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, klaro nga siya ra ang imong ka istorya, sakto, dili?
(So, it is very clear that she is the only one you have talked to, correct or not?)
- **Ms. Jenelyn Arpon (Witness):**
 - Siya ra, Attorney.
(Only her, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So out sa bayente kapin nga mga kihante, usa ra ang imong nakaistorya, so ngano nga sa imong affidavit ni ingon man ka nga "sila" nga usa ra man diay imong nakaistorya?
(So, why is it that in your affidavit you mentioned the word "them" where there was only one to whom you talked?)
- **Ms. Jenelyn Arpon (Witness):**
 - Dili, Attorney.
(No it is not, Attorney.)
 - Daghan may nag ingon nga tagaan sila ni mayor ug sweldo nga pareha sa barangay pero siya ang ako gyung..... hing sunod jud ko sa ila ngare.
(Many of them said that they will be given by the mayor an honorarium the same as the honorarium they received in the barangay.)
 - So silang tanan kay hing sunod gud ko sa ila.
(So, all of them because I followed them.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero wala nimo sila maka istorya tanan, sakto?
(But you were not able to talk to all of them, correct?)
 - Tubaga lang, sakto?
(Just answer, am I correct?)
 - Wala nimo sila maka istorya tagsa-tagsa.
(That you were not able to talk each of them.)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala, pero nag ingon lage sila nga.....
(No, but they said.....)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong sila man?
(Why you said them?)
 - I-pinpoint ug kinsang silaha ang ning sulti sa imo?
(Will you name who among them?)
 - Nganli!
(Name names!)
- **Ms. Jenelyn Arpon (Witness):**
 - Pasensya na gyud mo ha, kanang silang tanan sila si Lezyl Valenzona, kato si Eda Balleno, pasensya na gyud mo, basta silang tanan jud.

(I'm very sorry, it was Lezyl Valenzona, Eda Balleno, all of them.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Silang tanan.
(All of them.)
 - Pangutana, nganong ikaw wa man mo hawa?
(Question, why did you not also resign?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala man ko tangtanga ni Kapitan.
(Because I was not terminated by the Barangay Captain.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala ka tangtanga ni Kapitan.
(You were not been terminated.)
 - So, sa ato pa sila gitangtang diay ni Kapitan.
(So, in other words they were terminated by the Barangay Captain.)
- **Ms. Jenelyn Arpon (Witness):**
 - Dili kay wa man ko hing sunod sa ila, nagpahibawo ko kang Kapitan, Attorney .
(No, it's because I did not go along with them and I notified the Barangay Captain, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Madam witness, nganong mo ingon man ka wala ka tangtanga ni Kapitan?
(Madam witness, why did you said that you were not terminated by the Barangay Captain?)
- **Ms. Jenelyn Arpon (Witness):**
 - Ingon ani, Attorney, bisa hing traidor ko sa iya ingon ko nga "Kapa ako Benjo ko", pero wa siya hing ingon sa ako nga.....aw ang iyang ingon sa ako "okay ra wa man nay problema", ingon siya sa ako.
(This is what happened, Attorney, even if I betrayed him I said, "Kap I'm supporting Benjo," and he replied, "it's okay, no problem.")
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Sa ato pa ang inyong Kapitan dili diay Benjo atong higayona.
(In other words, your Barangay Captain does not support Benjo at that time.)
- **Ms. Jenelyn Arpon (Witness):**
 - Wa ko kahibawo, Attorney.
(I do not know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong mo ingon man ka nga pasensya na?
(Why did you said I'm sorry?)
 - Nganon mo ingon man ka nga wa ka tangtanga?
(Why did you said that you were not terminated?)
- **Ms. Jenelyn Arpon (Witness):**
 - Kay wa man ko hing uban sa ila.
(It's because I did not go along with them.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa ang unod ane nga problema politika, sakto?
(So, in other words, the root cause of this problem is politics, correct?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wa ko kahibawo.
(I don't know.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, nganong ning ingon man ka ganiha nga “wala mag traidor?”
(So, why did you said earlier that “never betrayed?”)
- **Ms. Jenelyn Arpon (Witness):**
 - Di kay bisan ug nagsunod-sunod ko sa uban ba wa man koy nabati kang Kapitan gud bisan gamay.
(Even if I went along with the others, I did not hear anything from the Barangay Captain.)
 - Wala may kumbinse bisan gamay.
(He never convinced me.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa kining gipangtangtang supporter ni mayor Remanaban, sakto?
(So, in other words all these terminated workers are supporters of mayor Remandaban, am I correct?)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - We object to the word “gipangtangtang”, your Honor.
 - She did not use the word.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kaning nanghawa sigun sa imong giingon kini silang tanan mga supporter ni mayor Benjo Remandaban?
(These workers who stopped working, are they supporters of mayor Benjo Remandaban?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala ko kahibawo, Attorney.
(I do not know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala ka kahibawo.
(You do not know.)
 - Niya nganong mo ingon man ka nga ang inyong Kapitan wala mangumbinse?
(But why did you say that your Barangay Captain did not convince you?)
 - Kay kinsa man diay gisoportahan sa inyong Kapitan?
(To whom does your Barangay Captain supports?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala ko kahibawo.
(I do not know.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala ka kahibawo.
 - Now, mo admiter ka niining talahoron nga Body nga kadto nahitabo sugod na ang tipok-tipok sa politika dinhi sa Tabango, sakto?
(Now, you do admit to this Honorable Body that the incident happened when political gatherings has already started kicking in, am I correct?)
- **Ms. Jenelyn Arpon (Witness):**
 - Pwede utrohon, Attorney?
(Can you repeat that, Attorney?)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mo uyon ba ka nga katong pagngrari nila, ingon man ka nga mi ngari sila kang mayor gi oferan sila ug parehong honorarium, so mo admiter ka nga katong higayona sugod na ang pundok-pundok sa politika dinhi sa Tabango?
(Will you agree that when they went to the mayor and offered the same honorarium, political gatherings have already started?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wa ko kahibawo ato, Attorney.
(I do not know about that, Attorney.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero nakahibawo ka na katong higayona padung sa 2022 election, duha ka grupo ang nag-away sa politika dinhi sa Tabango.
(Are you aware that during that time when the 2022 election is fast approaching, 2 political groups were vying for government positions.)
- **Ms. Jenelyn Arpon (Witness):**
 - Wa jud ko kahibawo ana, Attorney.
(I really do not know about that, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, madam witness, it seems that you are lying before this Honorable Body, mangutana ko botante ka sa Tabango, dili?
(Now, madam witness, it seems that you are lying before this Honorable Body, my question is are you a registered voter in Tabango or not?)
- **Ms. Jenelyn Arpon (Witness):**
 - Botante.
(A registered voter.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, nakahibawo ka kung kinsay nanagan niadtong niaging eleksyon dinhi sa Tabango?
(So, do you know who are those candidates who run for office here in Tabango?)
 - Sa mayor lang.
(As mayor.)
- **Ms. Jenelyn Arpon (Witness):**
 - Nakahibawo ko pero.....
(I know but.....)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kahibawo ka.
(You do know.)
 - So, nganong mo ingon man ka wala ka kahibawo nga naay tipok-tipok sa politika?
(So, why did you say that you do not know about any political gatherings?)
- **Ms. Jenelyn Arpon (Witness):**
 - Dili man gud ko kuan ana ba.
(I am not inclined to politics.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero hing botar ka?
(But you cast your vote?)
- **Ms. Jenelyn Arpon (Witness):**
 - Hing botar.
(I casted my vote.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - It seems, madam witness, nga you are fooling the members of this Honorable Body sa imong mga tubag.
 - But anyway, it's up to the observation of the Honorable Members of this Body.
 - So, I think that would be all for the cross.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Re-direct, your Honor.
 - Ni ingon ka nga ning sunod ko aning grupo nila Eda Balleno, unsa may imong buot ipasabot sa ning sunod, ning kuyog ka nila?
(You said that you followed the group of Eda Balleno, what do you mean by the word "follow"?)
- **Ms. Jenelyn Arpon (Witness):**

- Sa ilang gi-offer ba hing sunod ko ngari sa ila.
(On what they offered, I followed them.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Diin man ka hing sunod?
(Where did you follow them?)
- **Ms. Jenelyn Arpon (Witness):**
 - Ngari sa ilang mayor kay ing ana lagi kanang mura'g mo surrender bitaw.
(At the house of the mayor to express their support.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - So nauban ka ani nila.
(So, you're with them.)
- **Ms. Jenelyn Arpon (Witness):**
 - O, nauban ko.
(Yes, I was with them.)
 - Tas di man ko gusto mo dawat sa sweldo nga wa nako hagui mao nang wa ko hing padayon.
(But I don't want to receive the honorarium that I did not work for hence, I did not push through.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - So, mo ingon ka nga wa ka tangtanga ni Kapitan.
(So, you said that you were not terminated by the Barangay Captain.)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala may koy nabati na ingon ana.
(I did not hear something like that.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Ikaw ba ni ingon ka ganina nga wa ka tangtanga ni Kapitan, di ba, ni ingon ka?
(You said earlier that you were not terminated by the Barangay Captain, is that what you said?)
- **Ms. Jenelyn Arpon (Witness):**
 - Oo. (Yes.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Maong ning trabaho pa ka kay wala ka tangtanga ni Kapitan.
(That is why you were still working because you were not terminated by the Barangay Captain.)
 - Naa diay gitangtang si Kapitan?
(Is there someone who was removed/terminated by the Barangay Captain?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala man ko kahibawo sad.
(I also don't have any knowledge.)
 - Wa man koy nabati sa barangay.
(I never heard that in the barangay.)
 - Nagsige man ko'g duty kada semana, wa koy nabati na naa siyay gitangtang bisan usa sa amo.
(I always report for duty every week and I have never heard that the Barangay Captain terminated someone.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Ni ingon sad ka ganina nga wa kay salabutan anang mga tipok-tipok sa politika.
(You also said earlier that you do not have any knowledge regarding these political gatherings.)
 - Ato lang i-klaro kay ni ingon baya ang pikas nga mura'g namakak ka.
(We have to clarify this because according to the other camp, it seems you are lying.)

- Unsa ang imong pagkahibawo aning tipok-tipok sa politika, unsa ang imong pagsabot?
(What is your understanding of this political gathering?)
- **Ms. Jenelyn Arpon (Witness):**
 - Kanang mag meeting-meeting sila.
(Conducting political meetings.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Mo apil ba ka ane mga meeting-meeting sa politika?
(Do you attend political meetings?)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala, Attorney.
(No, Attorney.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Pero hing botar ka.
(But you cast your vote.)
- **Ms. Jenelyn Arpon (Witness):**
 - Oo. (Yes.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Pero kahibawo ka kinsay ning dagan ug mayor ur vice mayor dire sa Tabango.
(But you knew who are those who run for office as mayor, vice mayor in Tabango.)
- **Ms. Jenelyn Arpon (Witness):**
 - Oo. (Yes.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Ang imo lang punto wa ka ning apil ug mga tipok-tipok sa politika.
(You are just emphasizing that you did not attend/join any political gatherings.)
- **Ms. Jenelyn Arpon (Witness):**
 - Wala. (No.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
 - Thank you.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You have the floor, Honorable Vosotros.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Ms. Jenelyn Arpon, nagstart ka sa barangay basi sa imong gisulti dire 2013.
(Ms. Jenelyn Arpon, according to your statement that you started working in the barangay in 2013.)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes, po.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Mao pud nang panahona na nag first term si Kapitan Morilla, tama, mali?
(That was also the first term of Barangay Captain Morilla, correct or not?)
- **Ms. Jenelyn Arpon (Witness):**
 - Yes, po.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Katong 2013 nga nag Kapitan si Kap Ambient, naa siya sa administrasyon ni mayor?
(In 2013 when Honorable Morilla is the Barangay Captain, is he with the administration of the mayor?)

- Ms. Jenelyn Arpon (Witness):
 - Wala ko kahibawo ana.
(I don't know about that.)
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - So katong time na 2013 kauban mo sa tanang nag complain?
(So, in 2013, were you working together with the complainants?)
- Ms. Jenelyn Arpon (Witness):
 - Oo. (Yes.)
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Tapos here comes 2022, local and national, diha mo nagkabungkag, ano?
(Then here comes 2022, during the local and national elections, that was the time that you part ways, am I correct?)
- Ms. Jenelyn Arpon (Witness):
 - Oo. (Yes.)
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - That's all, madam Chair.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Is there any question from the Ad Hoc Committee?
 - Attorney Labtic?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - No more re-cross, your Honor.
- Atty. Alexander Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
 - I will be presenting my last witness in the person of the respondent, your Honor.
 - In the meantime, can I ask for a 3-minute break?
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Okay, let's have a 3-minute break.

Time of break: 10:19 AM

Resumed: 10:23 AM

- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - For the Counsel for the respondent, you may proceed.
- Atty. Alexander Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
 - Our last witness, your Honor, would be the respondent, Punong Barangay Albert Morilla, your Honor.
- Valentino A. Codera (SB Secretary):
 - Mr. Witness, manumpa ka ba nga ang tanan nimong isulti karong adlaw ma lamang ang tinuod, walay lain ug ang tinuod?
(Mr. witness, do you solemnly swear that your testimony today will be the truth, the whole truth, and nothing but the truth?)
- Hon. Albert Morilla (Respondent):
 - Yes.
- Valentino A. Codera (SB Secretary):
 - Madam Chair, your Honor, our last witness is Honorable Albert Morilla, 48 years old and the Punong Barangay of Barangay Manlawaan, Tabango, Leyte.

- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Likewise, your Honor, the purposes of the testimony of the witness are already incorporated in his judicial counter-affidavit, your Honor, which was submitted to this Honorable Body last October 7, 2022.
 - This will constitute his direct testimony.
 - Good morning, Kap.
- **Hon. Albert Morilla (Respondent):**
 - Good morning, Attorney.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Nakahinumdong ka ba nga naghimo ka'g judicial counter-affidavit bahin aning kasoha? (Do you recall executing a judicial counter-affidavit relative to this case?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Kung ipakita sa imo makaila ba ka? (If this will be shown to you, will you recognize it?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Naay judicial counter-affidavit diha akong ipakita nimo, pakli-paklia daw kung ma oba na? (I will show to you a judicial counter-affidavit, is this the one you are referring to?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Now, sa page 10 sa mao nga judicial counter-affidavit naay pangan nga Albert C. Morilla ug naay perma sa igbaw ni ana, kang kinsa man nang perma? (Now, on page 10 of the judicial counter-affidavit, there is a printed name Albert C. Morilla with a signature above it, whose signature is that?)
- **Hon. Albert Morilla (Respondent):**
 - Ako, Attorney. (Mine, Attorney.)
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - Imo bang pamatud-an ang nahisulat ani nga judicial counter-affidavit pati ang mga annexes nga imong gi-identify? (Will you attest to the veracity of the statements including their annexes in your judicial counter-affidavit?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Salas, Jr. (Counsel for the Respondent):**
 - With that, your Honor, he's now ready for cross-examination.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Body.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes, you may proceed, Counsel.
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Mr. Witness, I assume duna kay kopya sa joint affidavit complaint nianing mga kihante. (Mr. Witness, I assume that you already have a copy of the joint affidavit complaint of these complainants.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, didto sa mao na complaint naa didto ang ilahang mga ngalan, di ba? (So, on that complaint, there appears the name of the complainants, correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imo bang i-kumpirma dire sa talahuron nga Body nga nakaila ka nilang tanan. (So, you do confirm on this Honorable Body that you knew all these complainants.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imo pud ikumpirma na kani sila nga kanhi barangay workers niya mga barangay health workers niya naay duha nga barangay tanod nga na apil. (So, you will also confirm that they were former barangay workers, barangay health workers, and barangay tanods.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Hasta pud ni si Lydia Baronda, imo pud ikumpirma na siya ang Barangay Treasurer sa una. (You will also confirm that Lydia Baronda is the former Barangay Treasurer.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Unya kini pud si Gilda Pepito mao pud ang imong kanhi Barangay Secretary. (And also this Gilda Pepito is the former Barangay Secretary.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, Mr. witness, kanus-a gani ka nga napili na Kapitan sa Barangay Manlawaa? (Now, Mr. witness, when were you elected as Barangay Captain of Barangay Manlawaan?)
- **Hon. Albert Morilla (Respondent):**
 - 2013.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, mao tuy primero nimo nga pagka-Kapitan. (So, that was your first time as Barangay Captain.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, bale karon ikapila na nimo ka termino?

(So, how many terms are you right now?)

- **Hon. Albert Morilla (Respondent):**
 - 9 years.
 - 2 terms.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, pwede pa ka mag 3 terms.
(So, you can still run for your third term.)
- **Hon. Albert Morilla (Respondent):**
 - Pwede pa.
(Yes, I can.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kaning mga kihante nga nia karon dire, ikaw ang nagtudlo ani.
(So, you are the one who appointed all these complainants.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imo silang gitudlo sa ilang tagsa-tagsa ka pwesto tungod kay silang tañan imo mga lumalaban, sakto?
(So, they were appointed in their respective positions because they are your supporters, am I correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imo gyud ni silang lumalaban sa una sa imong kandidatora isip Barangay Captain hasta pud sa kandidatora sa imong labanan sa local nga eleksyon.
(So, they are your supporters when you run for office as Barangay Captain, and at the same time will support the candidate whom you will support during the local election.)
- **Hon. Albert Morilla (Respondent):**
 - Wala ko magkuan sa ila, Attorney, ug kinsa ilang pillion, Attorney, mao nay ilang desisyon.
(I did not convince them whom they will support because that is their decision.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Sa sinugdanan imo silang mga lumalaban.
(They are your supporters when you run for office as Barangay Capatin.)
- **Hon. Albert Morilla (Respondent):**
 - Basta ning apply lang sila sa ako-a so gi-appoint nako sila.
(Since they applied for work, so I appointed them.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Di ni ingon man ka ganina imo silang lumalaban sa pagkandidato nimo pagka Kapitan, di ba?
(No, you said a while ago that they are your supporters when you run for office as Barangay Captain, am I correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kay dili nimo sila itudlo kung dili sila naglaban nimo, sakto?
(Because you will not appoint them if they did not support you, correct?)

- **Hon. Albert Morilla (Respondent):**
 - Di man kay basta mo apply sila, Attorney, basta okay ang ilang performance okay ra man.
(No it's not. As long as they applied and their performance is good then that is fine.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero imong ikumpirma nga mga lumalaban nimo sila.
(But you will confirm that they are your supporters.)
- **Hon. Albert Morilla (Respondent):**
 - Possible, Attorney.
(It's possible, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ni ingon man ka dire sa imong affidavit nga ning konsulta ka sa DILG mahitungod sa pagwala pagsubmit ug resignation niini nila?
(You said in your affidavit that you consulted with the DILG regarding those barangay workers who did not submit their resignation?)
 - Unya ang DILG ning ingon sa imo nga magpasa ug resolution?
(And then the DIGL advised you to pass a resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So mao ni nga namugna ang resolution nga Resolution No. 1, series of 2022, imo ning i-admiter?
(So, that is why Resolution No. 1, series of 2022 was passed, correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - By the way, Mr. Witness, what is your educational attainment?
- **Hon. Albert Morilla (Respondent):**
 - High school graduate.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Will you kindly read the title of the resolution for the consumption of this Honorable Body?
- **Hon. Albert Morilla (Respondent):**
 - Confirming the removal of all Barangay appointed officials and employees, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, Mr. Witness, being a high school graduate nakasabot ka kung unsay binisaya sa removal.
(Now, Mr. Witness, being a high school graduate, you understand the visayan translation of the word "removal".)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So palihug kuno sa pagsulti dinhi sa talahurong Body kung unsa ang meaning, equivalent meaning, sa pulong nga "removal">
(So will you kindly translate the equivalent meaning of the word "removal" for the consumption of this Honorable Body.)
- **Hon. Albert Morilla (Respondent):**
 - Sa pagtanggap, Attorney.

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Why is it that you used the word removal when mi ingon man ka nganong gigamit ninyo ang pulong nga "removal" o sa giingon nimo nga pagtanggap nga sa imong affidavit ni ingon man ka nga wala ni tanggala ang mga kihante?
(Why is it that you used the word removal in your resolution where in fact you said in your affidavit that you did not remove/terminate them?)
- **Hon. Albert Morilla (Respondent):**
 - Diha na na siya, Attorney, namugna nga resolution kay nangundang naman gud sila, boluntaryo nga nangundang, Attorney.
(The resolution was made when they voluntarily stopped working.)
 - So, nangayo mi'g opinion sa DILG na kinahanglan naa gyud ni nga resolution.
(We solicited the opinion of the DILG and responded that such resolution is necessary.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, inyo bang gipakita ang maong resolution sa DILG antis inyong gipasa?
(So, did the DILG review the resolution before you passed it?)
- **Hon. Albert Morilla (Respondent):**
 - Amo nang gipakoreksyonan, Attorney.
(It was reviewed for correction, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kinsa may nagkoreksyon?
(Who reviewed the resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Si mam Sandy Libanan.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala mo ingon si mam Sandy nga dili maayo gamiton ang pulong nga removal?
(Did Sandy advise you not to use the word removal?)
- **Hon. Albert Morilla (Respondent):**
 - Wala.
(No.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Sa complaint affidavit sa mga kihante labi na sa kang Gilda Pepito, siya duno pud siyay gi presenter nga Resolution No. 19 nga mao-mao ra gihapon ang titulo ug unod, nakahibawo ka ani?
(In the complaint affidavit of the complainants particularly from Gilda Pepito, she presented Resolution No. 19 with the same title and contents, are you aware of this resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Imo ikumpirma dire nga kaning pirma nga naa dire sa Punong Barangay, imo ning pirma?
(Will you confirm the signature that appears in the resolution above the Punong Barangay is yours?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kini nga resolution penitsahan ug Disyembre 4 tuig 2021.
(This resolution was dated December 4, 2021.)
- **Hon. Albert Morilla (Respondent):**

- Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ang Resolution No. 1, series 2022 naay petsa nga Enero 17, 2022. (Resolution No. 1, series 2022 was passed January 17, 2022.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Palihug kuno isplikar kung ngano nga nahitabo ba ni nga duha ang resolution? (Will you please explain why there were 2 resolutions?)
- **Hon. Albert Morilla (Respondent):**
 - Kini siya, Attorney, rough draft ra ni namo. (This resolution is just only a draft.)
 - Pakoreksyonan pa unta ni namo so nakuha man ni Gilda Pepito ambot kung diin ni gipaskil niya nakatago ra ni, Attorney, kay amo unta pakoreksyonan. (It is yet to be reviewed but Gilda Pepito got hold of a copy, and I don't know where did she get it considering that the said resolution was kept on hold for review and correction.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So kung rough draft nganong duna na may mga pirma? (So, if it is still a draft then why there were signatures?)
- **Hon. Albert Morilla (Respondent):**
 - Mao nay praktis namo sa among barangay, Attorney. (That is our practice in the barangay, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So kani nga Resolution No. 19 nakapakita mo ani ngadto sa DILG? (So, does Resolution No. 19 has been reviewed by the DILG?)
- **Hon. Albert Morilla (Respondent):**
 - Wala, Attorney, kay nakuha naman ni Gilda Pepito. (No, Attorney, because it was already on the hands of Gilda Pepito.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, ngano man nga kini nga Resolution No. 19 wala may pirma sa Secretary? (So, why is it that Resolution No. 19 does not have the signature of the Secretary?)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang, Attorney. (I don't know, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kaning higayona siya pa ang Secretary. (She was still the Secretary when this resolution was drafted.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kung rough draft kinsa man diay ang naghimo ani? (So, if it was a rough draft, you prepared the resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Ang akong gipahimo ani si Gilda Pepito. (I instructed Gilda Pepito to prepare the draft resolution.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, kung si Gilda ang nagbuhat so dapat naa unta ang iyang pirma.
(So, if it was Gilda who prepared it then her signature should have appeared.)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang sa iya nganong wala diha iyang pirma.
(I don't know why her signature was not there.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, kaning Resolution No. 1, nganong duna na may pirma sa Secretary incharge?
(Now, why is it that on Resolution No. 1 there is already a signature of the temporary Secretary?)
- **Hon. Albert Morilla (Respondent):**
 - Nag special session mi, Attorney, so siya maoy nag secretary kay wa pa man mi Secretary.
(We have a special session and since we don't have a Secretary yet, she acted as the temporary Secretary.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, dinhi sa Resolution No. 1 inyo na gyud ni gidiskusyon diha sa Konseho kay mao naman ni ang final nga imong giingon, di ba?
(Mr. Witness, this Resolution No. 1 was discussed during your session since as you stated here, it is already final, right?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pangutana ngano kani si Antonio Pepito, Sr. ug si Aida Nunez wala man mo apil ug pirma ani?
(Why is it that Antonio Pepito, Sr., and Aida Nunez did not affix their signature on the resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang kaha, Attorney, ug unsay ilang rason nganong wala sila mo pirma.
(I don't know what is the reason behind why they did not sign the resolution, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero pag session ninyo diha sila.
(But they were present during the session.)
- **Hon. Albert Morilla (Respondent):**
 - Diha, Attorney.
(Yes, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, imong angkunon dire sa talahurong Body na kini si Antonio Pepito, Sr. bana ni Gilda.
(Now, will you admit on this Honorable Body that Antonio Pepito, Sr. is the husband of Gilda?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, dire sa imong giingon nga rough draft, kaning Resolution No. 19, mao gihapon ang wa makapirma si Antonio Pepito, Sr. ug si Aida Nunez, ang SK.
(Now, on Resolution No 19, which you said is just a rough draft, the same person Antonio Pepito, Sr., and Aida Nunez did not affix their signatures.)
- **Hon. Albert Morilla (Respondent):**

- Rason man gud na nila, Attorney, kay siyempre naa si Gilda sa pikas so mao na nga wa sila mo pirma ug ang SK.
(The reason why Antonio Pepito, Sr., and the SK did not sign the resolution was that Gilda was on the other side.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, what do you mean by "pikas"?
- **Hon. Albert Morilla (Respondent):**
 - Buot ipasabot nako wa siya kay ni undang man si Gilda so bayas siguro ug mo pirma siya sa resolution, Attorney.
(What I mean is since Gilda stopped working and maybe it would be unfair if he will sign the resolution, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, klaro no nga ang kaning Resolution No. 1 inyong napakita sa DILG.
(So, it is clear that Resolution No. 1 was submitted to the DILG.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney, kay naay receive sa DILG.
(Yes, Attorney, since it was stamped received by the DILG.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Unsa may sulti sa DILG wa mo ingon ang DILG nga ilisi lang ni ang word nga removal kay mamiligro man mo ani kay sigun sa imong giingon wala man nimo tangtanga niya sa ato pa dili unta removal ang word nga imong gigamit?
(Did the DILG advise you not to use the word removal because you might be in trouble considering that you averred in your judicial counter-affidavit that you did not terminate them?)
- **Hon. Albert Morilla (Respondent):**
 - Kini nga resolution, Attorney, nagdepensa lang ni kay nagsige na sila'g pangundang.
(This resolution is just a safeguard since they stop working without notice.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - What do you mean by "nagsige sila'g pangundang"?
- **Hon. Albert Morilla (Respondent):**
 - Nangundang sila adtong September.
(They stop working last September.)
 - So kini nga resolution wa gyud ni namo gi implement unta pero ang problema ang treasurer ug secretary di man mohatag ug resignation mao ning nakabuo mi ani nga resolution kay di man mahimong bakante ang puwesto nila ug wa mi resolution di mi maka appoint ug bag-o nga treasurer ug secretary, Attorney.
(We don't want to implement this resolution but the problem is the treasurer and the secretary won't submit their resignation and said positions cannot be declared vacant unless a resolution to that effect is made thereby allowing us to appoint a new treasurer and secretary.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, unsa man kahay rason ngano man nga nangundang sila nagdunganay man gyud?
(Mr. Witness, what do you think was the reason why they stop working almost simultaneously?)
- **Hon. Albert Morilla (Respondent):**
 - Si Gilda Pepito, Attorney, sa session namo last January 10, ni ingon siya nga dili na siya mo duty tungod kay lagas na kuno siya unya usa pa, Attorney, illiterate gyud siya sa computer mao na nga nauwaw siguro siya nga magdinawat siya'g sweldo sa gobyerno nga wa man gyud siyay ma.....illiterate man gyud siya sa computer.
(For Gilda Pepito, Attorney, during our session last January 10, she said that she will already stop working because of her age and also because she doesn't have computer

skills, hence, she felt ashamed receiving an honorarium from the government.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero nakabasa ka sa affidavit ni Gilda, ang secretary, nakabasa ka sa iyang affidavit nga gi-attached sa reklamo kauban ning uban nga trabahante sa barangay, nakabasa ka?
(But have you read the affidavit of Gilda, the secretary, that was attached to the complaint affidavit?)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, dire sa affidavit ni Gilda Pepito, akong basahon ha niya akong ihubad lang sa binisaya, ni ingon si Gilda dire na kaniadto kunong mga Hulyo 21, 2021, iyang nahibawan nga si Barangay Captain Albert Morilla ning bale ug supporta sa politika kay siya nagasuporta na sa kang Romel Aropo nga maoy mo kontra kang mayor Remandaban sa umaabot na Mayo 9 eleksyon.
(So, in the affidavit of Gilda Pepito, she said that last July 21, 2021, she learned that Barangay Captain Albert Morilla shifted his political support from mayor Remandaban to Romel Aropo.)
 - Kay kini si Romel Aropo mao man ni ang kontra ni mayor Remandaban kaniadtong 2019 niya na pilde.
(Romel Aropo is the political rival of mayor Remandaban during the last 2019 election but lost.)
 - Ni ingon si Gilda sa iyang affidavit nga si Barangay Captain Albert Morilla mi ingon sa ako-a nga siya nagasuporta na kang Aropo.
(Gilda said in her affidavit that Barangay Captain Albert Morilla told me that he will be supporting Aropo.)
 - Na kaniadtong Enero 10, 2022, ako nakakuha ug Resolution No. 19 na diin gibutang didto sa pultahan sa barangay hall unya pagbasa niya mao to ang unod nga resolution confirming the removal of all barangay appointed officials and employees of Barangay Manlawaan.
(That last January 10, 2022, I got hold of a copy of Resolution No. 19, which was placed at the door in the barangay hall, confirming the removal of all barangay-appointed officials and employees of Barangay Manlawaan.)
 - So, ni ingon si Gilda nga kadto nga panghitabo dili kasarangan kay siya pa man ang secretary atong higayona unya wala siya kahibalo nga nganong napasa to mao nang ni ingon si Gilda na mura siya'g gitangtang na unya dire pa gyud sa paragraph 8 sa iyang affidavit ni ingon si Gilda nga ako nakahinumdom na nakadungog ko sa kang Kapitan na ni ingon siya na ang dili mo kuyog nako mo tangtang ra ba ko.
(Gilda also said that the passage of the said resolution was unusual because she was still the secretary at that time but she did not know about its passage, hence, she thought that she was removed/terminated. In addition, on page 8 of her affidavit, she heard from the Barangay Captain saying that those who will not go along with him will be removed/terminated.)
 - So, ang buot niyang ipasabot ang dili mo suporta sa kandidatura sa iyang gilabanan, iyang tangtangan.
(So, what he meant is that those who will not support his candidate will be removed.)
 - So, nakabasa ka ani?
(So, have you read this one?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa sigun sa imong mga asoy karun nga kanang Resolution No. 19 na mi ingon ka nga usa ka rough draft, sa ato pa imong buot ipasabot dire nga namakak diay ni si Gilda.
(So, in other words, based on your statements that Resolution No. 19 is a draft document and that Gilda is not telling the truth.)

- **Hon. Albert Morilla (Respondent):**
 - Possible, attorney, kay siya pa may secretary niana nga time.
(It's possible, attorney because she was still the secretary at that time.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, nganong mo ingon man ka nga possible nga siya pa may secretary nga siya mang gyud ang secretary ato?
(So, why did you say it's possible when in fact she is the secretary at that time?)
- **Hon. Albert Morilla (Respondent):**
 - Kanang mga papers gud siya gyuy magtipon ana pero katong giingon niya na kato nga time nga July 21 nga naa ko ning support sa pikas dili na tinuod, Attorney.
(With regards to the archiving of documents and paperwork it is the job of the secretary and with regards to the allegation that I shifted my support to another candidate, that is not true.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa, karon ni angkon naman ka nga katong pagkakita ni Gilda sa Resolution No. 19, siya pa ang secretary.
(So, in other words, you admitted that when Gilda got hold of a copy of Resolution No. 19, she was still the secretary.)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Niya karon ni angkon pud ka nga ang pirma nga naa sa Resolution No. 19 imong pirma, sakto?
(And then you also admitted that one of the signatures in the Resolution is yours, correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa ato pa before ka ning pirma imong gibasa.
(So, in other words, you are fully aware of the contents of the resolution before you sign it.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, ni ingon man ka nga siya pa ang secretary, so ngano wa man ka mahibong nga wa may pirma ni Gilda nga siya pa may secretary?
(Now, why is it that you did not question the resolution for having any signature from the secretary?)
- **Hon. Albert Morilla (Respondent):**
 - Wa may nakabutang nga prepared dire, attorney.
(The word "prepared" was not printed in the resolution where it should have been.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, karon mo ingon ka nga, sa imong affidavit, wala ni panangtanga kaning mga barangay workers, barangay health workers ug kadtong 2 ka barangay tanod.
(Now, you said in your affidavit that you did not removed/terminate these barangay workers, barangay health workers and barangay tanods.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, attorney.

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, imong kumbinsihon ang kini nga talahuron nga Body nga boluntaryo gyud sila nga ning hawa.
 - (So, you will affirm your statement to this Honorable Body that they voluntarily stop working or resign.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, voluntary gyud, attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, wala ka mahibulong ngano nga nagdungan man gyud silang tanan ug hawa, undang?
 - (So, have you not been surprised that they stop or resign from work simultaneously?)
- **Hon. Albert Morilla (Respondent):**
 - Dili na nagdungan, attorney, kay kadtong tanod May pa lang ning undang tapos ang kadtong 1 ka tanod June tungod kay nagprocess siya sa iyang senior citizen.
 - (No, they did not stop working simultaneously because one of the barangay tanod stopped working in May while the other one did in June because he was processing his senior citizen.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, how about aning uban labi na ning mga kababayn-an?
 - (Now, how about the others especially the women?)
- **Hon. Albert Morilla (Respondent):**
 - Kana, Attorney, ila gyud nang kagustohan, Attorney, nga mangundang kay katong gikuan dire-a nga ug pila kunoy honorarium sa barangay mao puy ihatag ni mayor kuno.
 - (It was their decision to stop working because allegedly they were promised by the mayor to be paid an honorarium equal to the one they are receiving from the barangay.)
 - Si Lydia ug si Gilda mao gyuy nagsulti ana.
 - (It was Lydia and Gilda who said that.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, pagkahibawo nimo ana nga mao na wala diay nimo sila pugngi nga nganong mo hawa man sila nga naa man gihapoy sweldo ang barangay?
 - (So, did you advise them not to resign since they will be receiving the same honorarium from the barangay?)
- **Hon. Albert Morilla (Respondent):**
 - Wala na na sila nakigistorya sa ako, Attorney, nangundang lang basta-basta sila.
 - (They just stop working or voluntarily resign without informing me, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, gawas sa katong giingon nga tagaan sila'g honorarium unsa pa kahay lain nga hinungdan ngano man kaha nga ang mayor ni offer man ug honorarium sa ila nga nakahibawo man ang mayor nga naa silay honorarium sa barangay?
 - (So, besides the offer of the mayor for an honorarium, what do you think is the other possible reason why they were being offered by the mayor an honorarium when they are already receiving the same from the barangay?)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang kay pagpangundang nila, Attorney, cut-off naman sila sa barangay.
 - (I don't know, Attorney. When they decided to stop or voluntarily resign, they were no more connected with the barangay.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So ang buot nimo ipasabot tagaan diay sila'g honorarium sa mayor tungod kay na cut-off naman sila sa barangay.
 - (So, what you're implying is that they were offered an honorarium from the mayor because they were already been removed from the barangay.)

- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So sa ato pa dili gyud diay ang pasalig nga balhin mo dire hawa mo.
(So in other words, it is not true that they stop working in the barangay because of the offer.)
- **Hon. Albert Morilla (Respondent):**
 - Mao gyuy pasalig, Attorney, nga pangundang mo.
(That was the offer if they will stop working in the barangay.)
 - Naa gani lima dinhi, Attorney, nga ning kiha nga hangtud karon up to June 2022, Attorney, sige pa sila'g trabaho sa barangay, Attorney.
(There are even five of the complainants who are still working at the barangay up to June 2022.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So ni ingon ka, nakabati ko karon, ni ingon ka pangundang mo, kinsa may nag ingon ana nga pangundang mo?
(I heard from you a while ago saying, "stop working", who said that?)
- **Hon. Albert Morilla (Respondent):**
 - Si Lydia ug si Gilda nga pangundang mo kay ug pilay sweldo ninyo sa barangay maoy madawat ninyo sa kang mayor with 1 sack pa nga rice.
(It was Lydia and Gilda who convinced them to stop working because according to them, they will be receiving the same honorarium from the mayor with an additional 1 sack of rice.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ngano kaha nga na ingon ato man to?
(What do you think is the reason?)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang sa ila kay nahadlok siguro nga ma continue sila'g trabaho nga dili nila ma kumbinse.
(I don't know. Perhaps they were afraid that they cannot convince them to stop working.)
 - Kay ang akong plano adto continue lang mo sa trabaho kay non-partisan gud ang barangay, wa koy gikampanya sa inyo.
(But, as far as I'm concerned, they can continue working since the barangay is non-partisan and I did not campaign for any candidate.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Si kinsa may nahadlok nga dili ma kumbinse nila?
(To whom you are referring that they are afraid that they cannot convince them?)
- **Hon. Albert Morilla (Respondent):**
 - Kini sila Gilda.
(It's them, Gilda.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ma kumbinse sa unsa man?
(What to convince?)
- **Hon. Albert Morilla (Respondent):**
 - Ma kumbinse nga matagaan sila ug sweldo kumbaga pareha sa barangay nga honorarium.
(To convince them that they will receive the same honorarium they received from the barangay.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Ana ra ang rason nga ma kumbinse?
(Is that the only reason?)
- **Hon. Albert Morilla (Respondent):**
 - Mao na, Attorney.
(That's it, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Unsa man kahay katungod o gahum ni Gilda ug ni Lydia na sila mo kumbinse man ana?
(What is the right or authority of Gilda and Lydia to convince them?)
- **Hon. Albert Morilla (Respondent):**
 - Sila ray nakasabot ana.
(It's only them who knows.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Sa ato pa ila-ila ra to nga pasalig nga mohatag ug honorarium ug bugas.
(So, in other words, they are the ones who offered to give rice and honorarium.)
- **Hon. Albert Morilla (Respondent):**
 - Tingale, Attorney, tingale'g wala makasabot si mayor, ila lang to nga mangundang sila.
(Maybe, Attorney, maybe the mayor is not aware of that.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr Witness, nakabati ko nga ni ingon ka wa kasabot si mayor, nganong mo ingon man ka nga wa kasabot si mayor?
(Mr. Witness, you said, "the mayor is not aware", why did you say that?)
- **Hon. Albert Morilla (Respondent):**
 - Kay sila ra may nagkuan sa mga barangay workers nga,"pangundang mo kay ug pilay inyong nadawat mao puy madawat ninyo sa kang mayor.
(Because they are the ones who insinuated the barangay workers to stop working because they will be receiving the same honorarium from the mayor.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So sa ato pa molutaw na karon na sila diay nagpasalig tungod kay gipasaligan pud diay sila ni mayor.
(So, it is now clear that the offer was made because of the offer of the mayor.)
 - So sayop tong imong giingon nga sa ila lang kaugalingon nga nagsaad.
(It is not true that the offer was made to be fulfilled by Lydia and Gilda.)
 - So sa ato pa it seems nagusab-usab ang imong rason karon.
(So, it seems that your answers are having inconsistencies.)
 - Karon, Mr. Witness, being the Barangay Captain, nga being amahan nila sa barangay, nga being imong mga supporters sa una, wala ka ning himo ug lakang nga ma pugngan to?
(Now, Mr. Witness, being the Barangay Captain, father of the barangay, and your supporters, have you initiated any move to stop them from resigning?)
- **Hon. Albert Morilla (Respondent):**
 - Wa na gyud, Attorney, kay pagpangundang nila wa naman gane nakigistorya sa ako.
(No, Attorney, because when they decided to stop working they did not bother to talk to me anymore.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So ni ingon man ka karon nga gibangkit man nimo ang ngan na mayor, kinsa mang mayora si mayor Remandaban?
(You mentioned the word mayor, are you referring to mayor Remandaban?)
- **Hon. Albert Morilla (Respondent):**
 - Basta mayor.
(The mayor.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wa may laing mayor kadtong higayona.
(There's no other elected mayor during that time.)
 - Now, karon wala ko mohimo ug lakang nga makigistorya kang mayor pagtino, mayor ngano man ni si Lydia ug si Gilda nga nagpasalig man ug honorarium ug bugas aning mga tawhana?
(Now, have you not tried to talk to the mayor regarding the offer made by Lydia and Gilda to the complainants?)
- **Hon. Albert Morilla (Respondent):**
 - Wa na lang pud ko ana.
(No, I did not.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Nganong wala man?
(Why you did not bother?)
- **Hon. Albert Morilla (Respondent):**
 - Basta wa na lang ko makigistorya sa kang mayor.
(I just did not.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero talking terms mo sa mayor?
(But are you on good terms with the mayor?)
- **Hon. Albert Morilla (Respondent):**
 - Wa ko kasabot.
(I did not understand.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Maayo mo ug relasyon?
(Are do you have good relationships with the mayor?)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So nganong wala man ka mo duol nga apektado man ang imong serbisyo isip Barangay Captain kung ikaw biyaan sa imong mga trabahante?
(So, why you did not approach him since the mass resignation of your barangay workers will affect the services of the barangay?)
- **Hon. Albert Morilla (Respondent):**
 - Wa na lang gyud ko mo duol, Attorney, kay nangundang gane sila nga wa makigistorya sa ako so wa na lang gyud ko mo attempt ug pakigistorya sa ila.
(I just did not, Attorney, because they even did not bother to talk to me about this matter. They just stop working or resigned from work, so I also did not bother to talk to them.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So sa imong bana-bana mao ra gyud to ang rason nga nangundang sila tungod kay gipasaligan sila nga tagaan ug bugas.
(So, in your understanding the offer of the same honorarium and a sack of rice is the only reason why they stop or resigned from work.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So walay giingon nga balhin mo dire kay ari mo suporta sa akong partido, wala?
(So, no persuasion happened to shift their support to your party, no?)
- **Hon. Albert Morilla (Respondent):**

- Wala. (No.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So imo pong ikumpirma dire sa talahurong Body nga, kani sa wala pa ni sila nanghawa, sigun sa imong ingon nga, boluntaryo sila nanghawa, so kani silang tanan nagdawat pud ni sila ug honorarium sa barangay?
(So, will you also confirm to this Honorable Body that when these complainants were still working at the barangay, they were receiving an honorarium?)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So na undang lang sila pagdawat ug honorarium kadtong gipasaligan sila ni mayor.
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So sa ato pa mulitaw karon nga si mayor gyud diay ang nagpasalig sa ila.
(So, it is now clear that it was indeed the mayor who made the officer.)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Dili si Lydia ug si Gilda.
(Not Lydia and Gilda.)
- **Hon. Albert Morilla (Respondent):**
 - Gihimo man lang sila nga kamo lay pagkuan didto nga mao ni i-istorya nga pangundang mo kung pilay madawat ninyo sa barangay mao puy inyong madawat.
(They were just instructed to tell them to stop working because they will be receiving the same honorarium.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, unsa kahay rason ni mayor nganong, pananglit gisugo man kaha niya si Lydia ug si Gilda nga iya kumbensihon nga naa ra man sila sa barangay nagtrabaho?
(So, what do you think would be the reason why the mayor instructed Lydia and Gilda to convince them?)
- **Hon. Albert Morilla (Respondent):**
 - Ambot lang kaha, Attorney, kay sila ra may nakasabot kung unsay sabot nila ni mayor.
(I really don't know, Attorney, what are their arrangement with the mayor.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero mo uyon pud ka nga niadtong higayona ti angat na ang eleksyon?
(But will you agree that the election was already fast approaching that time?)
- **Hon. Albert Morilla (Respondent):**
 - Layo pa, Attorney, kay September pa gud.
(No, Attorney, because it was still September.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero mo admiter ka nga ang filing sa certipico de kandidatura sa katong niaging eleksyon niana pang Oktubre?
(But will you admit that the filing of the certificate of candidacy during the last election was in October?)
- **Hon. Albert Morilla (Respondent):**
 - October, yes.

- **Atty. Octavius Latic (Counsel for the Complainants):**
 - Sa ato pa sayo mahibaw-an ug kinsa ang mo dagan.
(In other words, you will know who will be running for office during that time.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Latic (Counsel for the Complainants):**
 - I think that would be all for the cross, your Honor.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Re-direct, your Honor.
 - Ni ingon man ka, Kap, nga ni konsulta mo sa DILG bahin aning Resolution No. 1.
(Mr. Witness, you said that you consulted the DIGL regarding this Resolution No. 1, series of 2022.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Diin man mo ni ngare mo?
(Where did you go?)
 - Asa man ang opisina sa DILG diay?
(Where is the office of the DILG?)
- **Hon. Albert Morilla (Respondent):**
 - Naa diha, Attorney.
(Right there, Attorney.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Ni nganha mo?
(Did you go there?)
- **Hon. Albert Morilla (Respondent):**
 - Ni ngadto gyud si kuan kay nag barangay visit man, Attorney .
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Ni ngadto si kinsa?
(Who went there?)
- **Hon. Albert Morilla (Respondent):**
 - Si DILG, ma'am Sandy.
(The DILG, ma'am Sandy.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Ni ngadto sa asa?
(Where did she go?)
- **Hon. Albert Morilla (Respondent):**
 - Sa barangay nag barangay visit.
(In the barangay conducting a barangay visit.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - So wala mo ni ari?
(So, you didn't visit the DILG office?)
- **Hon. Albert Morilla (Respondent):**
 - Ang akong secretary ug treasurer diha gyud, Attorney, kay nagpareceive.
(My secretary and treasurer were there, Attorney.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Pero katong nangunsulta mo diin man mo?

(But when you seek consultation, where did you go?)

- **Hon. Albert Morilla (Respondent):**
 - Diha sa kang ma'am Sandy.
(To ma'am Sandy.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Didto pag barangay visit or dire?
(During the barangay visit or here?)
- **Hon. Albert Morilla (Respondent):**
 - Diha, Attorney.
(In his office, Attorney.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Gipangutana man ka nga kani si Antonio Pepito, Sr. ug Aida Nunez, wa ning pirma.
(You were asked regarding a certain Antonio Pepito, Sr., and Aida Nunez who did not affix their signatures.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Sa imong nahibaw-an isip Kapitan kinahanglan ba mo pirma tanan or majority lang?
(As far as your knowledge as Barangay Captain is it necessary that it should be signed by all the members or just the majority?)
- **Hon. Albert Morilla (Respondent):**
 - Mura'g di naman siguro, Attorney, basta majority lang.
(I supposed it is not necessary, Attorney, for as long as it was approved by the majority.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Naa kay Resolution No. 1, series of 2022, ang in-charge na secretary is Geraldine Rose Morilla, kinsa man na siya?
(In your Resolution No. 1, series of 2022, there was this name Geraldine Rose Morilla, who was she?)
- **Hon. Albert Morilla (Respondent):**
 - Kuan siya Barangay Kagawad.
(She's a Barangay Kagawad.)
 - Wa pa man mi naka-appoint ug secretary so siya usa ang nag incharge sa secretary.
(She was in charge as the secretary since we have not yet appointed one.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Gipabasa sad sa imo ang affidavit ni Gilda Pepito nga pagkakita kuno ni Gilda Pepito nga nakaplastar na sa barangay hall ang kaning Resolution No. 19-2021, kinsa may nagplastar ani sa pultahan kaha?
(You were asked to read the affidavit of Gilda Pepito, which states that Gilda Pepito saw the said resolution posted at the barangay hall, who do you think posted the same?)
- **Hon. Albert Morilla (Respondent):**
 - Mura'g siya ra gyuy nakasabot ana, Attorney.
(Only she knows, Attorney.)
 - Wa gyud mi nakasabot ana.
(We don't have any idea.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Ni ingon sad ka nga nga naay ning pirma sa complaint nga ning ingon September 2021 gitangtang na sila pero ingon ka hangtud 2022 nagtrabaho pa, kinsa man sila?
(You also said that some of the complaints who signed the complaint alleged that they were removed/terminated sometime on September 2021 but were still working up to

2022, who are they?)

- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
 - Naay lima, Eda Balleno, Myrna Balleno, Rosalinda Halikhik, Arlene Salondro ug Elma Ayade.
 - (There were five of them, Eda Balleno, Myrna Balleno, Rosalinda Halikhik, Arlene Salondro, and Elma Ayade.)
 - Ning kiha sila September kung baga ning stop ning sabay sila sa kiha nag sweldo pa continue up to February, Attorney.
(They filed a complaint together with the other complainants but at the same time they were receiving an honorarium up to February, Attorney.)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Few re-cross, your Honor.
 - Mr. Witness, ni ingon ka karon gipangutana ka'g utro sa imong abogado nga ni ngadto ba gyud mo sa opisina sa DILG sa pagpangunsulta bahin aning Resolution No. 1, ni ingon ka ni ngadto mo, sakto?
(Mr. Witness, you said a while ago when you were asked by your Counsel that if you went to the Office of the DILG for consultation regarding this Resolution No. 1, correct?)
- **Hon. Albert Morilla (Respondent):**
 - Gipangadto nako akong secretary ug treasurer.
(I instructed our secretary and treasurer to go to the office of the DILG.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, dili gyud diay ikaw personal.
(So, you did not go personally.)
- **Hon. Albert Morilla (Respondent):**
 - Dili, Attorney.
(No, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, wala gyud ka makadungog nga ni ingon siya nga okay ra na ang tenor sa maong resolution.
(So, you did not hear the DILG's comment or opinion regarding the said resolution.)
- **Hon. Albert Morilla (Respondent):**
 - Wala man siyay reklamo, Attorney, wa man pud siyay opinion na lain.
(There was no negative comment and opinion, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So imo lang gi-assume nga sakto.
(So, you just assumed that the resolution was in order.)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, did you not exert effort, wala ka naningkamot nga mahimo nimo siyang testigo habig nimo para nga mo lig-on ang imong pag-angkon nga tinuod na gikonsulta nimo nga sakto n inga resolution?
(So, have you not exerted effort or convinced her, the DILG, to become one of your witnesses to give more weight to your statement that you consulted her office on the propriety of the resolution?)
- **Hon. Albert Morilla (Respondent):**
 - Wala na lang, Attorney.

(No, Attorney, I did not bother.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Wala na lang, ngano man?
(I did not bother, why?)
- **Hon. Albert Morilla (Respondent):**
 - Kay ning adto naman siya sa barangay visit so mao to among gipakuan nako wa man kunoy problema kay katungod man namong mga barangay official.
(It's because she went into the barangay during the barangay visit and she told me that there is nothing wrong with the resolution since it is our right as barangay officials.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kani diay tubag nimo sa pangutana numero 6, mao to nangutana mi sa DILG Tabango sa iyang opinion, so dili diay ni eksakto kay wa man diay ka personal ning ngadto?
(In your response to question number 6, you stated that you ask the opinion of the DILG Tabango, does this mean that this is not true since you weren't there personally?)
 - Answer to question number 6, what did you do, unsa man imong gibuhad kung naa man?)
 - "Mao to nangutana mi sa DILG, Tabango, Leyte sa iyang opinion", so bale dili ni siya tinuod.
(“That is why we asked the opinion of the DILG Tabango,” so this would mean your answer is not true.)
 - Wa man diay ka ni ngadto.
(Because you did not go to the DILG Tabango personally.)
- **Hon. Albert Morilla (Respondent):**
 - Ang akong treasurer ug secretary maoy ni ngadto.
(It was my treasurer and secretary who went there.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mao lagi so sayop ni dili ni tinuod nga ikaw ang ning adto.
(So, your statement in your affidavit is not true since you weren't there personally.)
 - Tinuod o dili?
(Is it true or not?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - That would be all sa re-cross.
 - Thank you.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Just a manifestation, your Honor.
 - This representation did not necessarily call the DILG as a witness because it is very hard to call them as a witness since they will be asking permission first from their Regional Director, your Honor before we can present them as a witness, your Honor.
 - That would be all, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Is there any question from the Ad Hoc Committee members?
 - You have the floor, Honorable Vosotros.
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, good morning.
 - Kap, nagstart ka sa barangay 2013, ano?
(Kap, you started as Punong Barangay 2013, correct?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, 2013.

- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - And it was my knowledge na, mo tando ka man sa di, magkapareha ta ug mayor nga gilabanan, ano?
(And it was my knowledge that, whether you agree or not, we supported the same mayor, right?)
- **Hon. Albert Morilla (Respondent):**
 - Privacy na na nato.
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, pangutana lang sama sa gipangutana ni Attorney, ang inyong practice sa barangay kung maghimo'g draft resolution pirmahan ninyo daan then butangan pud ninyo ug selyo?
(Kap, the same question asked by the Counsel for the complainants, is it a practice of the barangay council to have the draft resolution signed by all the members and stamped with the barangay seal?)
- **Hon. Albert Morilla (Respondent):**
 - Way selyo.
(There's no seal.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Mr. Secretary, may I see the original resolution, Resolution No. 19?
 - Kap, patan-aw lang ko sa kanan naay date, Kap?
(Kap, will you kindly look at the document?)
 - Is it your seal of Barangay Manlawaan?
- **Hon. Albert Morilla (Respondent):**
 - Posible na giselyohan ni Gilda.
(It's possible that Gilda stamped the document with the barangay seal.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, ayaw pag-ingon nga possible kay you affixed your signature.
(Kap, you cannot say "it's possible" because you affixed your signature.)
 - So, more or less, before mo ni affixed sa imong signature, nakakita ka sa selyo.
(So, more or less, you saw the seal before you affixed your signature.)
- **Hon. Albert Morilla (Respondent):**
 - Di man, kay mo signature usa mi tingale gikuanan lang ni Gilda.
(No it's not like that because we usually affix our signature before the seal will be stamped and Gilda did that.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Pila kabuok barangay workers nimo, Kap?
(How many barangay workers do you have?)
- **Hon. Albert Morilla (Respondent):**
 - Daghan ni karon, 30 siguro.
(As of now, around 30.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - So, kana silang tanan, Kap, more or less silang tanan, pagka-Barangay Captain nimo, sabay pud na sila nimo gi-appoint?
(So, all of these barangay workers were appointed during your first term as Barangay Captain?)
- **Hon. Albert Morilla (Respondent):**
 - Naa uban dili.
(Not all.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Mga pila kaha kabuok ang di nimo nasabay, Kap?
(Can you recall how many of them were not appointed during your first term?)

- **Hon. Albert Morilla (Respondent):**
 - Basta kay sa pagpangundang nila ang nahabilin 10 siguro ka workers.
(When they stop working, there were around 10 workers remain.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, based sa imong counter-affidavit ni mention ka didto nga wala ka mag mass termination.
(Kap, in your counter-affidavit, you stated that there was no mass termination.)
- **Hon. Albert Morilla (Respondent):**
 - Yes.
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - But according to your Resolution No. 19, akong basahon Kap ha, "resolved, be it hereby resolved, confirming the removal of all barangay appointed officials and employees in Barangay Manlawaan, Tabango, Leyte," unsay imong buot ipasabot ani Kap?
(But according to Resolution No. 19 it was stated that "resolved, be it hereby resolved, confirming the removal of all barangay-appointed officials and employees in Barangay Manlawaan, Tabango, Leyte," what do you mean by that?)
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Sir, excuse, you are showing him I think annex "1", Resolution No. 19.
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Anyway, ang annex "1" pareha ra man ug content.
(Anyway, it has the same content as annex "1".)
- **Hon. Albert Morilla (Respondent):**
 - Pwede utrohon ang question?
(Can you repeat the question?)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, ang imong Resolution No. 19 ug 1, pareho ug content, confirming the removal of all barangay appointed officials and employees, unsay ipsabot nimo ani, Kap, tanan gitanggal nimo, Kap?
(Kap, in your Resolution No. 19 and 1, which has the same content, confirming the removal of all barangay-appointed officials and employees, what do mean by that, all of them were removed/terminated?)
- **Hon. Albert Morilla (Respondent):**
 - Wa man gud ni siya ma implement kay September pa lang nangundang na sila.
(This was not been implemented because they stop working since September.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Pero, Kap, ni ingon ka kining Resolution No. 1 mao n ani inyong final na received sa DILG.
(But, Kap, you said that Resolution No. 1 is the final copy that was received by the DILG.)
- **Hon. Albert Morilla (Respondent):**
 - O, kay si Gilda ug si Lydia wa man gyud mohatag ug mga resignation bisan nangundang na sila.
(Yes, because Gilda and Lydia did not submit their resignation even if they already stop working.)
 - Nakahimo ang Barangay Council ug resolution for confirming the removal.
(The Barangay Council passed this resolution to confirm their removal.)
- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Pero, Kap, dire ta mangutana sa content sa imong resolution na nagconfirm sa removal sa tanan nimong appointees ug sa tanan nimong barangay workers nga imo silang gitangtang.
(But, Kap, I would like to be clarified on the content of your resolution confirming the removal of all appointees and barangay workers.)

- **Hon. Albert Morilla (Respondent):**
 - Sa 2022 na.

- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Gane.
 - So, kini gyud tanan, Kap?
(So, all of them, Kap?)

- **Hon. Albert Morilla (Respondent):**
 - Wala mana siya.
(No, it's not.)
 - Sila lang ang desididong mangundang.
(Only those who wants to stop working.)
 - So ang uban nga wa mangundang continue ilang trabaho.
(For those who did not stop working, they are still connected with the barangay.)

- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kap, it seems sa ako-a na ang imong affidavit nga gi-execute nga wala ka nag mass termination pero sa akong pagtan-aw dire sa imong resolution dili man magkatugma, Kap?
(Kap, it seems that your statement in your affidavit that there was no mass termination did not jive with your resolution?)

- **Hon. Albert Morilla (Respondent):**
 - By 2022 naman ni nga resolution.
(That resolution is for 2022.)
 - Kani rough draft ra man gud.
(This was just a draft resolution.)
 - So, ang kani nga resolution diha na ni namugna na pagpangundang ni Gilda ug ni Lydia.
(This resolution was passed when Gilda and Lydia stopped working.)

- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - Kani nga annex "1"?
(This annex "1"?)
 - Kani ang final ninyo.
(This is the final resolution.)

- **Hon. Albert Morilla (Respondent):**
 - Yes.

- **Hon. Jose Welson G. Vosotros (Member, Ad Hoc Committee):**
 - But, anyway, ang imong annex "1" ug imong Resolution No. 19 same content lang naman pud, Kap.
(But, anyway, your annex "1" and Resolution No. 19 have the same content.)
 - So, more or less, usa ra ni sila.
(So, more or less, they are the same.)
 - That would be all, your Honor.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You have the floor, Honorable Merontos.

- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, Kap, maayong buntag.
(So, Kap, good morning.)
 - Kini nga Ad Hoc Committee, Kap, naa ta sa center, was created to clarify, pagtimbang-timbang nato sa gi-complain ug sa complainant.
(This Ad Hoc Committee was created to investigate this administrative complaint.)
 - So, karon nanginahanglan pud mi ug clarification para pud among mabansay-bansay, timbang-timbang, ug unsa gyud ang kamatuoran nga nahitabo kay nganong gi-complain ug ang respondent pud motubag pud ug ngano silan gi-complain.
(So, we need some clarification on some matters in order for the truth to come out on

- what really happened.)
- Karon, Kap, naa koy further nga pangutana.
(Now, Kap, I do have some further questions.)
 - So, follow-up sa kang Honorable Vosotros nga pangutana sa imo bahin sa resolution sa removal of all barangay appointed officials.
(This is a follow-up with the questions of Honorable Vosotros regarding the resolution confirming the removal of all barangay-appointed officials.)
 - Tanan bang mga appointed nimo, Kap, removed sa office?
(Are all appointed barangay officials and workers removed from office?)
- **Hon. Albert Morilla (Respondent):**
 - Wala.
(No.)
 - **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, kaning inyohang resolution gihimo nga naka-title na removal of all, so kung mo ingon ta ug "all", tanan inyong gitangtang sa office, di ba?
(So, in the resolution that you passed which has the title a portion of which reads, "removal of all", meaning when you used the word "all", that means all the barangay-appointed officials and employees, am I right?)
 - **Hon. Albert Morilla (Respondent):**
 - Yes.
 - **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Ikaduhang pangutana, Kap, basi sa imohang gisaysay ganiha mingadto mo sa DILG nangayo mo sa iyang ug advice?
(The second question is based on your statement a while ago that you went to the DIGL to seek advice, correct?)
 - **Hon. Albert Morilla (Respondent):**
 - Yes.
 - **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, ang gi-advice sa DILG sa inyoha nga okay mohimo mo'g resolution.
(So, you were advised by the DILG that passing a resolution to that effect is in order.)
 - Pero as a Barangay Official, as a Barangay Captain, nahibawo pud ka upon sa pag remove ninyo sa office mag-agi gyud ta ug due process.
(But as a Barangay Official, as a Barangay Captain, you are aware that before removing an employee, there should be due process.)
 - Aware ka ane, Kap, nga naay due process nga himuon?
(Are you aware of the due process, Kap?)
 - **Hon. Albert Morilla (Respondent):**
 - Yes.
 - **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, karon ang kadtong mga BHW, barangay tanods, BW nga wala na mitungha sa inyong bulohatan sa barangay nga mi ingon di na sila manarbaho, unsay imong unang gihimong aksyon?
(So, now, what action did you make for those BHW, barangay tanods, and BW who no longer reported for work?)
 - **Hon. Albert Morilla (Respondent):**
 - Number 1, wala naman gud sila manod so 3 times successive nga di ka mo sud naa man gud sa among Internal Rules nga 3 successive weeks gane nga di sila mo sud, automatic siya.
(Number 1, if they did not report for work 3 consecutive weeks, per Internal Rules, automatically they will be subject to removal.)
 - **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, 3 consecutive naa sa inyong Internal Rules pwede na sila tangtangon.
(So, per Internal Rules, failure to report for work for 3 consecutive weeks can be subject

to removal.)

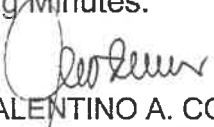
- **Hon. Albert Morilla (Respondent):**
 - Pwede sila.
(They can be.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Pero ang inyoha pud unta kung moagi ta'g due process, gipadad-an ba ninyo sila'g letter nga kamo amo nang tangtangan tungod sa grounds nga wa na moy sud-sud sa 3 ka consecutive nga weeks?
(But as part of the due process, have you notified them through a letter that they will be removed from office for failure to report for work for 3 consecutive weeks?)
- **Hon. Albert Morilla (Respondent):**
 - Wa man siguro na sa balaod sa barangay.
(I believe there's no law on that in the barangay.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Akong pangutana lage gipadad-an ba ninyo sila'g letter tungod sa wala na silay sulod-sulod sa barangay?
(My question is have you notified them through letters regarding their none attendance at their work in the barangay?)
- **Hon. Albert Morilla (Respondent):**
 - Yes, gipadad-an namo.
(Yes, we notified them through letters.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Ug gipadad-an ninyo'g letter possible naa gyud moy receiving copy nila nga ila pong i-receive ug inyo pong file sa barangay, so naa mo ana, Kap?
(If you notified them through letters, you do have a copy of the same signed by them, which will serve as your copy in the barangay, do you have that copy?)
- **Hon. Albert Morilla (Respondent):**
 - Posible lang kay wa may proper turnover gud so ang nakasabot ana ang secretary ra gyud.
(It is possible because there was no proper turnover of documents and only the secretary knows that matter.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Di man proper turnover, Kap, aksyon man nimo sa barangay.
(I'm not referring to the proper turnover, but the action made by you.)
- **Hon. Albert Morilla (Respondent):**
 - Ang nagpada adto si secretary.
(It was the secretary who sent the letters.)
 - So siya ray nakasabot ug asa ang copy adto.
(So, she is the only one who knows where the copies of the letters.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, madam Chair, please note nga mangayo ta'g copy katong kopya sa receiving copy nila nga gipadad-an ug letter nila sa katong hingtungdan nga wa nay sulod-sulod sa barangay.
- **Hon. Albert Morilla (Respondent):**
 - Si secretary, Gilda, ra gyuy nakasabot ana ang dating secretary.
(It is only the former secretary, Gilda, who knows about those files.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Ang karon naman na nga desisyon ninyo, Kap, kung unsay imong aksyon as barangay official.
(I am referring to your decision regarding your action as a barangay official.)

- **Hon. Albert Morilla (Respondent):**
 - September pa gud sila nangundang.
(They stop working way back September.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Akong pangutana lage nagpada ba mo'g papel sa ila katong mga nangundang ba gipadad-an ba to ninyo'g letter nga sila inyo nang tangtangan tungod sa grounds na wala na silay sulod-sulod sa barangay?
(My question is have you notified them that they will be removed from office for failure to report for work?)
- **Hon. Albert Morilla (Respondent):**
 - Basta nagkuan lang ko sa kang secretary.
(I just instructed the secretary.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - Noted, Kap.
 - Pangutana, kani nga resolution na inyong gihimo, Resolution No. 1, series of 2022, napadad-an ba sila'g kopya ani nga resolution nga sila removed na sa office?
(Do the concerned barangay workers were given copies of Resolution No. 1, series of 2021?)
- **Hon. Albert Morilla (Respondent):**
 - Wala. (No.)
- **Hon. Richard V. Merontos (Member, Ad Hoc Committee):**
 - So, madam Chair, that's all.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Any more questions from the Ad Hoc Committee?
 - Okay, that's the end of our hearing.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Your Honor, if I may, just like the Counsel for the Complainants, your Honor, they were given 5 days to formally offer their exhibits in writing.
 - May we also ask for the same period, your Honor?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - Thank you, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - And if you can secure the received copies of the letter of notice, which the Honorable Merontos requested, please submit the same.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, we likewise, request for the same period, your Honor, to submit our comment to the formal offer.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - The committee may allow the parties to submit their respective memoranda together with the draft decision for consideration of the Sanngunian Bayan within 15 days after the termination of the formal investigation, which is today.
- **Atty. Alexander Sala, Jr. (Counsel for the Respondent):**
 - I believe not, your Honor.
 - If I may, I think the 15 days will reckon, your Honor, from the resolution in the admission or denial of the formal exhibits, your Honor.
 - My co-counsel would agree to that.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, the 15-day period will start after the Honorable Body can resolve the formal offer.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Okay.
- Atty. Alexander Sala, Jr. (Counsel for the Respondent):
 - Yes, your Honor, we are willing to make our respective memoranda, but can we ask for the minutes, your Honor, for every hearing because that would guide us to amplify our respective positions, your Honor?
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Can you do it, Mr. Secretary?
- Atty. Alexander Sala, Jr. (Counsel for the Respondent):
 - August 31, September 19, September 27, October 12, and today, sir.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - I think that's all.
 - So, this formal hearing is now adjourned.

The formal hearing/investigation adjourned at around 11:16 AM.

I HEREBY CERTIFY the correctness of
the foregoing Minutes.


VALENTINO A. CODERA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Tabango

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SANGGUNIANG BAYAN

MINUTES OF THE PROCEEDING OF THE FORMAL HEARING/INVESTIGATION OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON OCTOBER 12, 2022.

Present:

Hon. Rubilita A. Dela Cruz	Sangguniang Bayan Member/ Chairman, Ad hoc Committee
Hon. Jose Welson G. Vosotros	Sangguniang Bayan Member/ Vice-Chairman, Ad hoc Committee
Hon. Richard V. Merontos	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Kirsty V. Jabonete	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Fortune Frauline T. Misa	Ex-Officio SB Member/ President, Pambayang Pederasyon ng mga SK Member, Ad hoc Committee

Absent:

Hon. Luis Gabriel U. Veloso	Sangguniang Bayan Member/ Member, Ad hoc Committee
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CALL TO ORDER: 9:20 AM

PRAYER: Hon. Richard V. Merontos

- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Good morning.
 - This is the continuation of our formal hearing.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Good morning, Your Honor.
 - The same appearance for the respondent.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Good morning, your Honor.
 - The same appearance for the complainants.
 - I think it's the turn of the respondent, your Honor, to present their witnesses, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yes, Your Honor, it's our turn to present our witnesses, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Please those who are inside, please don't make any comments and keep silent.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Actually, to be fair, Your Honor, because that would provide orderly proceedings for all other witnesses, who would not be presented in the meantime, are outside and only the witnesses who will be presented are inside because that's how it should be in the first place.
 - Your Honor, we filed last October 7 a judicial affidavit of our witnesses.
 - Actually, we are ready to present all our witnesses, your Honor.
 - In the meantime, for our first witness, we would call on Sangguniang Barangay Member or Barangay Kagawad Rolly R. Lerio and Wilfredo L. Galesa.
 - Now, if this court would allow, your Honor, if this Honorable Body would allow, I would present them 2 at the same time because they have the same statements, and I presumed they would be cross-examined on the same points, your Honor, in order to

- save time.
 - The 2 of them would be presented at the same time.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Your Honor, my comment on the same, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, if that is the case, Your Honor, we will request the Counsel for the Respondent to choose which one of the witnesses he will present because I think their testimonies are the same.
 - The testimony of the other is corroborative only.
 - So, to expedite the proceeding, I suggest that the Counsel for the respondent will choose who among the 2 witnesses he will present.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - We will present 2, your Honor.
 - How come we are being asked to choose when the complainants filed the same affidavits, all of them, your Honor, the same affidavits, and yet they were allowed to present several witnesses for the same affidavit?
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Maybe, Attorney, you can present one at a time.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - One at a time, yes, okay, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, if that is the case, your Honor, if one at a time, we move for the exclusion of other witnesses not testifying.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yes, your Honor.
 - Actually, I asked that during the first hearing, your Honor, yet I was overruled.
 - But, just to be put on record, I will abide by that because that is the proper proceeding.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Anyway, I would like to inform nga one at a time only because maybe the members of the Ad Hoc Committee would like also to ask some questions.
 - Can we proceed now?
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yes, we can proceed.
 - May I call Wilfredo Calesa, your Honor?
- **Mr. Valentino A. Codera (SB Secretary):**
 - Mr. Witness, manumpa ka ba nga ang tanan nimong isulti karong adlaw mao lamang ang tinuod walay lain ug ang tinuod?
(*Mr. Witness, do you solemnly swear that the testimony that you are going to give today will be the truth the whole truth, and nothing but the truth?*)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, your Honor.
- **Mr. Valentino A. Codera (SB Secretary):**
 - Madam Chair our first witness is Mr. Wilfredo Calesa, 47 years old and residing at La Fortuna II, Manlawaan, Tabango, Leyte.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Last October 7, Your Honor, we filed the judicial affidavits of all our witnesses 5 days before this trial.

- May I proceed, your Honor?
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Yes, you may proceed.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - The purpose of the testimony of the witness, your Honor, is already incorporated in his judicial affidavit found on page 2.
 - We will just adopt the same for the purpose of his testimony.
 - Mr. Calesa, maayong buntag.
- **Mr. Wilfredo Calesa (Witness):**
 - Maayong buntag, your Honor.
(Good morning, your Honor.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kahinumbom ba ka nga naghimo ka'g judicial affidavit as witness labot ning kasoha?
(Do you recall executing a judicial affidavit as a witness in connection to this case?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kung ipakita sa imo, makaila ba ka?
(If it will be shown to you, will you recognize it?)
- **Mr. Wilfredo Calesa (Witness):**
 - Makaila, Attorney.
(I can recognize, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Naay joint judicial affidavit of witnesses nga atong gisumiter dire sa committee last October 7, 2022, Joint Judicial Affidavit of Witnesses of Barangay Kagawad Roly R. Lerio, and Wilfredo Calesa.
 - (We have a judicial affidavit of witnesses, which was submitted to the committee last October 7, 2022, Joint Judicial Affidavit of Witnesses of Barangay Kagawad Roly R. Lerio, and Wilfredo Calesa.)
 - Kindly go over the same, pakli-pakli-a kita kung mao ba na ang judicial affidavit nga inyong gihimo.
(Kindly go over with the document whether that is the judicial affidavit that you executed.)
 - Mao na?
(Is that the judicial affidavit?)
- **Mr. Wilfredo Calesa (Witness):**
 - Mao na.
(That's the judicial affidavit.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sa pangan nga Wilfredo L. Calesa, naay perma sa igbaw, kaila ka ana nga perma?
(Above the name Wilfredo L. Calesa, there is a signature, can you recognize that signature?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kani sad sa inyong joint judicial affidavit naa moy gipang-attached nga annex "1", annex "2", annex "3" ug annex "4 and series", kaila ka ani nga mga dokumentuha?
(In your joint judicial affidavit, there are attachments, nga annex "1", annex "2", annex "3", annex "4, and series", do you know these documents?)
- **Mr. Wilfredo Calesa (Witness):**

- Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, ning angkon man ka nga imo nang perma, imo bang pamatud-an na ang sulod aning mga nakasulat sa inyong judicial affidavit ug tanang mga exhibits nga imo ma identify?
(So, since you affirmed that it was your signature, do you also affirm that all the statements reflected in your judicial affidavit including all the exhibits are true?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, your Honor.
 - He's now ready for cross-examination.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Committee.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may proceed.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Thank you.
 - Mr. Witness, what is your educational attainment?
- **Mr. Wilfredo Calesa (Witness):**
 - High school graduate, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, makaintindi ka gamay ug iningles.
(So, you can understand a little English.)
- **Mr. Wilfredo Calesa (Witness):**
 - Makaintindi ug gamay, Attorney.
(I can understand a little bit of English, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, pila kabuok miyembro sa konseho sa inyong barangay?
(Mr. Witness, how many members are in the council in your barangay?)
- **Mr. Wilfredo Calesa (Witness):**
 - Sa amo ang barangay?
(In our barangay?)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Manlawaan?
- **Mr. Wilfredo Calesa (Witness):**
 - Napulo, Attorney.
(Ten (10), Attorney.)
 - Sa mga konsehal lang, pito (7) kami.
(Seven (7) Barangay Kagawad.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pito ang elected.
(Seven (7) were elected.)
- **Mr. Wilfredo Calesa (Witness):**
 - Oo.
(Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Now, kanus-a ka napili na pagka konsehal?
(Now, when was you elected as Barangay Kagawad?)
- **Mr. Wilfredo Calesa (Witness):**
 - 2010.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kanus-a ang katapusan na election sa barangay na diin napili ka?
(When was the last barangay election that you were elected?)
- **Mr. Wilfredo Calesa (Witness):**
 - 2018, mura'g nagka extension, extension man gud to, Attorney.
(I think that was 2018.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Sa pagdagan nimo ug konsehal, kinsa may imong kapitan, ka linya ato?
(When you run as Barangay Kagawad, who was your Barangay Captain in your line up?)
- **Mr. Wilfredo Calesa (Witness):**
 - Si kapitan Ambit.
(It was Barangay Captain Ambit.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kinsa may imong mga kauban nga ka linya nga konsehal ato?
(Who are your companions in your lineup when you run as Barangay Kagawad?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, may we know the relevance of this line of questioning?
 - Although cross-examination is given a wide latitude it should be relevant to the statements, your Honor.
 - I believe these are not part of the statements of the witness.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I am laying the basis, your Honor and I am also on a cross so I have enough leeway to ask questions to the witness.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Sustained.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Thank you, your Honor.
 - So, kinsa may imong ka linya ato?
(So, who else is in your lineup?)
- **Mr. Wilfredo Calesa (Witness):**
 - Kini gihapon nga mga grupoha, Attorney.
(The same members of this group, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, palihug kuno nganli?
(So, will you please name names?)
- **Mr. Wilfredo Calesa (Witness):**
 - Una si Rolly Lerio, Nestor Capuyan, Teotimo Jordan, Geraldine Morilla, Antonio Pepito ug ako.
(First is Rolly Lerio, Nestor Capuyan, Teotimo Jordan, Geraldine Morilla, Antonio Pepito and me.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kini si Aida Nunez, ka linya gihapon ninyo, SK?
(So, how about this Aida Nunez, is she also part of your lineup, SK?)

- **Mr. Wilfredo Calesa (Witness):**
 - Oo.
(Yes.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, bale sa election sa barangay sa 2018, usa mo ka grupo?
(So, during the barangay election last 2018, all of you are in the same group?)
- **Mr. Wilfredo Calesa (Witness):**
 - Bale kining duha kini si Nestor sa atong last nga election, si Nestor ug si Geraldine sa pikas nga grupo na sila.
(During the last election, Nestor and Geraldine were in the other group.)
 - Ang sa among grupo na pilde pud kato sila si Jordan ug si Ramo silay hing sud.
(Two (2) candidates in our group did not make it, that is Jordan and Ramo while Nestor and Geraldine, of the other group, were able to make it.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Pero kini si Antonio ug si Aida, kauban ni ninyo?
(But Antonio and Aida are also in your group?)
- **Mr. Wilfredo Calesa (Witness):**
 - O, kauban na namo, Attorney.
(Yes, we were in the same group, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, sa imong affidavit nag mention ka nga nagpasa mo ug Resolution No. 1, m series of 2022?
(Mr. Witness, in your affidavit you mentioned that you passed Resolution No. 1, series of 2022?)
 - Annex "1" sa iyang affidavit.
(Annex "1" in his affidavit.)
 - Nakahinumdom ka ana?
(Do you recall?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Naay perma diha nga Wilfredo Calesa, kinsa man nang perma?
(There's a signature of Wilfredo Calesa, who's signature is that?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ako na, Attorney.
(That's mine, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, akong na obserbaran nga kini nga resolution wala mo perma or wala maka perma si Antonio Pepito, Sr. ug si Aida Nunez, ngano man ni?
(Mr. Witness, I observed in your resolution that Antonio Pepito, Sr., and Aida Nunez, have no signatures, why is that?)
- **Mr. Wilfredo Calesa (Witness):**
 - Wa sila mo perma, Attorney, kay di gyud sila modawat nga amo ang himuan ug termination letter ning mga nangnundang nga empleyado kay ambot ug unsay rason nila kay wa ko kahibawo unsay rason ning duha.
(They did not sign, Attorney because they don't want to terminate these workers. I don't know exactly what is the reason behind.)
 - Pero kami hing perma ani nga resolution parang rough draft lang namo, unofficial pa gyud ni siya kay among ikonsulta pa ni sa DILG.
(But for us who signed the resolution, it is just a draft resolution, unofficial, because we still have to consult the DILG.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Palihug kuno for the record lang dinhi sa Body, pagbasa kung unsa ang titulo sa maong resolution?
(For the record, will you please read the title of the resolution?)
- **Mr. Wilfredo Calesa (Witness):**
 - A resolution confirming the removal of all barangay-appointed officials and employees of Barangay Manlawaan, Tabango, Leyte.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kaganiha, Mr. Witness, gipangutana ka kun unsa ang imong grado nga naabtan, ni ingon ka highschool niya gipangutana ka kung makaintindi ba ka ug iningles, so ning tubag pud ka nga makaintindi ug gamay, now, ang akong pangutana makaintindi ka kung unsay meaning aning removal?
(So, earlier, Mr. Witness, when you were asked about your educational attainment, you answered high school, then you were also asked if you can understand English and you answered, a little, my question is do you understand the meaning of the word removal?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang pagkasabot nako, Attorney, among himuan aron mura'g ma vacant post siya kay di mi makakuha ug empleyado kung di namo himuan ani nga resolution kaning removal amo sila'g himuan ug termination aron ma vacant kay di mi makapuli ug empleyado.
(The way I understand is that we have to adopt a resolution to make the position vacant because if we will not do that, we cannot hire a new employee.)
 - Di man sila mohimo'g resignation di mao na gyuy among nahimo nga amo na lang silang himuan ug removal kay mao sad nay advice ni ma'am Sandy sa amoa.
(Since they will not submit their resignation, we have no choice but to remove them and that was also the advice of ma'am Sandy.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, removal meaning, tangtangon?
- **Mr. Wilfredo Calesa (Witness):**
 - Siyempre, kay wa naman sila di naman sila mo duty wa naman mi laing mahimo kundi tangtangon.
(Of course, we have no other choice other than to remove them since they no longer reported for work.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, by the way, Mr. Witness, being a Barangay Official kaniadtong election sa 2019, si kapitan Ambit ug ikaw kung mahinumdoman, kinsa man nga partido ang inyong na suportahan?
(So, by the way, Mr. Witness, being a Barangay Official, to whom do you and Barangay Captain Ambit give your support during the last election in 2019?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I will object to that question, your Honor.
 - Ayaw'g tubag ana.
(Don't answer that)
 - Because, your Honor, whomever you supported is not part of this proceeding, your Honor, and your vote is protected by sanctity, your Honor.
 - Your vote is kept secret.
 - Whomever they voted for, your Honor, is kept secret and it's their right whom to vote for.
 - I would advise my witness not to answer that, and it's not related to the case, your Honor.
 - Please, it's not related to the case.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - It's related to the case, your Honor because it was alleged in the complaint that the reason why there was a mass termination was that the Barangay Captain got irked at these barangay workers who did not follow him of the candidate whom he was supporting.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - He was mentioning 2019, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - That is why I am laying the basis, your Honor.
 - There is still a follow-up question on that.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Why not ask about the 2022 election because that's the subject of this case?
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I am laying the basis.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - The Council also would like to know because these complainants nag complain bahin sa gipanglabanan sa election mao nga gi terminate sila.
(The council also would like to know because based on the complaints, they were terminated for not supporting the Barangay Captain's candidate.)
 - Buot pud mi masayod kung unsa gyud ang nahitabo ato.
(We would like to know what really happened.)
 - So, sustained.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, thank you, your Honor.
 - Mr. Witness, palihug kuno tubaga ang akong pangutana.
(Mr. Witness, please answer my question.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I would advise the witness not to answer.
 - Ayaw'g tubag!
(Don't answer!)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, your Honor, that would be.....
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I don't mean anything, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - That would be contempt before this Honorable Body if the counsel will advise the witness on that matter.
 - Where in fact, the Body already sustained my motion.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Just because the Body sustained it doesn't mean the Body is correct in sustaining, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - May I ask for a ruling on that, your Honor?
 - Because that is a form of indirect contempt.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - No, it's not, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - The witness must answer the question.
 - But please do not ask kung kinsa iya gi butohan.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That's the line of questioning.
 - Because the line of questioning whom you supported, relates to who whom did you vote for, your Honor.

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Actually, your Honor, the question is very relevant.
 - The bottom line of this complaint is the election.
 - So, I think the witness must answer.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, I believe the rules on election provided that your vote should be held secret, your Honor.
 - You cannot divulge whom did you support or voted for in the last election, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - There was already a ruling, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Just because this court sustained, your Honor doesn't mean this Body is correct.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - It is a public knowledge kung kinsa ang ilang gilabanan niadtong 2019 ug karon pud 2020.
 - So, you may answer the question.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Let that be put on record that the Body sustained and those were the statements made.
 - Let that be put on record.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Palihug kuno tubaga, Mr. Witness.
(Please answer, Mr. Witness.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - This is 2019.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - 2019.
- **Mr. Wilfredo Calesa (Witness):**
 - Mura man sa'g, Attorney, mura'g privacy man namo ning pagbotar ba, di man ni dapat isulti dinhi sa kadaghanan kung kinsa.
(It seems that divulging in public whom I supported during the last election is an encroachment on my privacy.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - No, I'm not asking who the person you vote, but the party.
 - Now, I will reform my question.
 - Way back in the election 2022, how many groups run for elective positions in Tabango?
 - Pila ka grupo ang ning dagan sa Tabango niadtong miaging 2022 election?
(How many parties/groups that run for public office last 2022 election?)
 - Grupo sa local, Mayor ngare sa Vice-Mayor, konsehal.
 - Pila ka grupo, pila ka Partido?
(How many groups/parties?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang ako lang nahibaw-an, Attorney, si Romel Aropo, Benjo ug si Lipasana.
(As far as I know, Attorney, Romel Aropo, Benjo and Lipasana.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, out of the 3, pila man ang dunay kompleto na linya?
(Out of the 3, how many have a complete line-up?)
- **Mr. Wilfredo Calesa (Witness):**
 - Duha lang si Remandaban ug si Romel Aropo.
(Only 2, Remandaban and Romel Aropo.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, so kadto si Lipasana walay grupo.
(So, the third one, Lipasana doesn't have a group.)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang pagkahibawo nako di sila kompleto pero may mga konsehal siya pero wa ma kompleto.
(As far as I know, he has a line-up but it was not a complete line-up.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, now, if you know, kaniadtong 2022, ang inyong kapitan diin man nga grupo?
(Now, if you know, during the last election, where does your Barangay Captain give his support?)
 - Diin man nga Partido nga nagasuporta?
(What party he supported?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, I would advise my witness not to answer that question because that is self-incriminating, your Honor.
 - In this sense, your Honor, barangays are supposed to be non-partisan, your Honor.
 -
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I think, your Honor, the Counsel for the respondent is obstructing to illicit truth before this committee if that is his position.
 - So, it can be sighted for contempt.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Go ahead and try, your Honor.
 - Barangays are supposed to be non-partisan.
 - Why would he be asked that question, your Honor?
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - It's public knowledge, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - And if it's public knowledge then whatever will be your knowledge then so be it.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - We have to ask those questions because this is relevant to what they are complaining about.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Only if he knows but if he doesn't know then.....
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Thank you, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - He may answer the question or not.
 - It's up to him..
 - So, you may continue, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Akong balikon, Mr. Witness, kung nakahibalo ka diin mang grupoha kaha naga suporta ang inyong kapitan atong tulo nga imong ginganlan?
(I will repeat, Mr. Witness, if you do know, what group/party, the group you mentioned a while ago, does your Barangay Captain support?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I believe he doesn't know, your Honor.
 - It's taking him a long time to answer.
 - I believe he doesn't know.

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - My request, your Honor, to put on the record that the witness seems to be lying before this Honorable Committee.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - "Seems", your Honor, that is a big word, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Can you answer that question, Mr. Witness?
- **Mr. Wilfredo Calesa (Witness):**
 - Honorable, pwede tubagon, pwede sad dili?
(Honorable, may I answer it or not?)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - You were asked by the Honorable Chairman if you can answer the question.
- **Mr. Wilfredo Calesa (Witness):**
 - Ang pagkahibawo nako non-partisan ang barangay.
(As far as I know the barangay is non-partisan.)
 - Ako rights ko man sad nang di sad nako i-istorya kung kinsa akong gilabanan.
(I believe it is also my right not to divulge whom I supported during the last election.)
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay, Counsel, you may proceed with the other question.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, thank you, your Honor.
 - Mr. Witness, in your judicial affidavit imong gi-deny nga kadtong Resolution No. 19..
 - I will withdraw that question, your Honor.
 - Mr. Witness, naa koy ipakita nimo niya palihug kuno pagkumpirma dire sa Honorable Body kung unsa ni.
(Mr. Witness, I have here a document to show to you, and kindly confirm it in front of the Honorable Committee.)
 - Naa koy ipakita nga naay pirma na usa ka Wilfredo Calesa, will you confirm whose signature is this?
(I will show to you a signature of a certain Wilfredo Calesa, will you confirm whose signature is this?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ako na, Attorney.
(That's mine, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Imo ni.
(It's yours.)
 - So, kini nga Resolution No. 19.
 - So, mao ni nga resolution nga giignon sa usa sa complainants nga iyang nakita didto sa barangay hall.
(So, this is the resolution that was found in the barangay hall as stated by one of the complainants.)
 - So, sakto ni mo angkon ka nga kini imong gyung pirma.
(So, you will admit and confirm that this is your signature.)
- **Mr. Wilfredo Calesa (Witness):**
 - Ako na nga pirma, Attorney.
(That's my signature, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kani pud pirma sad ni sa Kapitan.
(So, this is also the signature of the Barangay Captain.)

- **Mr. Wilfredo Calesa (Witness):**
 - O, iya nang pirma.
(Yes, that is also his signature.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Dinhi sa maong resolution mao gihapon si Antonio ug si Aida Nuñez wala mo pirma.
(Also in this resolution Antonio and Aida Nunez did not affix their signatures.)
- **Mr. Wilfredo Calesa (Witness):**
 - Wala sila lagi mo pirma ana, Attorney, same sa ako na na gitubag ganina nga wa sila mo pirma wa ko kasabot kung unsay ilang rason sad.
(As I mentioned earlier, I don't know the reason why they did not sign the resolution.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So bale kini nga resolution kay ni angkon man ka nga imo ning pirma hasta pirma pud sa Kapitan, so ang buot ipasabot nga genuine ni tinuod ni.
(In other words, this resolution is genuine since it has your signature and of the Barangay Captain.)
- **Mr. Wilfredo Calesa (Witness):**
 - Kana siya, Attorney, amo nang rough draft kay kining mga empleyado namo nga nangundang na amo untang i-kuan pero nanginahanglan pa mi ug consultation sa DILG ana.
(That is just a rough draft resolution because we still have to consult the DILG on this matter.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Di, tubaga akong pangutana.
(No, answer my question.)
 - Ang pangutana kung genuine ba ni.
(The question is whether this resolution is genuine.)
 - Kay ni angkon man ka nga imo nang pirma ug pirma pud sa kapitan.
(Because you admitted that it has your signature and the signature of the Barangay Captain.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Pwede paki translate ang genuine, your Honor?
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Ang buot ipasabot ani nga tinuod ni na resolution na inyong napirmahan.
(What is being asked is whether this resolution, which has your signature and of the Barangay Captain is genuine?)
- **Mr. Wilfredo Calesa (Witness):**
 - Tinuod na, Attorney.
(That is genuine, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I think that would be all for the cross, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Gipakita ka aning Resolution No. 19 nga naka-attached sa complaint nga nakapaskil sa inyong barangay hall.
(You were shown Resolution No. 19, which was attached to the complaint and posted in your barangay hall.)
 - Ang imong ingon ganina rough draft?
(You mentioned earlier, rough draft?)
 - Unsay buot ipasabot nimo anang rough draft?
(What do you mean by a rough draft?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang pagkasabot namo ana, Attorney, na rough draft, gihimo namo siya nga rough draft kay amo pa ta nang ipakonsulta sa DILG.

(We made the resolution as a rough draft because we still have to consult the DILG.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, napakita ba na ninyo sa DILG?
 - (So, have you provided the DILG a copy of the resolution?)
- **Mr. Wilfredo Calesa (Witness):**
 - Wala, Attorney, kay ang treasurer ug ang among secretary, si iya Gilda, akoy iyang ka istorya mismo ni ingon siya, "ako dong mo undang ko kay ako lagas na".
(No, Attorney, because the treasurer and our secretary, ma'am Gilda, told me personally and said, "I will be retiring because I am already old".)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Akong pangutana napakita ba ninyo sa DILG?
(My question is have you shown the resolution to the DILG?)
- **Mr. Wilfredo Calesa (Witness):**
 - Wala.
(No.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Naa kay gipakita na.....naa sad kay gi-identify ganina na Resolution No. 1 nga naka-attached sa inyong affidavit na may petsa January 2022.
(You were made to identify earlier Resolution No. 1 dated January 2022.)
 - Kani napakita ni ninyo sa DILG?
(Have you shown this to the DILG?)
- **Mr. Wilfredo Calesa (Witness):**
 - Napakita ni, Attorney.
(Yes, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Nganong nakahimo man mo ani na resolution?
(Why did you passed the said resolution?)
- **Mr. Wilfredo Calesa (Witness):**
 - Kay wa na may mga trabahante, Attorney, among barangay kay wa naman lagi nang duty, aron maka-appoint mi'g bag-ong empleyado kay ang giistorya sa DILG, dili mi pwede mag appoint ug bag-o nga empleyado hanggat way mahimong nga vacancy sa barangay.
(Because there were no more barangay workers since they no longer reported for work and we were told by the DILG that we cannot appoint a new employee unless there is a vacancy.)
 - Mao tong ang iyang advice ni ma'am Sandy among himuan ug resolution nga for termination.
(That is why per advice by ma'am Sandy, we have to pass a resolution for termination.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Ni ingon ka'g Sandy, kinsa man na nga Sandy?
(You've mentioned Sandy, who is this Sandy?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang DILG sa Tabango, Attorney, si ma'am Sandy.
(The DILG of Tabango, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unsay apilyedo?
(What is her surname?)
 - However, your Honor, may we just all agree that the name of the DILG-MLGOO is Sandy.
 - That would be all, your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Few re-cross, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay, you may proceed.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mr. Witness, ingon man ka nga draft ni nga resolution, Resolution No. 19, sakto ko? (Mr. Witness, you said that Resolution No. 19 is only a draft resolution, correct?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Mao gyud na inyong practice sa barangay nga kung mag draft mo'g resolution pirmahan tanan usa ipakita kung asa ninyo ipakita? (Is this your normal practice in the barangay that if you prepare a draft resolution it should be signed by all the members before you show it to whoever you want them to see?)
- **Mr. Wilfredo Calesa (Witness):**
 - Sa kini lang sad nga sitwasyon. (Only on this situation.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Tubaga lang akong pangutana, mao gyud na inyong practice kung mag draft mo ug resolution or ordinansa pirmahan ninyo tanan daan? (Just answer my question, is this your normal practice that if you are going to prepare a draft resolution or ordinance, all members will sign the draft document?)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - That would be all, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Can we continue with the next witness?
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Madam Chair, naa koy mga pangutana sa witness. (Madam Chair, I have some questions for the witness.)
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may proceed, Honorable Merontos.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Mr. Witness, mi angkon ka nga naghimo mo'g resolution tungod kay ang inyong mga gi-remove sa office wa na nang duty. (Mr. Witness, you admitted that you passed the resolution because of those barangay workers that no longer reported for work.)
 - Tinuod ba? (Is it true?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, the premise is wrong because he said, the Honorable Councilor said, ni angkon ka tungod kay inyong gipang remove sa office.
 - I believe the prior statement was that they made that because nangundang na ang mga nagtrabaho sa ilang barangay.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Your Honor, I think it would be improper for the Counsel for the respondent to impede or obstruct any member of this Honorable Committee propounding a question.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I'm just clarifying, your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Anyway, it is not us who will decide on this.
 - Ang mag decide ani ang Sanggunian.
 - We're just only an Ad Hoc Committee conducting the investigation.
 - Kung wala mo mga counsels kami ang mag investigate.
 - Anyway, we are not really bound to strictly follow the rules of the court.
 - You can see that in our rules.
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Madam Chair, based on our rules under Section 3, in the interpretation of the rules of procedures, the Sangguniang Bayan shall not be strictly bound by the technical rules of evidence as found under the Rules of Court.
 - Okay, madam Chair, can I proceed with my question?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You may proceed.
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Akong pangutana, madam Chair, nag base ra pud sa iyahang giangkon ganiha na ilaha ni nga resolution.
 - So, Mr. Witness, akong pangutana prior sa paghimo ninyo ani na resolution ang katong inyohang gi-remove sa office, based sa inyohang resolution, napadad-an ba ninyo ug letter sila nganong wala na sila misulod sa office?
(Mr. Witness, my question is before passing the resolution for termination, have you sent the concerned barangay workers a letter asking why they no longer reported for work?)
- **Mr. Wilfredo Calesa (Witness):**
 - Si Kapitan giimbitar sila nga mo balik sa barangay kay aron mapangutana niya kung nganon wa naman sila ning duty.
(They were invited by the Barangay Captain to present themselves in the barangay so that they will be asked why they no longer report for work.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - So, nakahibawo siguro mo na di mo basta-basta ka terminate sa usa ka appointed officers ninyo, mga barangay workers, tanods, utility, BHW kung dili ninyo sila mapadad-an ug letter kung unsay grounds before i-remove sa office.
(Do you know that you cannot just terminate right away any appointed officers, barangay workers, tanods, utility, and BHW without informing them through a letter of the grounds for their removal.)
 - Aware ka ana, Mr. Witness?
(Are you aware of that, Mr. Witness?)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang pagkahibawo nako ana, Honorable, pagka duha o tulo dapat naay mga explanation pa sila pero ngadto na sa tulo ka duty wa na siguro for termination naman siguro sa akoang tan-aw gyud kay ako giagi-an na nako ang pagpanarbaho.
(As far as I know, twice or thrice there should be an explanation but on the third, I believe you can already be terminated. I experienced that when I was still working.)
 - Una explanation, verbal explanation, ikaduha letter of explanation, ikatulo wa naman siguro,
(First is a verbal explanation, the second is a letter of explanation, and the third, I believe it's already termination.)
 - Wa naman gyud mi duty sila mga buwan na.
(They no longer reported for work for almost one month already.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Sa ato pa, Mr. Witness, before ninyo gihimuan ug resolution nga remove sila sa office gipadad-an ba ninyo sila ug letter bahin sa ilahang lapses diha sa barangay?
(Mr. Witness, before you passed the resolution confirming their removal, have you sent any letter to the concerned barangay worker on their lapses in the barangay?)

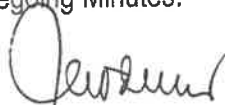
- Pwede ra, yes or no.
(It can be answered by yes, or no.)
- **Mr. Wilfredo Calesa (Witness):**
 - Ang usa-usa ba, your Honor, ang gipasabot nimo kada usa gyud?
(Are you referring, your Honor, individually?)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Kada usa sa ilaha.
(Individually.)
- **Mr. Wilfredo Calesa (Witness):**
 - Naa, your Honor.
(Yes, your Honor.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - So, naay letter nga inyong gipada sa ilaha.
(So, you sent them letters.)
- **Mr. Wilfredo Calesa (Witness):**
 - Naa, ambot ug naa pa ba sa ilaha ron.
(Yes, but I don't know if they have still the copy.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Okay, naa.
(Okay, yes.)
 - Ikaduhang pangutana follow-up question, so ug naa man gani sila ang barangay naay kopya nga receiving copy nga inyo silang gitagaan sa ilang grounds diha sa barangay.
(Second follow-up question, if you sent them a copy of the letter, then the barangay would also have a copy received by the concerned barangay workers.)
- **Mr. Wilfredo Calesa (Witness):**
 - Mao nay wa nako kahibawo naa pa bay kopya ang barangay ana, Honorable.
(I don't have any idea if the barangay have still a copy of the same, Honorable.)
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - So, without knowing the documents nga inyong gihatag sa ilaha nga naka receive sila sa ilahang grounds mi pirma lang ka sa maong resolution nga wa ninyo gi-clarify ug na receive ba nila ang letter nga gipada sa ilaha nga sila naay grounds tungod kay wa na sila ni duty sa inyong barangay.
(So, you just sign the resolution even without confirming whether the letters you sent to the concerned barangay workers were received by them.)
- **Mr. Wilfredo Calesa (Witness):**
 - Actually, Honorable, kanang among unang gihimo gud wa man namo gud sila pa ana kuana gyud tan-awa ra gud na December.....
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - Mr. Witness, mao ra tong pangutana, yes or no na lang kay ayaw na lang ug clarify basta mao na tuy pangutana.
(Mr. Witness, my question is only answerable by yes or no. No more clarification is needed.)
 - Hing pirma lang ka anang resolution bisa'g wa ka kahibawo naay bay na receive nila nga termination paper o ingon pa gitang-tang ninyo sila sa office tungod kay wala na sila mi duty.
(You just signed the resolution even without knowing if they received a termination paper.)
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, your Honor.
- **Hon. Richard V. Merontos (Ad Hoc Committee Member):**
 - That's all, madam Chair.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Any questions from the committee?
 - You have the floor, Honorable Jabonete.
- **Hon. Kirsty V. Jabonete (Ad Hoc Committee Member):**
 - Mr. Witness, kaganiha gi-mentioned ang word nga gipaskil, meaning sa gipaskil, gibutang, gpapilit, diba?
(Mr. Witness, it was mentioned earlier the word "gipaskil", which means placed or posted, right?)
- **Mr. Wilfredo Calesa (Witness):**
 - Kanang paskil mura'g ingon ana gyud ang term paskil mura'g gibutang gyud.
(It seems that is the right term "placed".)
- **Hon. Kirsty V. Jabonete (Ad Hoc Committee Member):**
 - Ang inyohang resolution is only a rough draft, di ba?
(Your resolution is only a rough draft, right?)
 - Unya akong pangutana nganong gipaskil man nga rough draft pa man kaha to?
(My question is since it was just a rough draft resolution, why it was posted?)
- **Mr. Wilfredo Calesa (Witness):**
 - Kana ang makatubag ana ang amo rang secretary kay siya ra may mag kuan ana.
(It is our secretary who can answer that question.)
 - Kinsa bay magpaskil di siya ra pud siguro ang nagpaskil didto.
(It might be that she was the one who posted the resolution.)
- **Hon. Kirsty V. Jabonete (Ad Hoc Committee Member):**
 - Okay, thank you.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You have the floor, Honorable Vosotros.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Thank you, Madam Chair.
 - Actually, follow-up lang ni para ma clarify gyud nako.
 - Kagawad good morning.
 - Do you confirm that this is your signature, annex 1, Resolution No. 1?
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, your Honor.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Resolution No. 19, is this also your signature?
- **Mr. Wilfredo Calesa (Witness):**
 - Yes, your Honor.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - That's all, Madam Chair.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Any more questions from the Ad Hoc Committee?
 - So, we may proceed to the next witness.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Your Honor, if the Counsel for the respondent will agree, Your Honor, this representation would like to request that we will limit to 1 witness for this morning, Your Honor, and present the other witnesses on some other date because I have another commitment in Naval, Biliran, Your Honor.
 - Supposed to be I am not the one who will appear today it's my associate but unfortunately, she has a fever, so that is why I was forced to divide my time.

- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Is that okay for the Counsel for the respondent?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I will also submit the same, Your Honor.
 - I will not agree neither I will object, Your Honor, it's up to you to decide, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Is that okay for the Counsel for the respondent?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - If the Honorable Body will allow, Your Honor, I suggest that the next hearing will be on October 21, Friday.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - October 21.
 - Yes, the Counsel for the respondent.
 - Do you have an appointment on that date?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, Your Honor.
 - I have a deadline to meet and a client to meet at that time, Your Honor.
 - My availability is 26, Your Honor.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay, 26, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - So, the next hearing will be on October 26 same time morning.
 - So, this formal hearing is now adjourned.

The formal hearing/investigation adjourned at around 10:44 AM.

I HEREBY CERTIFY the correctness
of the foregoing Minutes.



VALENTINO A. CODERA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-o-o-
SANGGUNIANG BAYAN

MINUTES OF THE PROCEEDING OF THE FORMAL HEARING/INVESTIGATION OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON SEPTEMBER 27, 2022.

Present:

Hon. Rubilita A. Dela Cruz	Sangguniang Bayan Member/ Chairman, Ad hoc Committee
Hon. Jose Welson G. Vosotros	Sangguniang Bayan Member/ Vice-Chairman, Ad hoc Committee
Hon. Luis Gabriel U. Veloso	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Richard V. Merontos	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Kirsty V. Jabonete	Sangguniang Bayan Member/ Member, Ad hoc Committee
Hon. Fortune Frauline T. Misa	Ex-Officio SB Member/ President, Pambayang Pederasyon ng mga SK Member, Ad hoc Committee

Absent:

None

CALL TO ORDER: 9:00 AM

- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Good morning, everyone before we proceed to our formal hearing, please rise for our prayer to be led by Hon. Merontos.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Good morning.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Good morning.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Good morning Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Before we call to an order of our formal hearing, please only those who are witnesses are allowed to stay inside the room.
 - Ang katong rang i kuan diri i-present ang witness.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Good morning Your Honor same appearance of the complainants Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Same appearance for the respondent Your Honor. Good morning.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Good morning. Let's call for the witness of the complainant.
 - Who is your witness for today?
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Calling all the witnesses Your Honor.
 - You're asking for all the witnesses?

- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Yes.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - We will present today, Madam Lydia Baronda as well as Ma'am Erminihilda Dacalos.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay, please call the first witness.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Calling to the witness stand Mrs. Lydia Baronda.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Before the witness, Your Honor takes her oath, we just receive today the order of the preliminary conference given to us by the good Sangguniang Bayan Secretary, Your Honor.
 - Now in this preliminary order, Your Honor, they presented one Myrna Balleno.
 - If I'm not mistaken, Myrna Balleno is not listed as one of their witnesses.
 - Now we made a cross-examination on the belief that she was listed as one of the witnesses since we only got a copy of this today and on the belief that the complainant would only present witnesses based on what they have listed and proved to this Honorable Body.
 - On that note, Your Honor, if I may ask that the testimony of Myrna Balleno together with my cross-examination be altogether expunged from the records, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay noted.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - We humbly ask for a copy as well of the preliminary as well, Your Honor.
 - May I proceed, Your Honor?
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Yes.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Calling again to the witness stand Ma'am Lydia Baronda.
- Mr. Valentino A. Codera (SB Secretary):
 - Madam Witness, nanumpa ka ba nga ang tanan nimong isulti karong buntaga mao lamang ang tinuod walay lain ug ang tinuod?
(*Madam Witness, do you swear that your testimony this morning shall be the truth the whole truth, and nothing but the truth?*)
- Mrs. Lydia Baronda (Witness):
 - Yes.
- Mr. Valentino A. Codera (SB Secretary):
 - Madam Chair/Your Honor our witness for today is Lydia Baronda, 58 years old from Sitio Patag, Barangay Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - The testimony of the witness Your Honor is being offered to prove the following:
 - The witness will testify that she was a former Barangay secretary of Barangay Manlawaan, Tabango, Leyte.
 - And she will testify that she was terminated by the Barangay Captain because failed to support the same candidate for mayoralty last May 2022 elections.
 - She will identify her affidavit and testify on other relevant matters in connection with this case.
 - May I proceed Your Honor?
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):

- Yes, Atty. you may proceed with your investigation.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Madam Witness nakahinumdom ka ba na naghimo ka ug affidavit kalabot niini na kaso?
(Madam Witness, can you recall executing an affidavit about this case?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Kung kini na affidavit ipakita kanimo mailhan ni nimo?
(If this affidavit will be presented to you, can you identify it?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Nagpakita ko nimo ug usa ka affidavit with only one page.
(I have presented to you an affidavit with only one page.)
 - Mao ba kini ang affidavit nga imong pasabot?
(Is this the affidavit you are referring to?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - On the same page naay pirma igbaw sa typewritten name na Lydia Baronda, mao ba kini imong pirma?
(On the same page, there is a sign above the typewritten name Lydia Baronda, is that your signature?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Imo bang gikumpirma ug gipamatud-an ang katinuod sa imong pamahayag nga nakasulat sa imong affidavit?
(Do you confirm the veracity of your statement written on your affidavit?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Madam Witness, you said in your affidavit that you were a former barangay treasurer of Barangay Manlawaan.
 - Is that correct?
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor for 9 years.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - You also claim sa imong affidavit nga you stop working.
(You also claim in your affidavit that you stop working.)
 - Ingon ka ni stop ka ug work as a barangay treasurer last January 30, 2022, is that right?
(You said that you stop working as a barangay treasurer last January 30, 2022, is that correct?)
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Ngano mani?

- (Why is that?)*
- Ngano ni stop ka ug work?
(Why did you stop working?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, if I may, Your Honor, actually, Your Honor the counsel for the complainants has been asking additional questions, Your Honor, since the last hearing.
 - May I just point out your Honor Section 10 of Rule 8?
 - It says the affidavit of the witnesses shall constitute his direct testimony but the same must be identified and affirmed by the witness before his cross-examination.
 - There is no provision there, Your Honor where the counsel can ask additional questions Your Honor because the affidavit itself would constitute his/her direct testimony already Your Honor.
 - **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Overruled.
 - **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Okay, so given the objection, Your Honor, we manifest, Your Honor, that the affidavit of the witness form part of her direct testimony, and the witness is now ready for cross.
 - **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - So, we may proceed with the cross-examination.
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Overruled ko.
(I'm overruled.)
 - **Atty. Jolleanne Claire E. Perino:**
 - Ah sorry, it was overruled. I am sorry. Sorry, Your Honor.
 - Madam witness, as you said you stop working at Barangay Manlawaan.
 - What was the reason nganong ni stop man ka ug work last January 30, 2022?
(What was the reason that you stop working last January 30, 2022?)
 - **Mrs. Lydia Baronda (Witness):**
 - Kay iya man kong gipapulihan.
(Because he replaced me.)
 - Naa namay nipuli sa akoo.
(There's somebody who replaced me.)
 - **Atty. Jolleanne Claire E. Perino:**
 - Naa nay nipuli sa imoha.
(You have a replacement.)
 - **Mrs. Lydia Baronda (Witness):**
 - O naa na.
(Yes, there was.)
 - **Atty. Jolleanne Claire E. Perino:**
 - You also said in your affidavit that giingnan ka sa imong Barangay Captain na pa file on ka ug resignation, tinuod ni?
(You also said in your affidavit that your Barangay Captain told you to file a resignation, is that true?)
 - **Mrs. Lydia Baronda (Witness):**
 - O, tinuod na pero wala ko ni file.
(Yes, that's true but I didn't file.)
 - **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Unsay rason ngano gipa file ka niya ug resignation?
(What was the reason why he wanted you to file a resignation?)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Your Honor, I just want to put into the record I have the same continuing objection, your Honor, based on Section 10 Rule 8 of the Rules of this Honorable Body, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Sustained.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Maybe put in the record, Your Honor, that I was earlier overruled and then only upon the insistence that I was sustained.
 - May be put into the record.
 - Thank you, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - We manifest, Your Honor, that the affidavit of the witness will form part of her direct testimony and she's now ready for cross.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - And as an additional manifestation, if you can take note of this that the counsel for the plaintiffs has been asking additional questions even in the last proceedings.
 - In addition to the affidavit that their witness has already executed.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - However, Your Honor, we manifest that it has been a rule that additional questions may be propounded as forming part of the direct testimony of the witness we will present Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - May we ask what the rule is that Your Honor if the good counsel can cite that rule?
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - None, for now, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - There is none actually, Your Honor.
 - She cannot cite one because there is none so far as the rules of this body are concerned.
 - If I may reconduct my cross-examination, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Overruled.
 - You may proceed now, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Is it true that you were the treasurer of Barangay Manlawaan, Tabango, Leyte?
- **Mrs. Lydia Baronda (Witness):**
 - Yes, Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unsay duty nimo ma'am isip barangay treasurer?
(What are your duties as a barangay treasurer?)
- **Mrs. Lydia Baronda (Witness):**
 - Siyempre, mag kuan sa mga voucher, sa mga payroll para sa mga honorarium sa barangay officials ug sa mga appointed dinha sa barangay.
(Of course, I process the voucher, the payrolls of the honorarium of barangay officials, and the appointees in the barangay.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sa imong affidavit paragraph 5 kung makabasa ka niingon ka, I stop working as barangay treasurer last January 30, 2022.
(In your affidavit paragraph 5, if you can read, you said that you stop working as a barangay treasurer last January 30, 2022.)

- Kung ato nang ihubad kanang number 5, basaha, niingon ka niundang kag trabaho isip barangay treasurer last January 30, 2022, sakto?
(If we are going to analyze number 5, you said that you stop working as a barangay treasurer last January 30, 2022, correct?)
- Mrs. Lydia Baronda (Witness):
 - Yes, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero wala ka ni submit ug resignation letter, sakto?
(But you didn't submit your resignation letter, correct?)
- Mrs. Lydia Baronda (Witness):
 - Wala ko ni submit kay naay nipuli sa ako.
(I did not submit it because I was replaced.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - May I ask that the remaining answer be expunged from the record, Your Honor?
 - I was only asking yes or no.
 - Ni-submit ka o wala?
(Did you submit or not?)
- Mrs. Lydia Baronda (Witness):
 - Wala.
(No.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, of course, tungod kay niundang ka ug trabaho wala ka ni-submit ug resignation letter.
(Of course, because you already stop working that's why you did not submit your resignation letter.)
 - Mouyon ka nga walay barangay treasurer atong panahona, sakto?
(Do you agree that there was no barangay treasurer during that time, correct?)
- Mrs. Lydia Baronda (Witness):
 - Dili kay naa naman toy...
(No because...)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sakto, dili?
(Correct or wrong?)
- Mrs. Lydia Baronda (Witness):
 - Dili, kay nianha naman ang treasurer naa namay ila gipuli.
(No, because the new treasurer was already there.)
 - Unsaon pa man nako pag-duty nga naa naman sila diha?
(How can I perform my duty if there is somebody already performing the same?)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, niingon ka na naa nay barangay treasurer na gipuli?
(So, are you saying that there was already a new barangay treasurer?)
- Mrs. Lydia Baronda (Witness):
 - Oo naa duha nanganha diha.
(Yes, there were two of them.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Oo, dili?
(Yes or No?)
- Mrs. Lydia Baronda (Witness):
 - Naa.
(Yes.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, kita ka nga naay appointment papers siya?
(Did you see her appointment papers?)
- **Mrs. Lydia Baronda (Witness):**
 - Wala koy giingon appointment naa ra siya ninganha ra diha siya.
(I did not say any appointment, she was just reported for work.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sige lang, may I ask that the witness only answer what is only being asked of her, Your Honor?
 - Otherwise, I will ask her to be in contempt of this honorable body, Your Honor.
 - I'm only asking her yes or no.
 - She's answering additional questions.
 - She's arguing with me, Your Honor.
 - You cannot argue with me, Madam Witness.
 - You just answer my question.
- **Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):**
 - Please answer what the counsel asks.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, so wala ka kakita ug appointment ato niingon ka na nay nipuli nimo?
(So, you didn't see any appointment from the one who replace you?)
- **Mrs. Lydia Baronda (Witness):**
 - Wala.
(None.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Ning-assume lang ka, imo lang gihuna-huna nay gipuli nimo pero wala ka kakita ug appointment paper, sakto, dili?
(You just assumed, but you didn't see any appointment paper, correct?)
- **Mrs. Lydia Baronda (Witness):**
 - Sakto.
(Correct.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya muoyon ka nga niundang ka na wa kay resignation?
(Will you then agree that you stop working without a resignation?)
 - Ang trabaho sa treasurer importante sa barangay, sakto, dili?
(The treasurer's job is very important in the barangay, correct?)
- **Mrs. Lydia Baronda (Witness):**
 - Sakto.
(Correct.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Tungod kay niundang man ka ingon ka diri, stop working as Barangay Treasurer last January 30, 2022, niingon paka nga wa kay resignation letter nga gihatag.
(You stop working as Barangay Treasurer last January 30, 2022, and you also said that you did not submit a resignation letter.)
 - Natural, mag appoint jud ang kapitan ug mga kagawad ug bag-ong treasurer, sakto?
(Naturally, the Barangay captain and the council will appoint a new treasurer, correct?)
- **Mrs. Lydia Baronda (Witness):**
 - O, sakto.
(Yes, correct.)
- **Atty. Alexander G. Salas, Jr.:**

- Di ba tinuod nga katong January 10, 2020, nag-session mo hatag pa gani ka'g usa ka libo para pang despedida, sakto, dili?
(Is it true that the session on January 10, 2020, gave one thousand pesos for the farewell party, correct?)
- Mrs. Lydia Baronda (Witness):
 - Dili to ingon despedida.
(It's not a farewell party.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ma'am, sakto, dili?
(Is it correct or not?)
- Mrs. Lydia Baronda (Witness):
 - Sakto.
(Correct.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That will be all, Your Honor, for this witness.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Madam witness, sa pagpangutana sa imo ni answer ka sa question na ni assume ka ba nay nipuli nimo, nitubag ka'g O, nganong naka-ingon man ka ana na o?
(Madam witness, when you were asked, you answered yes on the question why you assumed that you have been replaced, why did you answer, yes?)
- Mrs. Lydia Baronda (Witness):
 - O, kay diha naman sila mao bitaw nga nihawa na lang ko kay diha naman, hing anha naman ang katong ila gi-kuan ug mao to siya nga ang iyang treasurer ang kanang anak sa kagawad namo.
(It's because they were already there, that's why I left. That was the new treasurer who is the daughter of one of our kagawad.)
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Makahinumdom ka kung kanus-a ni mahitabo?
(Can you remember when this happened?)
- Mrs. Lydia Baronda (Witness):
 - January 10, na nanganha sila unya wala pa gani ko kahuman ato kay katong January 10...
(January 10, when they came and I didn't even finish my.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, may I ask that the remaining answer be expunged.
 - That's not any more responsive to the question.
 - What was asked was only the date, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay, you may answer only what is asked.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Okay, sa pagpangutana sa imo gipangutana ka nga naghatag ka 1,000 last January 10, 2022, ni answer pud kag, o, unya ingon ang council nga para despedida. Tinuod ni?
(When you were asked if you gave 1,000 last January 10, 2022, and you answered, yes, and then the council said that it was for a farewell party. Is this true?)
- Mrs. Lydia Baronda (Witness):
 - Oo, tinuod na.
(Yes, it's true.)
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - So, para ni despedida?

(So, is this for the farewell party?)

- Mrs. Lydia Baronda (Witness):
 - O, dili ingon ana despidida.
(Yes, but not for the farewell party.)
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - So, kung moingon ka dili para sa despidida nganong naghatag man ka ani nga amount?
(So, if it was not for the farewell party, then why did you give such an amount?)
- Mrs. Lydia Baronda (Witness):
 - Dili, kay sobra manto sa amo nga kanang gi-liquidate nako during atong Odette na bagyo.
(It was the excess amount on the liquidation that I made for typhoon Odette.)
 - So, mao to siya gihatag nako ang sobra, dili ingon ana nga nagdespidida ko kay wala pa man gani ko mo file ug resignation magdespidida diay ko.
(So, that's why I gave the money. It's not that I gave it for the farewell party because, in the first place, I haven't filed my resignation yet.)
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - No further questions, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Any questions from the counsel of the respondent.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero wala ka kakita ug appointment papers niya, sakto?
(But you didn't see her appointment papers, correct?)
- Mrs. Lydia Baronda (Witness):
 - Wala ko kakita.
(I didn't see.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, imo lang tong huna-huna nga nay gipuli sa imo, sakto?
(It was just your imagination that you were replaced, correct?)
- Mrs. Lydia Baronda (Witness):
 - Dili gyud huna-huna, nakita jud ko na diha jud siya ni duty na jud siya.
(No, its not my imagination, I personally see her reported for duty.)
 - Dili ingon na huna-huna kay lain manang huna-huna kaysa nakita.
(It's not just imagination because imagination is different from reality.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - O lagi, nakakita lagi ka pero imo lang gihuna-huna na siyay nipuli nimo bisag wala ka kakita ug appointment papers niya, sakto?
(Certainly, you saw the person but it was just your imagination that you were being replaced because there was no appointment paper, correct?)
- Mrs. Lydia Baronda:
 - O, sakto.
(Yes, correct.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, that would be all, Your Honor.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay, any questions from the Adhoc committee?
 - If you have questions as part of the investigating body?
- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - There will be no questions from me, Your Honor.

- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - We may call the next witness.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Calling to the witness stand, Ma'am Erminihilda M. Dacalos.
- Mr. Valentino A. Codera (SB Secretary):
 - Madam Witness, manumpa ka ba nga ang tanan nimong isulti karong buntaga mao lamang ang tinuod walay lain ug ang tinuod?
(*Madam Witness, do you solemnly swear that your testimony this morning shall be the truth, the whole truth, and nothing but the truth?*)
- Mrs. Erminihilda M. Dacalos (Witness):
 - O. (Yes.)
- Mr. Valentino A. Codera (SB Secretary):
 - Madam Chair, Your Honor, our witness is Erminihilda Dacalos, 49 years old, and residing at Sito Cabatuan, Barangay Manlawaan, Tabango, Leyte.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Before the witness proceeds, Your Honor, number 8 of the preliminary conference order, Your Honor, the one listed is Uminihida Dacalos.
 - The one who executed the joint affidavit complaint is also Uminihilda M. Dacalos, Your Honor.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Your Honor, we will just let her identify during her testimony.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - No, if I may proceed, Your Honor, the one who signed is Uminihilda M. Dacalos.
 - There is no Erminihilda Dacalos, Your Honor, such as this witness is not listed, Your Honor, and so far as the preliminary conference order and the one who signed this joint affidavit there is no Erminihilda, Your Honor.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - However, Your Honor, she may identify during her testimony, Your Honor, that she is the same person who signed and that there was only a clerical error in this affidavit.
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay sustained.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - May I proceed Your Honor?
 - The testimony of the witness, Your Honor, is being offered to prove the following:
 - The witness will testify that she was one of the barangay workers of barangay Malawaan, Tabango, Leyte appointed by the Barangay Chairman Albert Morilla.
 - That she will testify that she was terminated because she failed to support the same candidate for mayoralty last May 2022 Elections and she will identify her joint affidavit complaint and testify on other relevant matters in connection to this case.
 - May I proceed, Your Honor?
- Hon. Rubilita A. Dela Cruz (Chairman, Ad Hoc Committee):
 - Okay, you may proceed now.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Maayong buntag ma'am.
(*Good morning, ma'am.*)
- Mrs. Erminihilda M. Dacalos (Witness):
 - Maayong buntag sad attorney.
(*Good morning too, Attorney*)
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):

- Ma'am nakahinumdom baka nga nag-execute kag joint affidavit complaint nga kalabot niini na kaso? (Ma'am, do you remember that you executed a joint affidavit complaint related to this case?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Oo.
(Yes.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, kung kining affidavit ipakita nimo, imo ning mailhan?
(So, if this affidavit will be shown to you, will you recognize it?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Oo.
(Yes.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Naa koy ipakita nimo na joint affidavit complaint nga ang usa sa naghimo ani panganlag Uminihilda M. Dacalos, mao ning joint affidavit?
(I have here a joint affidavit complaint whose name Uminihilda M. Dacalos is one of the names written on it, is this the joint affidavit that you are referring to?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - O.
(Yes)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, sa ikaduha nga page ana nga affidavit sa taas pangan nga Uminihilda M. Dacalos naay signature, imo ni nga signature?
(So, on the second page of the affidavit there is a signature above the name Uminihilda M. Dacalos, is this your signature?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Oo.
(Yes.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, ang nakabutang diri Uminihilda M. Dacalos, sako ni?
(So, the one written here is Uminihilda M. Dacalos, is this correct?)
 - Yes, or no?
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Wrong man ning spelling.
(The spelling is wrong.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Unsa man ang tinuod na spelling?
(What is the correct spelling?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - E-R-M.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Erminihilda M. Dacalos.
 - But mo pamatuod ka nga na ang kanang igbaw sa ngan nga Uminihilda Dacalos imo na nga signature?
(Will you confirm that the signature above the name Uminihilda Dacalos is yours?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Oo.
(Yes)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**

- Okay so, ni-state ka sa imong affidavit nga usa ka sa mga barangay workers sa Barangay Manlawaan.
(You stated in your affidavit that you are one of the barangay workers in Barangay Manlawaan.)
- Unsa man imong work adto?
(What is your work there?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor the same objection, Your Honor under Rule 8 Section 10.
 - The affidavit of the witness shall constitute his direct testimony.
 - There is no showing, Your Honor that she is allowed to ask further additional questions, Your Honor.
 - The same objection Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Adh Hoc Committee):**
 - Please take note. Okay, you may...
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Sustained?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Adh Hoc Committee):**
 - Sustained.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Okay, Your Honor, we manifest that the affidavit of the complainant will form part of her direct testimony and she is now ready for cross.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - What's your name again?
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Erminihilda.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kakita ka sa last page anang imong complaint?
(Have you seen the last page of your complaint?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Hmm.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kita ka sa imong pangalan diha?
(Do you see your name there?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Dili, wrong spelling.
(No, wrong spelling.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Dili, kita ka sa imong pangan, wa?
(No, do you see your name?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Kita.
(I saw.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Nakakita kag Erminihilda diha, wa?
(Do you see the name Erminihilda there, no?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Uminihilda.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Dili, kakita ba kag Erminihilda wa?
(No, do you see a name Erminihilda?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Wa kay lahi mag spelling.
(No, because the spelling is different.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya niingon ka na mao na imo pangalan?
(But you said that's your name?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Lahi ma'g spelling.
(The spelling is wrong.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, na wrong ang spelling.
(Okay, the spelling is wrong.)
 - Okay, pero niperma gihapon ka bisag wrong spelling, sakto?
(But you still signed it even though the spelling was wrong, correct?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Nakapirma...
(I signed...)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Mao lagi miperma gihapon ka bisag wrong spelling, sakto?
(You still signed it even if it the spelling was wrong, correct?)
 - So, buot pasabot wa na nimo gibasa.
(So, that means you didn't read it.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Giingnan ko man to na wrong spelling pagsugod, wa man mautro.
(I told them that the spelling is wrong, but it was not changed.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Pero giperumahan gihapon nimo.
(But you still signed it.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - O, kay ingon man siya.
(Yes.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, unsa man amo assurance nga wa gani ka nibasa sa imo pangan.
(So, what is our assurance that it is really you who signed the document?)
 - Imo ning gibasa ang sud sa imong affidavit?
(Did you read the contents of your affidavit?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Hing react nako nani pagperma nako unya niingon man na utrohon unya wa man.
(I reacted to this when I signed it and they said that they will correct it, but it wasn't corrected.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wa sad nimo utroha diha.
(But you did not change it when you sign the document.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Kay sila ra may mo utro.
(Because they said they will correct it.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, niperma gihapon ka bisag wa ma utro.
(So, you still signed even though it wasn't corrected.)
 - Imo ning gibasa ang complaint, wa?
(Did you read the document or not?)
 - Nabasa nimo, wa?
(Did you read it or not?)
 - Your Honor, I hear somebody from the bench.
 - I don't know who it is but somebody is coaching.
 - Your Honor somebody said na "basa".
 - Let that be put on record.
 - This is not the first time.
 - I believe this is the third time that the people from the complainant side is coaching, Your Honor.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - I only ask for the witness ang uban giingnan ko ganiha nga pwede didto lang sa gawas.
(I only ask for the witnesses to stay inside, while others can wait outside.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Otherwise, Your Honor if I may ask them to be held in contempt.
 - They are disrupting, Your Honor.
 - They are coaching the witness, Your Honor.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Ang allowed lang dinhi ganiha, nag ingon ko, nga ang witness lang nga i-investigate.
(I said, only those witnesses who will be investigated that are allowed inside.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Who was that?
 - Who said na basa?
 - Because I heard, Your Honor, I cannot be wrong with that.
 - Who is that?
 - Of course, they will deny it, Your Honor, but I'm sure the council also heard that, Your Honor.
 - Now, nabasa ni nimo, wa?
(Now, have you read it or not?)

- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Nabasa.
(I have read.)

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Part ba kamo sa witness nga i-investigate karon?
(Are you part of the witnesses who will be investigated now?)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - This is why, Your Honor during the start of the hearing I was asking that only the witness if this Honorable body can remember, only the witness should be present.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes, but they are also part of the witness for today, Attorney.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yes, Your Honor, however, they are not required to listen, Your Honor.
 - That's why at the start, Your Honor if you can remember last August, I ask only those who would be presented, would be called and be called inside.
 - Anyways.

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Tawagon nalang unya day kung imo nang time.
(You'll be called later when it's your time to be on the witness stand.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, Mrs. Dacalos imo ning nabasa?
(Okay, Mrs. Dacalos did you read this?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - O, nabasa.
(Yes, I've read.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unsa may nakasulat diha?
(What is written there?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Nga usa ka kuan trabahante sa barangay.
(That I was a worker in the barangay.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya?
(And?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Usa ka barangay worker.
(I am a barangay worker.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya?
(And?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Mao ra ako nabasa.
(That's all I read.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unya unsa pay lain?
(And then what else?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Mao rato usa ka barangay worker sa Manlawaan.
(I was a barangay worker in Manlawaan. That's it.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Mao ray nakasuwat diha nga barangay worker ka sa Manlawaan.
(That is all what was written there that you are a barangay worker in Manlawaan.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Maoy akong nabasa.
(That's what I read.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Mao ray imong nasabtan?
(That is all you understand?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Mao ra
(That's it.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Ang uban wala ka kasabot.
(You didn't understand the rest of the statement.)
 - Wala ka kasabot sa uban na nakasuwat dinha sakto, dili?
(You did not understand the rest of the statement written in the affidavit, correct?)

- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Maka kuan ko.
(I can.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sige unsa man?
(Alright what?)
 - Unsa may laing nakasuwat diha?
(What else is written there?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - English mani siya.
(This is English.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sige na, ma'amm, tan-aw lang nako ayaw katawa.
(Alright, ma'am, just look at me don't laugh.)
 - Unsa may nakasuwat diha?
(What is written there?)
 - Kay niperma man gud ka bisag sayop imong pangan.
(Because you signed it even though your name was misspelled.)
 - So, gipangutana taka unsay sud diha.
(So, I asked you what is the content of your affidavit.)
 - Unsa man sud diha?
(What is the content in your affidavit?)
 - Ingon ka na ang sud diri nag-ingon na barangay worker ka.
(You said that it was stated in the affidavit that you are a barangay worker.)
 - Unsa pay lain?
(What else?)
 - So, wa na nimo nasabtan na nakasuwat diha nga usa ka na gi appoint na barangay worker.
(So, you don't understand that it was stated there that you are an appointed barangay worker.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Wa.
(No.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all, Your Honor for this witness.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Madam Witness, when you were questioned nga gipangutana nga ang imong nasabtan ani niingon ka na usa ka barangay worker, sako?
(Madam Witness, when you were asked regarding your affidavit, you said that it was stated in your affidavit that you are a barangay worker, correct?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Hmm.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Gi-unsa man pag-explain sa imoha in english or sa dialect nato na Bisaya?
(How did they explain to you the content of your affidavit, in English or in our dialect, Bisaya?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Bisaya.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Gi-explain ni sa imo in Bisaya before nimo giperumahan.
(This was explained to you in Bisaya before you signed it.)
- **Mrs. Erminihilda M. Dacalos (Witness):**

- O.
(Yes.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, nakasabot ka kung unsay nakasuwat diria?
(So, do you understand what is written in your affidavit?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Hm.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - No further questions, Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Those questions were leading, Your Honor, but I let the counsel continue, Your Honor.
 - Anyways, sige niingon ka na nakasabot man kaha ka atong panahuna pagperma.
(Anyways, you said that you understand what is written in your affidavit at the time you signed it.)
 - Explain karon kung nakasabot ka sa una, dapat nakasabot pud ka karon.
(Explain to us what you understand.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Ako si Erminihilda, usa ka barangay worker sa Barangay Manlawaan unya na kuan ako wa nako mo duty kay kuan ingon man sila nga alang-alang man kunog mo duty-duty pa kuno ko na tua man sila sa pikas.
(I am Erminihilda, a barangay worker in Barangay Manlawaan, I no longer went to work since according to them I am not on their side.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, asa mana dapit sa imong affidavit kanang imong gisulti karon nga wala naka ni-duty kay alang-alang mo duty ka kay tua sila sa pikas?
(So, where is that part in your affidavit where you mentioned that you no longer went to work because it was useless since they are on the other side?)
 - Asa mana dapit?
(Where is that part?)
 - Kay kung gi-explain sa imo sa una dapat kasabot ka karon so, buot pasabot karon wala ka kasabot.
(Because if it was explained to you when you signed your affidavit, you should be able to explain it, so that means you don't understand the contents of your affidavit.)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Mao raman to ingon raman na kaniang mao to dili nako mo kuan duty kay kuan.
(That was it, they said that I could no longer report for work.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, buot pasabot wala gi-explain ug tagsa-tagsa sa imo ang sud sa imong affidavit, sakto?
(So, that means they did not explain in detail the contents of your affidavit, correct?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - O.
(Yes)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wala diay gi-explain.
(It was not explained.)
 - Giingnan lang ka nga wa mo gi-paduty unya niperma ka, sakto?
(You were just told that you no longer went to work and then you signed it, correct?)
- **Mrs. Erminihilda M. Dacalos (Witness):**
 - Hm.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Let that be on the record, Your Honor, that the witness answered yes.
 - That would be all, Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - No questions, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Any questions from the Adhoc committee?
 - Is there any other witness?
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Yes, Your Honor, Mrs. Elma T. Ayade
 - That would be our last witness for today, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay, you are dispensed now Erminihilda.
- **Mr. Valentino A. Codera (SB Secretary):**
 - Madam Witness manumpa ka ba nga ang tanan nimong isulti karon mao lamang ang tinuod walay lain ug ang tinuod?
(Madam Witness, do you solemnly swear that your testimony shall be the truth, the whole truth, and nothing but the truth?)
- **Mrs. Elma T. Ayade (Witness):**
 - Yes sir.
- **Mr. Valentino A. Codera (SB Secretary):**
 - Madam Chair, Your Honor our third witness is Elma Ayade, 51 years old and residing at Colonia, Manlawaan, Tabango, Leyte.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Your Honor, the testimony of the witness is being offered to prove the following:
 - That she was one of the barangay workers of Barangay Manlawaan who was also terminated by the Barangay Captain because she failed to support the same mayoralty candidate for the last 2022 elections.
 - She will testify on other relevant matters in connection with this case.
 - May I proceed Madam Chair?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes, you may proceed.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Maayong buntag ma'am.
(Good morning, ma'am.)
- **Mrs. Elma T. Ayade (Witness):**
 - Maayong buntag, Attorney.
(Good morning, Attorney.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Madam witness nakahinumdom ka na nag-execute ka ug usa ka joint affidavit complaint in relation ani nga kaso?
(Madam witness, do you remember executing a joint affidavit complaint about this case?)
- **Mrs. Elma T. Ayade (Witness):**
 - Yes, Attorney.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Kung kani nga joint affidavit complaint ipakita nimo, imo ning ma identify?
(If this joint affidavit complaint will be shown to you, can you identify it?)

- Mrs. Elma T. Ayade (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Naa ta dihay joint affidavit complaint usa sa nakabutang Elma T. Ayade. (We have a joint affidavit complaint with the name Elma T. Ayade.)
 - Mao na imo gipasabot na joint affidavit complaint? (Is this the joint affidavit complaint that you are referring to?)
- Mrs. Elma T. Ayade (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - On the second page ana nga joint affidavit complaint igbaw sa typewritten name na Elma T. Ayade naay pirma, there appears to be a signature, mao ni imo pirma? (On the second page of that joint affidavit complaint, there's a signature above the typewritten name Elma T. Ayade, is that your signature?)
- Mrs. Elma T. Ayade (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Nagkompirma ka ba sa kamatuoran sa imong gipang istorya ani nga joint affidavit complaint? (Do you confirm the truthfulness of what you said in this joint affidavit complaint?)
- Mrs. Elma T. Ayade (Witness):
 - Yes.
- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Your Honor, we manifest that this joint affidavit complaint will form part of the witness's direct testimony, and she's now ready for cross.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - You may proceed now Atty. Salas.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Maayong buntag. (Good morning)
- Mrs. Elma T. Ayade (Witness):
 - Maayong buntag attorney. (Good morning, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsa may imong trabaho sa barangay? (What is your work in the barangay?)
- Mrs. Elma T. Ayade (Witness):
 - BHW, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Mao ni imo gipirmahan nga joint affidavit? (Is this the joint affidavit that you signed?)
- Mrs. Elma T. Ayade (Witness):
 - Yes, attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsay nakasuwat diha? (What is written there?)

- **Mrs. Elma T. Ayade (Witness):**
 - Diri sa igbaw?
(On the top?)
 - Joint Affidavit Complaint.
(Joint affidavit Complaint.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Unsay sud?
(What is the content?)
- **Mrs. Elma T. Ayade (Witness):**
 - Kuan kaning giatubangan karon mao ni sulod diri.
(The administrative case that is the subject of this hearing.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - O, unsa may sulod diha?
(Yes, what is the content?)
 - Unsa may imo gi state diha?
(What did you state in your affidavit complaint?)
- **Mrs. Elma T. Ayade (Witness):**
 - Gi-state diri nga gitantang mi.
(It was stated here that we were terminated.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa dapit sige i-guide me.
(Where's that portion, please guide me?)
 - Unsa nga paragraph?
(Which paragraph?)
- **Mrs. Elma T. Ayade (Witness):**
 - Kini nga we Erlinda english ni pero...
(That, we Erlinda, this was in English but ...)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Dili ayaw na.
(No.)
- **Mrs. Elma T. Ayade (Witness):**
 - Asa man?
(Where?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Diba sa ubos naay mga numbers 1, 2, 3, 4, 5, 6 diba?
(Below there are numbers 1, 2, 3, 4, 5, 6, right?)
- **Mrs. Elma T. Ayade (Witness):**
 - Yes.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So niingon ka gitantang mo, asa man dapit dinha?
(You said that you were terminated, where can we find it in the affidavit?)
- **Mrs. Elma T. Ayade (Witness):**
 - Murag kining 6 siguro, Attorney.
(I think number 6, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Mura.
(You think)
- **Mrs. Elma T. Ayade (Witness):**

- English man ni.
(This is English.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, di ka kasabot?
(So, you cannot understand?)
- **Mrs. Elma T. Ayade (Witness):**
 - Di ko kasabot kay bisaya baya ko Attorney.
(I cannot understand English, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Pero nipirma ka?
(But you signed it?)
- **Mrs. Elma T. Ayade (Witness):**
 - Binisay-a daw Attorney.
(Please translate it to Bisaya, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - O lagi.
(Yes)
 - English mana so mao na atong basehan kay mao nay imo gipirmahan.
(Yes, it's in English but since you signed it that would be our basis.)
- **Mrs. Elma T. Ayade (Witness):**
 - O sige.
(Okay)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa man dapit diha nga ingon ka na gitang-tang mo?
(What part of your affidavit that you mentioned you were terminated?)
- **Mrs. Elma T. Ayade (Witness):**
 - Kining tanan attorney.
(All of this Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kanang tanan o moingon na lang ka'g kanang tanan kay tungod wala ka kasabot.
(All of this or you just say all because you don't understand.)
- **Mrs. Elma T. Ayade (Witness):**
 - Wa kasabot kay dili man ko, Attorney.
(I do not understand because I am not Lawyer.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Di ka attorney pero nipirma man gad ka ana.
(You are not a Lawyer, but you signed it anyway.)
- **Mrs. Elma T. Ayade (Witness):**
 - O, ni pirma ko kay gipasabot man nis amo, gi-translate mani ug bisaya.
(Yes, I did sign the document because it was explained to me and it was translated into Bisaya.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Gi-translate ug Bisaya.
(It was translated into Bisaya?)
- **Mrs. Elma T. Ayade (Witness):**
 - Yes.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Usa ka ni pirma?

(Before you sign it?)

- Mrs. Elma T. Ayade (Witness):
 - O.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, mao nakasabot ka atong panahona.
(So, you do understand that time.)
- Mrs. Elma T. Ayade (Witness):
 - Maong nakasabot ko.
(That's why I understand.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, kung nakasabot ka atong panahona, dapat kasabot sad ka karon.
(So, if you do understand that time, there's no reason that you do not understand it now.)
- Mrs. Elma T. Ayade (Witness):
 - Dependē.
(It depends.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nganong di naman ka kasabot karon kung nakasabot ka atong panahona?
(Why is that, that you don't understand it now if you understood it before?)
- Mrs. Elma T. Ayade (Witness):
 - O, kay wa may nag explain sa ako-a.
(It's because no one explained it to me.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wala gi-explain.
(It was not explained.)
- Mrs. Elma T. Ayade (Witness):
 - Gi explain ni gi kuan sa binisaya, English man ni dinhi nakasuwat.
(It was explained in Bisaya, however, what was written here is in English.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Mao lagi ang ako man gad punto ma'am, kung nakasabot ka sa una, nganong wala ka na kasabot sa karon?
(My point is if you understood the statement before, why you can't understand it now?)
- Mrs. Elma T. Ayade (Witness):
 - Wala man gad ko nag-memorize gud ani, Attorney.
(Because I didn't memorize it, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Di man kinahanglan memorayson gud.
(There's no need to memorize.)
- Mrs. Elma T. Ayade (Witness):
 - O, sige dili pwede.
(Okay, no)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Asa man diha dapit ang niingon ka na gitangal mo, pakita lang.
(Where is that part in your affidavit that you said you were been terminated, show it?)
- Mrs. Elma T. Ayade (Witness):
 - Number 6 gyud, Attorney that since we did not heed his pressure to support the mayoralty of his aspirant Romel Aropo.

- (It's number 6, Attorney, "that since we did not heed his pressure to support the mayoralty of his aspirant Romel Aropo.")
- Murag number 6.
(I believed, number 6.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay, asa man diha dapit?
(Okay, where is that?)
 - **Mrs. Elma T. Ayade (Witness):**
 - Kining number 6 gani, "that since we did not heed his pressure to support the mayoralty of his aspirant Romel Aropo because we cannot leave Mayor Bernard Jonathan Remandaban, Hon. Albert C. Morilla terminated all of us."
(It's number 6, "that since we did not heed his pressure to support the mayoralty of his aspirant Romel Aropo because we cannot leave Mayor Bernard Jonathan Remandaban, Hon. Albert C. Morilla terminated all of us.")
 - Mao na siya.
(That's it.)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, niingon ka diha gi-terminate ka?
(So, you said that you were terminated?)
 - **Mrs. Elma T. Ayade (Witness):**
 - Gi-terminate sigurado.
(I was definitely terminated.)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Naa kay mapakita nga termination paper?
(Can you present a termination paper?)
 - **Mrs. Elma T. Ayade (Witness):**
 - Wala.
(None.)
 - Gipersonal man gad ni Kapitan.
(It was the Barangay Captain who said it himself.)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Akong pangutana naa ba kay gipakita nga termination paper?
(My question is can you show the termination paper?)
 - Naa, wala?
(Is there or none?)
 - **Mrs. Elma T. Ayade (Witness):**
 - Walay gipakita pero giistorya.
(There was none, but he said it himself.)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sakto na kana lang.
(That's enough.)
 - Unya niingon ka na naghigot ka'g resolution diha, barangay resolution.
(Then you also mentioned a barangay resolution.)
 - **Mrs. Elma T. Ayade (Witness):**
 - Dia man tali.
(I think there is.)
 - **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa man dapit?
(Where is it?)
 - **Mrs. Elma T. Ayade (Witness):**
 - Sumpay gihapon diri sa number 6.

(It is still on number 6.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa man na nga barangay resolution?
(Where is that barangay resolution?)
- **Mrs. Elma T. Ayade (Witness):**
 - Barangay Appointed Officials and Employee Barangay Manlawaan, Tabango, Leyte.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa mana dapit?
(What part?)
 - Pakitaa ko ana nga resolution.
(Let me see that resolution.)
- **Mrs. Elma T. Ayade (Witness):**
 - Kini akong gigunitan.
(This one that I'm holding.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Asa man ang resolution na imo giingon?
(Where is that resolution you are referring to?)
- **Mrs. Elma T. Ayade (Witness):**
 - Wa ko kahibaw, Attorney kay igo ra man mi ni kuan atubang ari.
(I don't know Attorney because we were just here for this case.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Niatubang sa?
(For what?)
- **Mrs. Elma T. Ayade (Witness):**
 - Karon.
(Now.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wa gyud ka kakita nianang resolution diay.
(You never saw that resolution.)
- **Mrs. Elma T. Ayade (Witness):**
 - Wala.
(No.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wala ka kakita ana nga resolution pero nakasuwat diha?
(You did not see that resolution but it was written in your affidavit?)
- **Mrs. Elma T. Ayade (Witness):**
 - Nakasuwat dire, ambot ug hain ni kay wala ko ka copy ani nga tanan.
(It was written here, but I don't know where it is because I was not able to secure a copy of this.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wala ka kabasa ana nga resolution.
(You haven't read that resolution.)
 - Wala?
(No?)
 - Okay, that would be all, Your Honor for this witness.
 - She may be cited for perjury, later on, Your Honor for signing an affidavit she was not able to understand.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Madam Witness, gipangutana ka sa counsel kung nakasabot ba ka ani nga affidavit,

you answered yes, tinood?
(Madam Witness, the counsel asked you if you understand the content of your affidavit,
and you answered yes, correct?)

- **Mrs. Elma T. Ayade (Witness):**
 - O.
(Yes.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Ingon ka nakasabot ka unsay nakasuwat ani nga affidavit.
(You said that you understand what was written in your affidavit.)
- **Mrs. Elma T. Ayade (Witness):**
 - O, Attorney.
(Yes, Attorney)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Nganong niingon man ka na nakasabot ka?
(Why did you say that you understand?)
- **Mrs. Elma T. Ayade (Witness):**
 - Gi-explain man gad ni sa una.
(It was previously explained to me.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, giunsa man pag-explain sa imoha?
(So, how did they explain this to you?)
- **Mrs. Elma T. Ayade (Witness):**
 - Gi-explain nga ako gitang-tang ko kay wa ko mo-suporta sa ila kandidato.
(It was explained to me that I was terminated because I will not support their candidate.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - So, this was explained in Bisaya, not in English?
- **Mrs. Elma T. Ayade (Witness):**
 - Oo.
(Yes.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Leading, Your Honor, although, the witness answered, may I just manifest that question is leading.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Unsa nga language ang gigamit pagpasabot niani nga affidavit sa imoha or unsa nga dialect?
(What language was used to explain this affidavit to you or what dialect?)
- **Mrs. Elma T. Ayade (Witness):**
 - Bisaya, Attorney.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Tinuod nga pagpasabot nimo ani gi-explain ni in Bisaya but not English?
(Is it true that this affidavit was explained to you in Bisaya, and not in English?)
- **Mrs. Elma T. Ayade (Witness):**
 - In Bisaya, attorney.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Gipangutana pud ka sa counsel sa respondent niya nitubag ka'g "oo", sa pag pangutana niya kung gi-terminate baka, tinuod?
(You were also asked by the counsel of the respondent if you were terminated, and you answered, "yes", right?)

- Mrs. Elma T. Ayade (Witness):
 - Tinuod Attorney.
(Yes, Attorney)

- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Giunsa nimo pagkaingon nga terminate ka?
(How did you know that you were terminated?)

- Mrs. Elma T. Ayade (Witness):
 - Kay nagistorya si Kapitan July 20, 2021 during sa among clean up drive pagkuan paniudto namo, nangutana si kapitan kung pilay among honorarium isip BHW?
(Because the Barangay Captain spoke to us on July 20, 2021 during our clean up drive when we had lunch, the Barangay Captain asked how much was our honorarium as BHW?)
 - Tug-an pud ako na 800.
(I answered 800.)
 - Niingon si kapitan nako na dagdagan 100 sa January.
(I was told by the Barangay Captain that he will increase it by 100 in January.)
 - Ingon pagani mi na "kapitan pwede 1000."
(We even said to him, if possible, make it 1000.)
 - Pagkatapos niingon siya pero unfair man kuno practical lang ta karon lain man pud kuno magkuyog-kuyog sa barangay.
(Then after that he said, it would be unfair because it's not good to work together in the barangay.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, the witness is already narrating, Your Honor.
 - She was only asked how she was terminated.
 - She is already narrating.
 - May I ask that the remaining answer be stricken off the record?
 - Only the answer that she said it was during the clean-up drive that she was terminated verbally, Your Honor.

- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - Niingon ka na verbal ang pagistorya sa imo na gi terminate ka?
(You said that your termination was made verbally?)

- Mrs. Elma T. Ayade (Witness):
 - Yes.

- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - So, unsa man imo gihimo pagkahuman ato?
(So, what did you do after that?)

- Mrs. Elma T. Ayade (Witness):
 - Wala ko ni duty kay gitang-tang nako.
(I no longer reported for work because I was been terminated.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, I believe that's not part of the cross-examination.
 - The redirect should only be focused on what was asked during the cross.
 - That's no longer part of the cross-examination, I believe, Your Honor.

- Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):
 - And you also answered when gipangutana ka sa counsel kung kahibaw baka ani sa resolution and you answered "yes", is that right?
(And you also answered when the counsel asked you if you were aware of the resolution and you answered "yes", is that right?)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - No, misleading.
 - She answered no, Your Honor.

- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - You answered no, so wala ka kahibaw ani na resolution?
(You answered no, so you don't know about the resolution?)
- **Mrs. Elma T. Ayade (Witness):**
 - Diri kay English pero kahibaw ko ako gi-terminate.
(Although, it's in English, but I know that I was terminated.)
 - Wa koy laing istorya diri, gi-terminate ko ni kapitan kay wa mosunod sa iyang kandidato.
(I don't have any other statement, except that I was terminated by the Barangay Captain for not following his candidate.)
 - Wa nay lain kong istorya.
(No more further statements.)
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - No further questions, Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - So, niingon ka gi-terminate ka istorya?
(So, you said you were terminated through a conversation?)
- **Mrs. Elma T. Ayade (Witness):**
 - Istorya ni kapitan.
(That's what the Barangay Captain said.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - O lagi so, waka gi-terminate on paper?
(Okay so, you did not receive a terminated paper?)
- **Mrs. Elma T. Ayade (Witness):**
 - Way papel verbal lang.
(Not on paper just verbal)
 - Kana ra wanay lain.
(That's it no more.)
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Relax
- **Mrs. Elma T. Ayade (Witness):**
 - Wa na jud ko ni-duty.
(I no longer reported for work.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Bisa'g wala ka kakita ug papel na giterminate ka?
(Even though you haven't seen the termination paper?)
- **Mrs. Elma T. Ayade (Witness):**
 - Wala koy papel nakita pero personal si kapitan nag-ingon na terminate na di mokuyog sa iyang kandidato.
(I haven't seen any termination paper. It was the Barangay Captain himself who told me that I am terminated because I did not support his candidate.)
 - Mao lang.
(That's all.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - That would be all Your Honor.
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - No further questions, Your Honor.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Madam Chair, may I have the floor?

- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - You have the floor Honorable Vosotros.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Madam Elma Ayade, sakto?
(Madam Elma Ayade, correct?)
- **Mrs. Elma T. Ayade (Witness):**
 - Sakto kaayo.
(Very correct.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Sa imong pagkahinumdom pila naka ka-tuig sa barangay nagtrabaho?
(As far as you remember, how many years have you been working in the barangay?)
- **Mrs. Elma T. Ayade (Witness):**
 - Ako 15 years nako sa barangay Manlawaan.
(I have been working in Barangay Manlawaan for 15 years.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - 15 years.
- **Mrs. Elma T. Ayade (Witness):**
 - 2007 pako nagstart.
(I started in 2007.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Pagsugod ni Kap Ambit pag-assume sa iyang pagka kapitan diha naka?
(When Hon. Morilla was elected as Barangay Capatin, are you already been working in the barangay?)
- **Mrs. Elma T. Ayade (Witness):**
 - Diha nako.
(I'm already working.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - So, more or less almost 9 years.
- **Mrs. Elma T. Ayade (Witness):**
 - 9 years.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Sa iyang pagdumala sa barangay sakto tong giingon ni Attorney, si Kapitan under sa Local Code siya ray pwede mo appoint o motang-tang sa usa ka empleyado.
(The Counsel is right that under the Local Government Code, the Barangay Captain has the power to appoint and terminate a barangay official or workers.)
- **Mrs. Elma T. Ayade (Witness):**
 - O, siyempre kay kapitan man.
(Yes, of course because he's the Barangay Captain.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Tungod kay siya ra puy naay trust and confidence sa iya gisulod.
(It's also, because appointing barangay officials and workers involves trust and confidence.)
 - Asang puntuha sa imong tan-aw nimo na wa ang iyang trust and confidence sa imo?
(At what point do you recall that he lost his trust and confidence in you?)
- **Mrs. Elma T. Ayade:**
 - Adtong July.
(Last July.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**

- Asang puntoha nakaingon ka na nawad-an siyag pagsalig sa imoha? (At what point can you say he lost trust in you?)
- **Mrs. Elma T. Ayade (Witness):**
 - Katong pag-ingon niya na terminate, di wala nato siya nisalig nako kay gi-terminate na man ko niya.
(Since he terminated me that means he had no longer trusts and confidence in me.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Nakakita ka nianing Resolution No.19?
(Have you seen this Resolution No.19?)
- **Mrs. Elma T. Ayade (Witness):**
 - Wala.
(No.)
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Wala pa.
(Not yet.)
 - Ang giingon ni Attorney nangita si Attorney ug dokumento na nagterminate sa inyo.
(What the Counsel for the Respondent is looking for is a document that proves you have been terminated.)
 - Nakita na nako ang original niini.
(I already saw the original copy.)
 - Akong gi-scan ug maayo naa gani selyo sa Barangay Manlawaan.
(I scrutinized the document and even has the seal of Barangay Manlawaan.)
 - Resolved be it resolved that is hereby resolved confirming the removal of all barangay-appointed officials and employees of Barangay Manlawaan, Tabango, Leyte.
 - Mr. Secretary, mo hangyo ko ug kopya sa amo tanan niani then tan-aw namo usa-usa ang original para matan-aw namo ug ma authenticate.
(Mr. Secretary, I would like to request that all the committee members will be provided a copy so that we can compare it with the original and authenticate the same.)
 - That's all, Madam Chair.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Actually, Your Honor, I ask about resolution 19 not about its existence because it's already part of the record.
 - She mentioned in her affidavit resolution no.19 that's why I ask her if she saw that resolution because she made mention of that.
 - That was the basis why they were removed according to her based on her affidavit and she said, "no".
 - She did not see the resolution and that is found on her affidavit despite that being found on her affidavit.
 - She's saying that we were removed based on that resolution but she said that she did not see that resolution.
 - So, that was my point, your honor.
 - I know that the resolution is part of the records, Your Honor, that's already been submitted, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Is there any question sa Ad Hoc Committee before the witness will be dispensed?
 - None so far.
 - Who will be the witness for the next hearing?
- **Atty. Jolleanne Claire E. Perino (Counsel for the Complainants):**
 - Your Honor, that would be our last witness, Your Honor, and we manifest Your Honor, we request that we will be given a period of five days to formally submit our documentary exhibits in writing, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay sige.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- May we ask also for the same period to file our comment, Your Honor?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Yes
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - We'll file it personally, Your Honor, and then together with our comment is our manifestation of who would be our witnesses, Your Honor.
 - Because we have listed here Hon. Albert Morilla, any of the 2 barangay kagawads who executed the joint affidavit, any 2 of the barangay tanod who executed the joint affidavit, and any 2 barangay workers.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - There are 5?
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - 7, your Honor.
 - I can present them all in one setting, Your Honor if this honorable body will allow.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Attorney, if you may, maybe we could have it in just I hear that 7.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yes, I can present them all, Your Honor in one hearing.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - So will set a date maybe mag-whole day pud na hearing para dili nata ma kuan dragging na kayo kung makuan kapa every kuan.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - It's up to this honorable body, Your Honor.
 - All my witnesses are prepared, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Okay so, we will schedule the next hearing for the witnesses of the respondents this week.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - 10 days pa na, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - So siges daw let's say second week sa October.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - October 12, Your Honor if this honorable body is available.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - October 12 waray kamo travel ini?
- **Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):**
 - Your Honor, I'm sorry I will not be around on October 12, but I think you can still continue.
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - October 12, ang uban?
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**
 - Ano na adlaw daw?
- **Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):**
 - Wednesday.
- **Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):**

- Pwede ko kay duty mana nako.
- Hon. Rubilita A. Dela Cruz (Chairperson, Ad Hoc Committee):
 - Same time morning.
 - Please bring your lunch kay dili libre ang lunch diri.
 - How about the other members?
 - I-notify nalang nato 9:00 am the same time, October 12.
 - Please take note.
 - So, that's all. This formal hearing is now adjourned.

The formal hearing/investigation adjourned at around 10:10 AM.

I HEREBY CERTIFY the correctness of
the foregoing Minutes.

VALENTINO A. CODERA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
SANGGUNIANG BAYAN

MINUTES OF THE PROCEEDING OF THE FORMAL HEARING/INVESTIGATION OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON SEPTEMBER 19, 2022.

Present:

Hon. Rubilita A. Dela Cruz	-	SB Member/Chairman-Ad hoc Committee
Hon. Jose Welson G. Vosotros	-	Vice-Chairman
Hon. Luis Gabriel U. Veloso	-	Member
Hon. Richard V. Merontos	-	Member

Absent:

Hon. Kirsty V. Jabonete	-	Member
Hon. Fortune Frauline T. Misa	-	Member

Call to Order: 2:10 p.m.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good afternoon, everyone.
 - This is our second formal hearing with regard to the case, administrative case of Manlawaan.
 - May I ask the Counsel how many witnesses are you going to present today?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Good afternoon, Madam Chair.
 - We're supposed to present at least 3 or 4 witnesses depending on the time that the witnesses will consume during the examination.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - How about the Counsel of the respondent?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - We are not yet, Your Honor.
 - By the way, good afternoon, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - May I please ask if possibly only those witnesses are going to be here so that we will not be too crowded?
 - Ang kato lang mo witness mao lang usa ang dinhi.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Can you give me a moment, Madam Chair?
 - I'll tell them who will testify.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, Your Honor, witnesses only for the plaintiff or witnesses also for the respondent?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Siguro tanan.
 - So, you can bring the chair outside so that you will be comfortable.
 - Okay, so the formal hearing for the second time is now called to order.
 - You may begin.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, Your Honor.
 - If I may just speak, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Good afternoon, Your Honor.
 - The same appearance for the respondent.
 - Now, under Rule VII, Your Honor, Section 1 of Rule VII of your Internal Rules, third paragraph states that after the preliminary conference the Sanggunian through the Ad Hoc Committee shall issue an order reciting the matters taken up thereon including the facts stipulated, the evidence among others, we would just like to ask, Your Honor, if that because ultimately, that would be the guide, Your Honor, the proceedings of this case.
 - If we may just ask, although, I ask earlier the good Sanggunian Secretary, may I just ask formally from the Council from this Honorable Body if such is already available, Your Honor, so that we can be guided while we are doing the hearing, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - It is not yet finished.
 - Wala pa mahuman.
 - So, we will provide it as soon as possible within this week.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, Your Honor.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Good afternoon, madam Chair.
 - I am Atty. Jolleanne Claire Perino respectfully appearing for the complainants in collaboration with Labtic Law Office, Madam Chair.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, you may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Our first witness, madam Chair, is the Municipal Accountant herself, Ms. Lorna G. Atibula.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - May we call on Lorna Atibula, please?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may speak, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I believe such a witness was not listed during the pre-hearing conference.
 - That's why I'm asking for a copy of the Minutes, Your Honor because if I remember it right only the complainants were.....and the witnesses who made the affidavit were listed as witnesses.
 - There was no mention of an Accountant, Your Honor.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - However, Your Honor, there is already a subpoena addressed to the Municipal Accountant herself that she will appear today, Your Honor.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - The subpoena doesn't mean anything, Your Honor.
 - That's why we are guided by the pre-hearing conference, Your Honor.
 - That's why precisely we made the pre-hearing conference in order for us to be guided on who will be the witnesses and what will be the list of exhibits that will be presented during the presentation of this case, Your Honor.
 - The Accountant is not one of them, Your Honor.
 - If the Sangguniang Bayan Secretary can check on that, Your Honor, now.
 - If she is listed then we submit but if not we oppose, Your Honor, because she is not listed as one of the witnesses, Your Honor, and she should not be presented.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - To allow, Madam Chair, time for the Ad Hoc Committee to check if the witness that we're supposed to present is listed, we will momentarily dispense with her testimony and we will proceed to the next witness, Madam Chair, which is Juanita Delantar Epe.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, noted.
 - May we call on Juanita Epe?
- Valentino A. Codera (SB Secretary):
 - Madam witness, nanumpa ka ba nga tanang nimong isulti karong hapon na mao lamang ang tinuod, walay lain ug ang tinuod?
- Juanita D. Epe (Complainant/Witness):
 - O, sir.
(Yes, sir.)
- Juanita D. Epe (Complainant/Witness):
 - Ako si Juanita Delantar Epe, napuyo sa Sitio Limite, Manlawaan, Tabango, Leyte.
 - Ang akong edad 54.
- Valentino A. Codera (SB Secretary):
 - Your Honor, our witness is Juanita Delantar Epe, 54 years old and residing at Sitio Limite, Barangay Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam Chair, the testimony of the witness is being offered to prove the following:
 - 1) She will testify that she is one of the complainants.
 - 2) She will testify that she's a former worker of Barangay Manlawaan, Tabango, Leyte.
 - 3) She will testify that she was terminated by the Barangay Captain because she did not signify her support as to the candidate that was being supported for mayoralty by the said Barangay Chairman.
 - 4) She will testify that on April 6, 2022, she was pressured by the Barangay Captain to refrain from pursuing the case she filed against him.
 - 5) And she will identify relevant documents and other relevant matters in relation to this case, Your Honor.
 - May I proceed?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Good afternoon, madam witness.
- Juanita D. Epe (Complainant/Witness):
 - Good afternoon.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, nakahinumdom ka ba nga naghimo ka ug judicial affidavit kabahin niini nga kaso?

(Madam witness, do you recall executing a judicial affidavit regarding this case?)

- Juanita D. Epe (Complainant/Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung kini inga judicial affidavit ipakita kanimo, imo ni ma identify?
(So, if this judicial affidavit will be shown to you, can you identify it?)
- Juanita D. Epe (Complainant/Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, I have here a judicial affidavit consisting of six (6) pages, mao ba ni ang Judicial Affidavit nga imong gipasabot?
(I have here a judicial affidavit consisting of 6 pages, is this the one you're referring to?)
 - Mao?
(Is this the one?)
 - Sa ika-lima nga palid sa imong affidavit naay ni appear diha perma, sa taas sa typewritten name nga Juanita Delantar Epe, mao kana ang imohang perma?
(On the fifth page of your affidavit there appears a signature above the typewritten name, Juanita Delantar Epe, is that your signature?)
- Juanita D. Epe (Complainant/Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, imong gi-komperma ug gipamatud-an ang katinuod sa imong pamahayag nga nasulat sa imong affidavit.
(So, you confirmed the veracity of your statements reflected in your affidavit.)
- Juanita D. Epe (Complainant/Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Sa imong tubag sa question number 20, imong gihisgutan ang usa ka dokumento nga gipanganlan nga police blotter, kung kani nga dokumento akong ipakita nimo imong kining ma identify?
- Juanita D. Epe (Complainant/Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, I have here a police blotter with entry #2000, dated April 9, 2022, mao ba kini ang dokumento nga imong gipasabot?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, if I may before the witness identify such police blotter, I believed that is not one of the exhibits listed during the preliminary hearing, Your Honor.
 - Just for the record, Your Honor.
 - If she identifies the same that's okay, but just for the record, Your Honor, I am interposing my objection if they would offer that later on because that was not part of the exhibits listed during the preliminary hearing, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):

- As I remember before we proceed to our formal hearing si Atty. Labtic nagku-an to kung mag additional siya another papers or any papers nga makatabang sa pag resolba niini nga problem.
- Di ba, before kita nag proceed nagku-an to siya nga naa siyay idugang nga mga papers.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I believe, Your Honor, yes, we can reserve exhibits, but the reserved exhibits should be identified first, and should be made clear what those reserved exhibits are.
 - You cannot just generally make a statement that you will be reserving exhibits because that would be unfair, Your Honor, for the respondent.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - I think we have to proceed with the investigation.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam Chair, for purposes of identification, we respectfully marked this document as Exhibit "B".
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Accepted.
 - Can you please give a copy to the Counsel of the respondent?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, this has been attached to the motion for preventive suspension, which the Counsel of the respondent was duly furnished, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, Your Honor.
 - I believed that was only after the preliminary hearing.
 - The motion was filed only after the preliminary hearing, and there was no expressed reservation of such document, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Anyway, we have to hear about it.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - May I proceed, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, sa imong tubag sa question number 24 imong gihisgutan ang usa ka dokumento nga gipanganlan og police blotter.
(Madam witness, in your answer to question number 24, you have mentioned a police blotter.)
 - Kung kini nga dokumento ipakita nimo, imo ning ma-ilhan?
(If this document will be shown to you, will you recognize it?)
 - So, nagpakita ko nimo ug police blotter with entry number 2022 dated July 16, 2022, mao ba kini ang dokumento nga imong gipasabot?
(I have shown to you the police blotter with entry number 2002 dated July 16, 2022; is this the document you are referring to?)
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Puwede mabasa na nga document para makasabot ang uban nga ni-a dinhi karon?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Yes, Your Honor.
 - If I may, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay.

- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - This is to certify that the following entry is an extract copy from the official blotter of Tabango Police Station, Tabango, Leyte recorded as follows:
 - >Time entered: 8:30 AM
 - >Date Entered: July 16, 2022
 - >Entry Number: 2002, page number 107

Blotter Extract

One Juanita Delantar Epe, 54 years old, married, housewife, Filipino, and resident of Barangay Manlawaan, Tabango, Leyte personally come to this Police office requested to put into record and states that more or less 4 PM of July 15, 2022, a certain Teotimo Jorda, Barangay Councilor of Barangay Manlawaan, Tabango, Leyte suddenly appeared in their house and uttered words in vernacular: "Ayaw na pag atubang sa hearing karong Merkoles didto sa munisipyo kay kung di ka mo atras ipadakop ta ka sa Police kay naa na kay gipermahan nga papel og ayaw pagsaba nga ni anhi ko kay pasakaan tika og warrant." Then the respondent leaves immediately their house. The complainant was afraid of the threat since last April 6, 2022, after the invitation happened at the Barangay Hall that she and her husband were forced to sign a blank paper.

- Signed and entered by PCpl Aneza D. Aranzado.
 - This was issued on July 18, 2022, Your Honor.
 - Signed by Carmelo I. Gacho, the Officer in Charge.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Please answer.
 - Tubaga na kung tinuod na.
 - Juanita D. Epe (Complainant/Witness):
 - Tinuod nang tanan.
(*That is all true.*)
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam Chair, again for purposes of identification, we respectfully marked this document as our Exhibit "C".
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - The same manifestation, Your Honor, such document was not expressly reserved as an exhibit during the pre-hearing conference.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - May I remind both counsel nga in this room, the Sangguniang Bayan, we do not really follow the strict rules of court.
 - Lahi dinhi, lahi pud didto.
 - So, ang atong gibasihan dinhi aron gyud ma resolba unsay kamatuoran ato lang ilatag diha kung unsa ang importante nga mga papeles para sa inyong duha, di ba?
 - Kita dinhi atong gibalanse kung unsay tinuod nga nahitabo.
 - So, you may proceed.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Thank you, Your Honor.
 - So, your Honor, we manifest that the judicial affidavit of the witness will serve as her direct testimony, and now, Your Honor, the witness is now ready for cross.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Maayong hapon.
 - Juanita D. Epe (Complainant/Witness):
 - Maayong hapon.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Maayong hapon, ma'am Juanita.

- Kahinumdom ka nga naghimo ka ani or kaila ka ani nga dokumento?
(Do you remember that you executed, or do you recognize this document?)
- This document was marked as Exhibit "5" during the preliminary hearing, Your Honor, and it was attached as annex "5" in the counter-affidavit of the respondent and his witnesses.
- Kaila ka aning dokumentoha?
(Do you recognize this document?)
- Juanita D. Epe (Complainant/Witness):
 - Kaila ko ani napugos lang ko ani pagperma.
(I recognized it, but I was just forced to sign it.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, may I ask that the other answer be expunged.
 - I was only asking yes or no.
 - Kaila ka, wa?
(Do you recognize it or not?)
- Juanita D. Epe (Complainant/Witness):
 - Kaila.
(I recognize it.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kinsa man ning perma?
(Whose signature is this?)
- Juanita D. Epe (Complainant/Witness):
 - Ako.
(Mine)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kakita ka sa perma ni Kapitan diha, wa?
(Have you seen the signature of the Barangay Captain?)
- Juanita D. Epe (Complainant/Witness):
 - Wala.
(No)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wala.
 - Naa, wala?
(Is it there?)
- Juanita D. Epe (Complainant/Witness):
 - Wala.
(No)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Naay perma imong bana.
(There is a signature of your husband.)
- Juanita D. Epe (Complainant/Witness):
 - Naa.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So kaning dokumentoha, Your Honor, this is annex "5", it says "Ako si Juanita Epe usa ka Barangay Worker sa Manlawaan na ako bulontaryo nga ni undang sa pagtrabaho sa barangay niadtong bulan sa September 2021 og wala ako tangtanga sa Kapitan og sa mga Konsehal. Aron sa pagpamatuod sa na asoy sa ibabaw ako kining permahan ning adlawng Merkules, April 6, 2022 uban sa akong bana og testigo."

(Your Honor, this document was marked as Annex "5" and it says "I am Juanita Epe a Barangay Worker of Manlawaan who voluntarily resigned last September of 2021, and that I was not terminated by the Barangay Captain and the Barangay Council. To prove the veracity of my statement, I hereby affixed my signature this April 6, 2022, Wednesday, together with my husband and witnesses."

- So, you identified this?
- Ingon ka kaila Ka.
- Karon akong sunod pangutana kanus-a man ni April 6, 2022 ni siya nahitabo?
(Now, my next question is when was this happened, April 6, 2022?)

- Juanita D. Epe (Complainant/Witness):
 - April 6.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - April 6, 2022.
 - Sa imong Judicial Affidavit ni ingon ka nga nagpablotter ka bahin ani, sakto?
(In your Judicial Affidavit you said that you have this incident reported to the Police, correct?)
 - Sakto, dili?
(Is it correct or not?)

- Juanita D. Epe (Complainant/Witness):
 - O, nagpablotter ko.
(Yes, I reported it to the Police.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nagpa blotter dayon ka?
(Have you reported it to the Police right away?)

- Juanita D. Epe (Complainant/Witness):
 - Kay gipaperman man ko nila ug blangko!
(Because they forced me to sign a blank document!)
 - Ila man ko pasakaan.
(They will file a case against me.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, nagpa blotter dayon ka tungod kay nahadlok ka.
(So, because of your fear, you immediately reported it to the Police.)

- Juanita D. Epe (Complainant/Witness):
 - Nahadlok ko kay ingon man nga.....
(I was afraid because they said.....)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nagpa blotter ka dayon.
(You immediately reported it to the Police.)
 - Nagpa blotter dayon ka.
(You immediately reported it to the Police.)

- Juanita D. Epe (Complainant/Witness):
 - O, kay pasakaan man ko nila'g kiha nakaperma man ko ug blangko unya kay ingon man si Kapitan nga di gane ka mo perma ane kasuhan taka pasakaan tika'g kiha padad-an taka'g warrant.
(Yes, because they will file a case against me for signing a blank document and even the Barangay Captain himself told me that if I do not sign, he will file a case against me.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - May I ask, Your Honor, that the remaining answer be expunged from the record for being non-responsive to the question?
 - I was only asking nagpa blotter dayon ka, sakto ba dili?
(I was only asking if you immediately reported it to the Police, yes, or no?)

- Juanita D. Epe (Complainant/Witness):
 - Sakto nagpa blotter ko dayon ana.
(Yes, I immediately reported it to the Police.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nagpa blotter dayon ka, okay.
(You immediately reported it to the Police.)
 - So, April 6 ni, April 6 nahitabo ang pagperma, sakto?
(So, the signing happened on April 6, correct?)
- Juanita D. Epe (Complainant/Witness):
 - O.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - This is attached as Annex "D", Your Honor, to the motion for preventive suspension of the respondent.
 - The blotter is already attached.
 - Mao ni ang blotter, no, may entry number 2000, page number 81, sakto?
(This is the blotter with entry number 2000, page number 81, correct?)
 - May I read, Your Honor?
 - The content of the blotter on this time and date, one Juanita Epe put into record, 53 years old, married, housewife, Filipino, and a resident of Barangay Manlawaan, Tabango, Leyte requested to put into record alleged that she, together with her husband, Sergio Epe, went to the Barangay Hall upon the invitation of the Barangay Chairman of Barangay Manlawaan on April 6 at 10 AM in the morning and were held for almost 4 hours inside with no apparent reason, and later we're forced to sign a blank paper.
 - So, mao ni nga blotter imong giingon?
(So, is this blotter that you are referring to?)
- Juanita D. Epe (Complainant/Witness):
 - O.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, yes, or no lang, sakto?
(Okay, just answer yes, or no, is it?)
- Juanita D. Epe (Complainant/Witness):
 - Mao ni siya kay kani ang.....
(This is the one because.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That's it, that's it.
 - That's subject for re-direct, Your Honor.
 - I'm limiting her answer, Your Honor, to my line of questioning.
 - I should be the one in control, Your Honor, not her.
 - Now, just to confirm you said earlier you immediately had this blotter.
 - Now, can you tell me the date when this blotter was made?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Atty. puwede binisay-on nimo dili gyud na maka-intendi.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I'm sorry.
 - So, ni ingon ka nga nagpa blotter dayon ka, di ba, kay hadlok ka, so puwede ba nimong isaysay kung unsay petsa ane nga blotter?
(So, you have said that you immediately reported it to the Police because of your fear, so will you tell what the date of the blotter was?)
 - Kitaa daw.

(Try to look.)

- Juanita D. Epe (Complainant/Witness):
 - April 9 ko nagpa blotter.
(I reported it to the police on April 9.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - April 9, 2022.
 - That's okay.
 - Sakto na.
(That's enough.)
 - So, April 6 ka ni ingon ka nga gihulga ka papermahon nahadkok ka so nagpa blotter dayon ka pero pagka 9 paka nagpa blotter tulo ka adlaw pa ang ning labay, sakto?
(So, you said that on April 6 you were forced to sign a document which is why you reported the incident to the Police, however, you reported it only on April 9, which is 3 days after, correct?)
 - Yes or no lang.
(Only yes or no.)
 - Sakto, dili, na April 9 naka nagpa blotter.
(Is it correct or not, that it was only on April 9 that you reported it to the police?)
- Juanita D. Epe (Complainant/Witness):
 - Nagpa blotter gyud ko ane pagka 9.
(I reported it to the Police on April 9.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sa imong judicial affidavit naa sad kay gi.....ganina gipa-identify sad ka og Police Blotter kaning Annex "E", entry number 107 dated July 16, 2022, gipa-identify sad na sa imo, di ba, ganina sa imo abogado?
(In your judicial affidavit you were asked by your counsel to identify a police blotter, Annex "E", with entry number 107 dated July 16, 2022, correct?)
 - Sakto, dili?
(Correct or not?)
- Juanita D. Epe (Complainant/Witness):
 - Sakto ni.
(Correct.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, sakto.
 - Naay pangan ni Kapitan diha, wa?
(Is there a name of the Barangay Captain?)
- Juanita D. Epe (Complainant/Witness):
 - Wala.
(None.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - So, dili si Kapitan ang imong gipa-blotter, sakto?
(So, the Barangay Captain is not involved in the blotter, correct?)
 - Sakto, dili?
(Correct or not?)
- Juanita D. Epe (Complainant/Witness):
 - Ang iyang Konsehal.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ma'am, pamati lang.
(Ma'am, please listen.)

- Juanita D. Epe (Complainant/Witness):
 - Dili si Kapitan ang iyang konsehal.
(It is not the Barangay Captain only his Barangay Kagawad.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, that would be all, Your Honor for that matter.
 - Ni ingon ka dire nga giingnan ka ni Kapitan, "ingon siya nga magperma ug papel nga mag-ingon nga ako mo boluntaryo nga mi hawa pagka-barangay worker", imo nang pamatud-an?
(You said in your judicial affidavit that you were told by the Barangay Captain to sign a document stating that you voluntarily resign as a barangay worker. Will you confirm this?)
- Juanita D. Epe (Complainant/Witness):
 - Wa ko ane.
(I did not.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, di na tinuod diha ang nakasuwat.
(So, the statement in your judicial affidavit is not true.)
- Juanita D. Epe (Complainant/Witness):
 - Mao ni ingon ni Kapitan paperma niya ko ane.
(This was the statement of the Barangay Captain to let me sign the document.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Akong pangutana ako lang gipakompirma nimo na ni ingon ka dire sa imong affidavit nga, "pero mi ingon ang among Kapitan nga karon kay human na ang na settle, ingon siya nga pagperma og papel nga mag ingon nga ako boluntaryo nga mi hawa pagka-barangay worker", emo nang pamatud-an nga giingnan kang Kapitan ana?
(I just would like you to confirm your statement in your affidavit that you were told by the Barangay Captain to sign a document stating that you voluntarily resign as a barangay worker, can you confirm that?)
- Juanita D. Epe (Complainant/Witness):
 - O, giingnan ko ni Kapitan ane.
(Yes. I was told by the Barangay Captain regarding this.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, gipaperma ka'g papel mao tong ning perma ka atong ni ingon ka nga mo resign ka katong naay perma pud imong bana.
(So, you were told to sign a document stating that you voluntarily resigned, which was also signed by your husband.)
- Juanita D. Epe (Complainant/Witness):
 - O, kay iya man kong gihadlok.
(Yes, because he threatened me.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, hing perma ka ato tungod kay nahadlok ka.
(So, you signed the document because you're afraid.)
- Juanita D. Epe (Complainant/Witness):
 - Ning perma ko atong boluntaryo iya man ming kihaan hasta akong bana!
(I signed it because he will file a case against me and my husband!)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, kani hing perma ka ane?
(So, you signed this one?)
- Juanita D. Epe (Complainant/Witness):
 - Hing perma ko ana, o, perma ko.

(Yes, I signed it.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - This is Annex "5", Your Honor.
 - Okay, so klaro na nga ning perma ka ane, gihimo ni ug ning perma ka ane kauban sa imong bana.
(Okay, so we are clear on this that you signed the document together with your husband.)
 - So, klaro na ta ana ha.
(So, we're clear on that.)
 - Annex "5", Your Honor, is attached as our Annex "5" in our counter-affidavit, Your Honor.
 - It's already part of the record, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, kinsa man ning mga testigos, Roly Lerio, Teotimo Jordan, Wilfredo Calesa?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Mga kagawad, Your Honor.
 - Okay, so klaro na ning perma ka ato nga papel nga gihimo and then ning perma ka.
(So, we're clear that you signed the document.)
- Juanita D. Epe (Complainant/Witness):
 - Na pugos man ko'g perma.
(I was forced to sign.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - O lagi, o lagi.
 - May I ask that the witness be held in contempt, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Atty. ang imong pangutana mura'g intimidating man pud.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I'm only defending my client, Your Honor.
 - That's why we are being paid that much for our client to be defended well.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Kay lisud man pud na nato di pasultihon.
 - Juanita, baton na lang kung unsay pangutana.
(Juanita, just limit your answer to the question.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, na identify pud ka aning police blotter ganina, kani ba?
(So, you identified earlier this police blotter, this one?)
 - Nga ning ana ka nga katong April 9 nimo gipa blotter, April 6 ka kintahay gipugos pero April 9 ka kintahan nagpa blotter, di ba?
(You said that you were allegedly forced to sign the document on April 6, but reported it to the police only on April 9, right?)
- Juanita D. Epe (Complainant/Witness):
 - April 9 ko nagpa blotter.
(I reported the incident on April 9.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, mao ni nga blotter, di ba?
(So, this is the police blotter, right?)
- Juanita D. Epe (Complainant/Witness):
 - Mao ni nga blotter.
(This is the police blotter.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, karon klaro na nga ni ingon ka nga gihimo ni niya ning perma ka uban sa imong bana unya naay mga testigos nga mga kagawad, pero sa imong blotter ang imong giingon, "I was hold for 4 hours inside with no apparent reason, and later were forced to sign a blank paper,"
(So, it is very clear that you signed the document together with your husband, and witnessed it by some of the barangay kagawads, however, you said in the police blotter, "I was held for 4 hours inside with no apparent reason, and later were forced to sign a blank paper,")
 - Pero ni ingon ka ganina gihimo ni usa ka ning perma.
(But you also said earlier that the document was already prepared before you signed the same.)
 - Karon ni ingon ka sa blotter gipaperma lang ka ug blangko nga papel, sakto?
(Now, you said in the police blotter that you signed a blank document, correct?)
 - Sakto, Dili?
(Correct or not?)

- Juanita D. Epe (Complainant/Witness):
 - Gipaperma man ko'g blangko nga papel.
(I was forced to sign a blank paper.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sakto, Dili?
(Correct or not?)

- Juanita D. Epe (Complainant/Witness):
 - Sakto.
(Correct.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Last.
 - Di man ka abogado, no?
(You are not a lawyer, right?)
 - Wa sad kay units sa balaod?
(You also don't have units in law?)

- Juanita D. Epe (Complainant/Witness):
 - Wala kay wa gud koy grado.
(None because I am an illeterate.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kahibawo ka nga first time to nimo na nagpa blotter, dili?
(Is it your first time to report an incident and have it recorded in the police blotter?)
 - First to nimo nagpa blotter sa imong kinabuhi, dili?
(Is it the first time in your life to report an incident and have it recorded in the police blotter?)

- Juanita D. Epe (Complainant/Witness):
 - Pirmero pa.
(First time.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Di ba kung magpa blotter ka ipa-record.....i-record ra man sa pulis, di ba?
(If you are going to report an incident, the police will just record the same in the police blotter, correct?)

- Juanita D. Epe (Complainant/Witness):
 - I-record.
(It will be recorded.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero ang pulis walay salabutan unsay nahitabo, di ba?

(But the police do not have any idea what exactly happened, right?)

- Juanita D. Epe (Complainant/Witness):
 - Gisaysay nako ang nahitabo.
(I narrated what happened.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Dili, mao lagi.
 - I-record ra na sa pulis basi sa unsay gisaysay sa ni ngadto, sakto?
(It will be recorded in the blotter based on the narration of the person who reported the incident, correct?)
- Juanita D. Epe (Complainant/Witness):
 - O.
(Yes)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That's all, Your Honor.
 - I'm just stressing my point that actually police blotters have no evidentiary value, Your Honor because these are hearsay evidence.
 - Anybody can go to the police station and have something recorded and the policeman who recorded such blotter has no personal knowledge of what actually transpired.
 - That would be all, Your Honor, for this witness.
 - Thank you.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - No re-direct, Your Honor.
 - May I proceed with the next witness, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - May I call to the witness stand Ms. Erlinda C. Quanem?
- Valentino A. Codera (SB Secretary):
 - Manumpa ka ba nga ang tanan nimong isulti karon mao lamang ang tinuod walay lain ug ang tinuod?
(Do you solemnly swear that your testimony today shall be the truth, the whole truth, and nothing but the truth?)
 -
- Erlinda C. Quanem (Witness):
 - Oo, sir.
(Yes, sir.)
- Valentino A. Codera (SB Secretary):
 - Madam Chair, Your Honor, our second witness is Erlinda C. Quanem, 62 years old and a resident of Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - The testimony of the witness, Your Honor, is being offered to prove the following:
 - 1) That she is one of the complainants in this case.
 - 2) That she is one of the barangay workers of barangay Manlawaan, Tabango, Leyte who was appointed by the Barangay Captain, Albert C. Morilla.
 - 3) She will testify that she was terminated by the Barangay Captain because she did not signify her support as with respect to the candidate for mayoralty that the Barangay Chairman was supporting last May local elections.
 - 4) She will identify her judicial affidavit and testify on other relevant matters in relation to this case.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay.

- You may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Maayong hapon, madam witness.
- Erlinda C. Quanem (Witness):
 - Maayong hapon, Attorney.
(Good afternoon, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, nakahinumdom ka nga naghimo ka og affidavit kauban sa uban nimo nga kauban in relation ane nga kaso?
(Madam witness, do you recall that you executed an affidavit together with the other complainants and witnesses concerning this case?)
- Erlinda C. Quanem (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung kani nga joint affidavit ipakita sa imoha, imo ning mailhan?
(If this joint affidavit is shown to you, will you recognize it?)
- Erlinda C. Quanem (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Naa ta dihay joint affidavit consisting of 3 pages, mao ba na nga joint affidavit imong gipasabot nga imong gihimo?
(You have there a joint affidavit consisting of 3 pages, is that the joint affidavit you are referring to?)
 - Tan-awa sa ma'am.
(Kindly check.)
- Erlinda C. Quanem (Witness):
 - Ako na.
(It is mine.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, diha sa ikatulo nga palid sa imong joint affidavit naay signature, perma, nga ni appear sa ibabaw sa typewritten name na Erlinda C. Quanem, mao na imong perma?
(On the third page of the joint affidavit there is a signature on top of the typewritten name, Erlinda C. Quanem, is that your signature?)
- Erlinda C. Quanem (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, gikompirma nimo nga ang kanang naa sa imong judicial affidavit nga imong gisaysay dira tinuod na tanan.
(You confirmed that all the statements reflected in your judicial affidavit are true.)
- Erlinda C. Quanem (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Sa imong joint affidavit ni claim man ka nga gi-terminate ka sa Barangay Chairman, tinuod ni?

(In your joint affidavit you claimed that you were terminated by your Barangay Chairman, is it true?)

- Erlinda C. Quanem (Witness):
 - Tinuod.
(True.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Nganong naka-ingon man ka, madam witness, nga gitanggal ka sa Barangay Captain?
(Why did you say that you were terminated by your Barangay Chairman?)
- Erlinda C. Quanem (Witness):
 - Si Kapitan gitawag ko niya atbang sa barangay.
(I was called by the Barangay Chairman in front of the barangay.)
 - Mao to hing duol ko nangutana ko, "unsa man diay Kap?"
(That is why I approached him and asked, "What it is Kap?")
 - Ingon siya nga, "mana, di man ta karon magkakuyogay, ayaw na lang ka pagduty."
(He said, "since we are no longer on the same side, do not report for work anymore.)"
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, pag ingon niya na ayaw na pagduty unsa man diay to ang imohang position didto sa barangay?
(When he said that you do not have to report for work, what is your position in the barangay?)
- Erlinda C. Quanem (Witness):
 - Mag limpyo, manilhig, komporme pa mag guna.
(Cleaning, sweeping, and performing other tasks such as cutting grasses.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, giingnan ka niya nga kay di man ta mag-uban, ayaw na lang pagduty, tinuod na?
(You were told by your Barangay Chairman not to report for work anymore since you and he are not on the same side, correct?)
- Erlinda C. Quanem (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, pag after adto waa na ka ning duty?
(After that you no longer reported for work?)
- Erlinda C. Quanem (Witness):
 - Wa na kay wa naman ko niya pa dutiha.
(No more since I was already told not to report for work.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, me try ka pagadto sa barangay hall.
(But you tried to report to the barangay hall.)
 - Wala na sad.
(No more.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That's leading, Your Honor.
- Erlinda C. Quanem (Witness):
 - Wa na ko ning adto kay wa naman ko pa dutiha.
(I no longer went to the barangay hall since I was already told not to report.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, please that's leading.

- Atty. Jolléanne Cléire Periño (Counsel for the Complainants):
 - So, after ni ingon imong Barangay Chairman nga dili na ka pa reporton, wa naka ni report.
(So, after you were told by your Barangay Chairman not to report for work, you no longer reported for work.)
- Erlinda C. Quanem (Witness):
 - Wa na.
(No more.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, madam Chair, we manifest that the judicial affidavit of the witness will form part of her direct testimony and she is now ready for cross.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I believe, Your Honor, this is not a judicial affidavit but only a joint affidavit, Your Honor.
 - Just to be clear.
 - Hi, ma'am, maayong hapon.
(Hi, ma'am, good afternoon.)
- Erlinda C. Quanem (Witness):
 - Maayong hapon.
(Good afternoon.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsa gane imo trabaho sa barangay Manlawaan, kung nakahinumdom ka?
(If you can recall what is work at barangay Manlawaan?)
- Erlinda C. Quanem (Witness):
 - Kanang manilhig, kanang mag guna, maglimpyo sa kasilyas, komporme lang.
(Sweeping, cutting grasses, cleaning of toilet, and performing different tasks.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsay komporme?
(What do you mean "komporme"?)
- Erlinda C. Quanem (Witness):
 - Sari-sari ang isugo ba, Attorney.
(Different tasks as ordered, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, unsa man ang tawag sa imo?
(So, how do they call you?)
 - Unsa may tawag ana na klase nga trabaho, nga empleyado sa barangay?
(What kind of position is that in the barangay?)
 - Unsa may tawag ana, health worker, unsa man na?
(What is that position, health worker or what?)
 - Your Honor, may I ask that the people from the bench stop coaching because during the last hearing, Your Honor, these people were coaching the witness.
 - Make that on record, your Honor, that now I hear them coaching the witness again, Your Honor.
 - Please put that into the record.
 - Unsay tawag ana, health worker, unsa man na?
(What is that position, health worker or what?)
 - Unsay tawag ana imong trabaho?
(What do you call your work?)
- Erlinda C. Quanem (Witness):
 - Pag kuan lagi.....
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsay tawag sa imo, ba nga empleyado?

(What kind of employee are you?)

- Unsa na nga klase, Barangay Health Worker, Barangay Tanod, unsa man na?
(What position it is, Barangay Health Worker, Barangay Tanod?)

• Erlinda C. Quanem (Witness):

- Worker.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Barangay Worker ra ang tawag.
(You are a Barangay Worker.)

• Erlinda C. Quanem (Witness):

- BW ba.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Barangay Worker.
- Sigurado ka, dili?
(Are you sure or not?)

• Erlinda C. Quanem (Witness):

- Sigurado.
(I'm sure.)

• Atty. Jolleanne Claire Perino (Counsel for the Complainants):

- The question was already asked and answered, Your Honor.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- I was just asking, Your Honor, if she was sure.

• Erlinda C. Quanem (Witness):

- BW lagi ko, Attorney.
(BW, Attorney.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Now, kung mo ingon ka nga BW ka, so gi-appoint ka ana sa una ni Kapitan.
(Now, you said that you are a BW, which means you have been appointed before by the Barangay Captain?)

• Erlinda C. Quanem (Witness):

- O.
(Yes.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- So, naa kay appointment papers?
(So, do you have appointment documents?)
- Yes or no lang.
(Just yes or no.)
- Oo, dili, naa kay appointment papers or wala?
(Yes or no, do you have an appointment?)
- Tan-aw lang nako, ma'am, naa kay appointment papers o wala?
(Just look at me, ma'am, do you have an appointment or none?)
- Kana bang di ba usa ka magsugod ug trabaho niya para makasuweldo ka sa barangay gikinahanglan man ka ana i-appoint sa Kapitan, di ba?
(Before you start working in the barangay you must be appointed by the Barangay Captain so that the said appointment will be used as the basis for your salary, right?)

• Erlinda C. Quanem (Witness):

- O, kanang magperma, Attorney?
(Yes, when signing, Attorney?)
- Sa attendance?
(The attendance?)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Dili.
(No.)
 - Appointment ba kana bang gihimo gyud ka nga barangay worker, kung tinuod man gyud gane na barangay worker ka.
(Appointment paper as barangay worker, if you are really a barangay worker.)

- Erlinda C. Quanem (Witness):
 - Pag-abot namo mag attendance mi katapos magtrabaho.
(Upon arrival we log in then we go to work.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, para klaro lang naa kay dala nga appointment papers nimo nga barangay worker ka pagmatuod lang ba nga barangay worker gyud ka sa una sa Barangay Manlawaan?
(To be clear, as proof that you were previously appointed as a barangay worker, have you brought with you your appointment paper as a barangay worker?)

- Erlinda C. Quanem (Witness):
 - Ako ana, Attorney, wa koy laing ikatubag basta ako nagkuan lang ko nga gi-kuan ko ni Kapitan wa nako pa dutiha.
(As far as I'm concerned, Attorney, I don't have any other answer other than I was told by the Barangay Captain not to report for work anymore.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, ing-ane na lang, para mas dali, wa gyud kay dala nga appointment paper pagmatuod nga barangay worker ka.
(So, to simplify you don't have with you the appointment papers to prove that you are a barangay worker.)
 - Karon ba, karon wa kay dala nga appointment papers nimo?
(You do not have with you right now your appointment papers?)

- Erlinda C. Quanem (Witness):
 - Wa.
(None.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, ni ingon ka nga gi-terminate ka ni Kapitan, gisultihan ka nga di ka pa dutihon?
(You said that you were terminated by the Barangay Captain, were you told not to report for work anymore?)

- Erlinda C. Quanem (Witness):
 - O.
(Yes.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Gitagaan ka'g termination paper?
(Have you received a termination paper?)
 - Ma'am, gitagaan ba ka'g termination paper, oo o wala?
(Ma'am, have you received a termination paper, yes or no?)

- Erlinda C. Quanem (Witness):
 - Wa man ko niya tagae.
(I did not receive.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, wala.
 - So, wa kay mapakita karon nga ebidensya sa amo nga sinuwat sa papel nga gi-terminate ka ni Kapitan, sakto, dili?
(So, you do not have any evidence to show us, a termination letter showing that you were terminated by the Barangay Captain, correct or not?)
 - Naa, wala?
(Is there or none?)

- Erlinda C. Quanem (Witness):
 - Wala.
(None.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, wa kay mapakita namo nga appointment paper nga ni ingon man ka nga barangay worker ka, wa sad kay mapakita namo nga termination paper nga gi-terminate ka ni Kapitan.
(So, you can not present an appointment paper to prove that you are appointed as a barangay worker, likewise, you cannot also present a termination paper issued by the Barangay Captain that you were terminated.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, the question is repetitive, Your Honor.
 - It's already been asked and answered.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I'm just confirming, Your Honor, because the witness's answer is not any more responsive, Your Honor.
 - She is adding answers, Your Honor, not anymore relevant to the question.
 - That's why I'm summarizing it, Your Honor.
 - I was just only confirming, Your Honor.
 - I was only confirming wa kay papel nga mapakita nga appointment nimo, wa sad kay papel mapakita nga gi-terminate ka ni Kapitan.
(I was only confirming that the witness cannot present an appointment document and likewise, cannot also present a termination letter.)
 - Sakto?
(Correct?)
- Erlinda C. Quanem (Witness):
 - Wala lage, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That would be all, your Honor.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - No re-direct, Your Honor.
 - We are calling to the witness stand, madam Mylma Ma. Condes.
- Valentino A. Codera (SB Secretary):
 - Manumpa ka ba nga ang tanang nimong isulti karon mao lamang ang tinuod walay lain ug ang tinuod?
(Do you solemnly swear that your testimony today shall be the truth, the whole truth, and nothing but the truth?)
- Mylma Ma. Condes (Witness):
 - O, sir.
(Yes, sir.)
- Valentino A. Codera (SB Secretary):
 - Your Honor, our third witness Mylma Ma. Condes, 38 years old, and a resident of Sitio Colonia, Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - The testimony of the witness, Your Honor, is being offered to prove:
 - 1) That she is one of the complainants.
 - 2) That she once a barangay worker of Barangay Manlawaan, Tabango, Leyte appointed by the Barangay Captain, Albert C. Morilla.
 - 3) She will testify that she was also terminated because she failed to give her support to the same candidate for mayoralty last May 2022 local election.

- 4) She will identify her affidavit and testify on other relevant matters in connection with this case.
- May I proceed, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, you may proceed.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Maayong hapon, madam witness.
(*Good afternoon, madam witness.*)
 - Mylma Ma. Condes (Witness):
 - Maayong hapon sad, Attorney.
(*Good afternoon also, Attorney.*)
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, madam witness, nakahinumdom ka nga naa kay gihimo nga affidavit or complaint in relation ani nga kaso?
(*Madam witness, do you recall executing an affidavit concerning this case?*)
 - Mylma Ma. Condes (Witness):
 - Yes, Attorney.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung kani nga affidavit complaint ipakita sa imoha imo ning mailhan?
(*If this affidavit-complaint will be shown to you, will you recognize it?*)
 - Mylma Ma. Condes (Witness):
 - Yes, Attorney.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, I have here a joint affidavit complaint of a certain Mylma Ma. Condes, among others, mao ni ang joint affidavit complaint nga imong gipasabot?
(*So, I have here a joint affidavit complaint of a certain Mylma Ma. Condes, among others, is this the one you are referring to?*)
 - Mylma Ma. Condes (Witness):
 - Yes, Attorney.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, diha sa ikatulo nga page sa ani nga joint affidavit complaint naay perma sa taas sa ngan sa Wilma C. Condes, imo ning perma?
(*So, on the third page of the said joint affidavit complaint there is a signature above the name Wilma C. Condes, is that your signature?*)
 - Mylma Ma. Condes (Witness):
 - Yes, Attorney.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, ni claim ka sa imong joint affidavit nga gitanggal ka sa imohang trabaho.
(*Madam witness, you mentioned in your joint affidavit that you were terminated from work.*)
 - Mylma Ma. Condes (Witness):
 - Yes, Attorney.
 - Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, unsa man diay to imong trabaho sa barangay sa Manlawaan?
(*So, what is your work in barangay Manlawaan?*)

- Mylma Ma.Condes (Witness):
 - Usa ko ka Barangay Worker, Attorney.
(I am a Barangay worker, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Barangay Worker.
 - So, unsa may scope sa imohang trabaho?
(What is the scope of your work as Barangay Worker?)
- Mylma Ma.Condes (Witness):
 - Manlimpyo ug unsay kanang naay mga bisita mo assist mo tabang paghikáy ug kung naay sugo si Kapitan motuman isip usa ka Barangay Worker.
(Do the cleaning, help do the cooking whenever there are visitors, and perform other tasks as ordered by the Barangay Captain,)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, gi-istorya nimo sa imong joint affidavit nga gi-tanggal ka, ngangon nakaingon man ka nga gi-tanggal ka sa Barangay Chairman?
(So, you have stated in your joint affidavit that you were terminated, why did you say that you were terminated by the Barangay Chairman?)
- Mylma Ma.Condes (Witness):
 - Nakahibawo na ko na siya mibalhin ug lain nga gidapigan unya nakabati naman mi'g oro-istorya siya si Kapitan ug ang mga konsehal nga kami nga mga Barangay worker pahukmon mi ug asa gyud mi kay kung ang dili mosunod sa ila manangtang sila.
(I learned that he shifted his support from other candidates and I also learned from the Barangay Captain as well as from the Barangay Councilors that the Barangay Workers should decide whom they will be supporting during the local election because if the Barangay workers will not go along with them, they will be terminated.)
 - Mao to nga pag general cleaning namo ato ning announce man si Kapitan nga papason mi'g biodata.
(During the general cleaning, the Barangay Captain made an announcement requiring us, Barangay workers to submit a biodata.)
 - Ni ingon ko, nangutana ko sa iya, ngano papason man mi nimo ug biodata nga dili man ang among kontrata unom ra ka buwan wa may nakabutang nganong kalit man.
(I then asked the Barangay Captain why are we being required to submit a biodata when our contract does not have any stipulation as to when our contract will end. Why so sudden?)
 - Ang ilang ingon mo umento.
(They said it's because of the increase.)
 - Ingon ko, Kap naay koy pangutana, kay naa naman koy nabati-an nga pahukmon lagi mi pa-desisyonon mi, maong nangutana ko sa imo, Kap, nga.....
(Cap, I have a question since I have heard that the Barangay workers were made to decide whom to support.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - She is already making a narration, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Please just answer kung unsay lay ipangutana.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, pagkahuman pag-ingon sa imo sa Barangay Captain nga pa submiton ka ug biodata, unsa miay nahitabo?
(Madam witness, after you were told by the Barangay Captain to submit a biodata, what happened afterward?)
- Mylma Ma.Condes (Witness):
 - Mao to nangutana ko sa iyaha nga bisan ba ug dili mi mo kuyog sa iyaha, mo submit mi'g biodata i-hire ma mi niya'g balik.
(That's why I asked him that if ever we will not go along with him to whom he will be supporting during the local election and we submit our biodata, are we still be re-hired.)

- Gi-dereкта ko niya'g tubag, dinha sa kadaghanan nga kaming tanan kay kami mang tanan dihaa ato kay general cleaning man to namo, gi-dereкта ko niya'g tubag nga ayaw na lang kay lain pamati-on nga mag-uban ta dinhi niya tu-a mo sa pikas.
(During the general cleaning, he told me that it would be not good for us to be working together if we are not on the same side.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, after adto nga gi-istoryahan ka nga dili ta mag-uban, unsay may nahitabo?
(Madam witness, after you were told that you and he are not on the same side, what then happened?)
- Mylma Ma.Condes (Witness):
 - Hing duty pa ako ato kay mura'g dili pa ko kontento ato nga istoryaha.
(I still report for work because I am not yet satisfied with what he said.)
 - Ang gusto unta nako nga personal gyud mi nga magkaistorya ni Kapitan.
(What I wanted was that I can talk with the Barangay Captain face to face.)
 - Diha na nga nagsige ko'g duty naa nay gipule sa amo-a.
(It was when I continue reporting for work when somebody was already performing my task.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, sa sunod nga mga adlaw ni balik gihapon ka sa trabaho, ni report gihapon ka?
(So, on the next day, you still went to work?)
- Mylma Ma.Condes (Witness):
 - Ni report ko pero naa nay gipuli sa amo-a.
(I still reported for work, however, we were already been replaced.)
 - Ni ingon ang ni puli nga di na mi padyutihon ni Kapitan kay gipuli na to sila sa amo-a.
(According to them, the Barangay Captain said that we do not have work anymore because we were already been replaced.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Unya pagkahuman adto unsa may imong gihimo, pag-ingon sa imoha nga naa nay gipuli sa imoha?
(So, after you were told that you were already been replaced, what did you do then?)
- Mylma Ma.Condes (Witness):
 - Mao to hing duty gihapon mi hing personal naman gyud si Kapitan nga praktikalay na lang ta karon wa man ta nagka-uban mao nang panangtangan mi niya.
(We still reported for work but the Barangay Captain personally told us that since we are not on the same side, we must be terminated.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, ni ingon siya nga tangtangan mo niya.
(So, he said that you will be terminated.)
- Mylma Ma.Condes (Witness):
 - O, kay di man daw mi magkauban.
(Yes, because we are no longer on the same side.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, sa sunod nga mga adlaw wa na ka ni report?
(So, on the following day, you did not report anymore?)
- Mylma Ma.Condes (Witness):
 - Gikan adtong pagkaistoryahay namo wa na mi ni duty kay iya naman gyud ming gi-personal nga tangtangan mi niya kay wa man mi nagkauban.
(We no longer reported for work after we were told by the Barangay Captain that we were terminated because we are no longer on the same side.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):

- Madam witness, sa imohang judicial affidavit ang ngan nga nakasuwat is Wilma Ma. Condes, sakto ni?
(Madame witness, in your judicial affidavit the printed name is Wilma Ma. Condes, is this correct?)
- Mylma Ma. Condes (Witness):
 - Dili, Attorney, Mylma Ma. Condes.
(No, Attorney, Mylma Ma. Condes.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, ang imohang tinuod na ngan, Mylma Ma. Condes.
(So, your correct name is Mylma Ma. Condes.)
- Mylma Ma. Condes (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam Chair, Your Honor, we manifest that the judicial affidavit will form part of her direct testimony as well as the questions that were given and the witness is now ready for cross, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You may proceed with the cross-examination.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Maayong hapon.
- Mylma Ma. Condes (Witness):
 - Maayong hapon, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Barangay worker ka?
(Are you a Barangay worker?)
- Mylma Ma. Condes (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Parehas sa akong pangutana ganina, naa kay appointment?
(Just like my question earlier, do you have an appointment?)
- Mylma Ma. Condes (Witness):
 - Naa, Attorney, pero wala nako madala pero I'm sure naay man pud nay kopya sa DILG.
(I have, Attorney, but I did not bring it with me, but I'm sure there is a copy at the DILG.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Akong pangutana lang naa karuy da, wa?
(My question is do you have it with you right now or none?)
- Mylma Ma. Condes (Witness):
 - Wala, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Niya ning hisgot ka about gipa-submit mo'g biodata, sakto?
(You have also mentioned that you were told to submit a biodata, is it correct?)
- Mylma Ma. Condes (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Karon ka ning hisgot ana bale dugang na sa imong statement nga gipa-submit mo'g biodata ni Kapitan.
(It was not mentioned in your affidavit that you were required to submit a biodata by the Barangay Captain, so this is an additional statement in your affidavit.)

• Mylma Ma.Condes (Witness):

- Yes, Attorney.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Unya naghimo ka aning complaint-affidavit March 16, 2022, sakto?
(Then you execute this complaint-affidavit on March 16, 2022, is it correct?)

• Mylma Ma.Condes (Witness):

- Yes, Attorney.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Kanus-a man ka giingon ni Kapitan nga maghimo'g biodata?
(When did the Barangay Captain told you to submit a biodata?)

• Mylma Ma.Condes (Witness):

- Sa akong pagkahinumdom buwan to sa July maoy pag ingon niya.
(As far as I remember that was on the month of July.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- July?

• Mylma Ma.Condes (Witness):

- 2021.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Pero dire sa imong joint affidavit, kung sakto ko ha kung wala lang ko masayop, wala nimo mahisguti ang gipa-submit ka ni Kapitan ug biodata, sakto, dili?
(But in your joint affidavit, if I am not mistaken, there was no mention of the submission of biodata, is it correct or not?)

• Mylma Ma.Condes (Witness):

- Sakto, Attorney.
(Correct, Attorney.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Okay, sakto.
- So, wala dire mabutang.
(So, it was not stated.)

• Mylma Ma.Condes (Witness):

- Wala nako gibutang, Attorney.
(I did not state it, Attorney.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- So, karon lang na nimo gisulti.
(So, this is the first time you mention it.)
- Karon lang, oo, dili?
(Is this the first time, yes, or no?)
- Ma'am, akong pangutana, karon ra na nimo gisulti, sakto, dili?
(Ma'am, my question is, is this the first time that you mention this, correct or not?)

• Mylma Ma.Condes (Witness):

- Karon kay karon man ko nahataga'g chance, Attorney.
(This is the first time since it was now that I have the chance, Attorney.)

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Ngano diay paghimo ane wa ka tagae'g chance mo istorya?

(When you executed your judicial affidavit, were you not given the chance to narrate this?)

- Mylma Ma.Condes (Witness):
 - Gihatagan, Attorney, pero daghan naman ang gi-kuan ato nga kato man si Erlinda kay pwede ra man inig istorya namo.
(I was given the chance, Attorney, but since the joint affidavit would be very lengthy, it was Erlinda's statement that was prioritized. Anyway, we can support her statement.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, kani dili ni imong statement kang Erlinda ra ni?
(So, this is not your statement but from Erlinda?)
- Mylma Ma.Condes (Witness):
 - Amo tanan, Attorney.
(It is ours, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero dili ni tanan imong statement?
(So, not all of the statement is yours?)
- Mylma Ma.Condes (Witness):
 - Di ang katong ang pag kuan sa biodata wa to nako mahisguti, Attorney.
(I was not able to mention about the biodata, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kay ngano man nakalimot ka or himo-himo ra na nimo?
(Did you forget or it was just fabricated?)
- Mylma Ma.Condes (Witness):
 - Dili.
(No.)
 - Di ko mahimong makalimot tungod sa among kadaghan diha.
(It is impossible to forget because it is not only me who heard it.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, kung wa ka kalimot nganong wa man siya ma apil dire nga supposedly mas una man unta ni kaysa imong pag istorya karon?
(So, if you did not forget, why is it that it was not included in your statement in your judicial affidavit?)
- Mylma Ma.Condes (Witness):
 - Wala man ko kahibawo, Attorney, nga gikinahanglan diay na dinha-a.
(I did not know that it was necessary.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I will leave that, Your Honor, to the appreciation of this Honorable Body.
 - So, ni ingon ka nga gipa-submit mo'g biodata, sige atong ingnon nga tinuod na, granting for the sake of argument, kwentahay tinuod na, wa ka ning submit?
(You said that you were required to submit a bio data, granting for the sake of argument that it is true, did you comply?)
 - Oo o wala?
(Yes, or no?)
- Mylma Ma.Condes (Witness):
 - Wa, Attorney.
(No, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unya ni ingon ka nga nagkaistoryahay mo ni Kapitan or pag-abot nimo naa nay gipuli?
(You also said that you have a conversation with the Barangay Captain or when you reported for work, somebody had already replaced you.)

- Pag sunod ninyo ng report naa nay gipuli?
(When you reported for work the next day, somebody had already replaced you?)
- Mylma Ma.Condes (Witness):
 - Hing duty pa ko, Attorney, tapos gipatawag mi ni Kapitan mao na tong pagkaistoryahay namo.
(I still reported for work and that was the time when we have our conversation.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero naa kay termination paper gikan ni Kapitan, wala?
(Do you have a termination paper issued by the Barangay Captain?)
- Mylma Ma.Condes (Witness):
 - Wala, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unya ni ingon sad ka nga ang ni puli maoy ning ingon nga di ba ni ana ka nga ni sud mo niya naa nay laing Barangay worker nga ning puli, nga maoy ning ingon ninyo nga gipulihan namo, sakto?
(You also said that when you reported for work, you learned that somebody had already replaced you and it was the one who replaced you who said that you were already been terminated, is that correct?)
- Mylma Ma.Condes (Witness):
 - Sakto, Attorney.
(Correct, Attorney)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, katong panahona dili si Kapitan ang nag ingon nimo nga gipulihan na mo kundi kadtong mga ning puli kintahay sa inyo.
(So, during that time it was not the Barangay Captain who told you that you were already been replaced.)
 - Sakto, dili?
(Is it correct or not?)
- Mylma Ma.Condes (Witness):
 - Sakto, Attorney.
(Correct, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ni ingon man ka no nga gi-appoint ka ni Kapitan.
(You said that you were appointed by the Barangay Captain.)
- Mylma Ma.Condes (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero mo uyon sad ka nga ang Kapitan kung kuyogan sa mga kagawad naay gahum mo appoint.
(But you will also agree that the Barangay Captain with the approval of the Barangay Council has the power to appoint.)
 - Sakto?
(Correct?)
- Mylma Ma.Condes (Witness):
 - Depende sa rason, Attorney.
(It depends, Attorney.)
 - Depende kung naay igong rason.
(It depends if there is a valid reason.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Dili mo appoint akong pangutana.
(No, what I am referring to is his power to appoint.)
- Mylma Ma.Condes (Witness):
 - Pag appoint siya may may katungod mo appoint.
(With regards to the appointment, he has the right to appoint.)
 - Pero sa pagtanggap depende sa rason.
(But with regards to termination, it depends if there is a valid reason.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, mo kung mo tanggal ang Kapitan dapat naay rason.
(So, if the Barangay Captain will terminate someone, it should have valid reason.)
- Mylma Ma.Condes (Witness):
 - Naay igong rason nganong iya ming tangtangan.
(There should be a valid reason why we will be terminated.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Bisan ug gi aprubahan sa majority?
(Even if it was approved by the majority?)
- Mylma Ma.Condes (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Nagbasa ka'g local government code or imo-imo ra na?
(Have you read the local government code or is it just your own opinion?)
- Mylma Ma.Condes (Witness):
 - Wa na sa akong trabaho, Attorney.
(It is not part of my job, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - So, imo-imo lang to imo-imo lang tong opinion.
(So, it is just your own opinion.)
- Mylma Ma.Condes (Witness):
 - Sa akong pagsabot, Attorney.
(It is my understanding, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sa Section 389 sa local government code, the Punong Barangay shall upon approval of the majority of all the members of the Sangguniang Barangay appoint or replace Barangay Treasurer, Secretary, and other appointed Barangay Officials.
 - That's it, Your Honor, Thank you.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Subject for re-direct, Your Honor.
 - Madam witness, ingon ka pagtubag sa Honorable Counsel of the respondent, ni ingon ka nga nakahibawo ka nga napulihan ka tungod gliingnan ka sa nagpuli sa imoha.
(Madam witness, you said during the cross-examination that you learned that you were already been terminated from the person who replaced you.)
- Mylma Ma.Condes (Witness):
 - Yes, Attorney.

- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, after ani di ba ni ingon ka nga ni duty ka ug balik.
(So, after that you said that you still reported for work.)
- Mylma Ma.Condes (Witness):
 - Ning duty ko ug balik pero gipatawag mi ni Kapitan, kami daghan mi, gi-dereкта na jud mi niya'g ingon na di na mi ma dyutihon mag praktikalay na lang ta kay naa mi sa pikas pulihan gyud mi nila.
(I still reported for work, but we were told by the Barangay Captain that since we are on the other side, we were advised not to report for work anymore because definitely, we will be replaced.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, safe to conclude na aside sa nakahibawo ka nga gipulihan ka sa ni puli nimo giingnan pud ka ni Barangay Captain.
(So, it is safe to conclude that besides you were told by the person who replaced you that you were terminated, the Barangay Captain also said it himself.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, she is making a conclusion.
 - The question is already making a conclusion, your Honor.
 - Let the witness conclude for herself, Your Honor, and not the Counsel.
 - Please, Your Honor.
 - Can the question be rephrased?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Okay.
 - So, after adto unsa may nahitabo sa sunod nimong pag duty?
(So, after that what happened next when you reported back to work?)
- Mylma Ma.Condes (Witness):
 - Hing duty pa ko ato bisan ug giingnan ko sa katong hing puli ako bisa'g kahibawo ko nga di to siya mo trabaho ug wa to siya gi-appoint diha ug mga barangay official pero hing duty gihapon ko.
(Even if I was told by the one who replaced me, which I firmly believed was appointed, I still went to work.)
 - Diha na ko nga wa na ni duty nga si Kapitan personal na mi nga giingnan nga di na mi pa dyutihon kay di mi magkauban karong panahona.
(It was only when the Barangay Captain himself told me not to report for work anymore since we are not on the same side.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - No more questions, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Re-cross, Your Honor.
 - Mao lagi giingnan ka ni Kapitan no basi sa imo ingon giingnan ka ni Kapitan.
(To clarify based on your statement that the Barangay Captain was the one who told you.)
- Mylma Ma.Condes (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero wa ka tagae og termination paper?
(But you did not receive any termination paper?)
 - Wala kay papel nga mapakita namo nga giingnan ka nga gi-terminate ka, naa, wala?
(You do not have any document to show that you were terminated, is that correct?)
- Mylma Ma.Condes (Witness):

- Wala, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That would be all, Your Honor.
 - Thank you.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - The witness may be dispensed, Your Honor.
- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - May I have the floor, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you have the floor, Honorable Veloso.
- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - Good afternoon, everyone.
 - Good afternoon, Your Honor.
 - Your Honor, I would like to request Ma'am Lorna Atibula to present the documents with her right now.
 - She is not part of the witness for the complainant because the Ad Hoc Committee was the one who requested for her to be present on this hearing.
 - So, I would like to request that ma'am Lorna Atibula will present the documents with her to enlighten us more kung unsa ba gyuy tinuod kung kins aba gyuy naka payroll o wala.
 - That's all, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Although, I cannot do anything about it, Your Honor because you're one of the presiding officers or judges of this Honorable Committee who requested such presentation, may I just enter my objection to that if only to enter my objection, your Honor.
 - Thank you, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Overruled.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Actually, madam Chair, the Ad Hoc Committee requested ma'am Lorna as a resource person, I think madam Chair, not a witness.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor if that's the case if she is a resource person granting for the sake of argument in the future can we also ask for a resource person on the part of the defendant if ever we come to cross the bridge on that point, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - The one that the Ad Hoc Committee requested is the payroll whether they are being paid for those witnesses that are here.
 - It is a manifestation kung unsa gyud pila ka payroll ba sila sa complainant ug sa respondent.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, Your Honor.
 - My point is later on in the proceedings when it's our time to present, your Honor, can we also ask for a resource person not listed as one of our witnesses considering that the accountant is not listed as being presented now if the need would arise, your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, you may also.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you very much, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - I think you may ask ma'am Lorna what your questions are.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, Your Honor.
 - I think it's not the Counsels who can ask ma'am Lorna it would be the body, your Honor.
- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - Good afternoon, your Honor.
 - We would just like to ask ma'am Lorna Atibula regarding the copy of the payrolls.
 - Since naa man dire mga witnesses tapos from their side naman para balance lang ba.
 - Ang amo lang ang gust namo mahibaw-an kung kinsa gyud ang nakadawat og sweldo dire sa mga witnesses para klaro lang Attorney, ba.
 - Ganahan mi makakuha og copy sa ilang payroll.
 - Kay ngano?
 - Kay pareha ana ganeha you were questioning the witness if naa silay mga appointment papers or what, so siguro this is one proof nga nakadawat sila'g sweldo bisa'g walay appointment.
 - So, diha lang ko naglibog gamay.
 - Kami is we need to be more enlightened kung unsay gyuy tinuod kung kinsa gyud nakadawat o wala.
 - So, mao tong gi-request namo si ma'am Lorna.
 - Thank you.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, Your Honor.
 - We thank the Honorable Sangguniang Bayan Member, your Honor, for such manifestation.
 - However, your Honor, it is our stand that our line of questioning is designed in a way to defend our client.
 - That's why those are our line of questioning.
 - Now, if that is the manifestation of the Honorable Sangguniang Bayan Member then that is not for this Ad Hoc Committee to prove whether these people received a salary or not.
 - It is for the complainant, your Honor.
 - He, the complainant must prove and not this Honorable Committee, your Honor because it would seem to us that this Honorable Committee is now part of the..... you know, your Honor, you know what I mean.
 - At least, your Honor, give us a fighting chance.
- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - Actually, Attorney, we are not siding on any of your sides.
 - We, as the Ad Hoc Committee just want to be enlightened.
 - Ang amo lang is we want our Municipal Accountant to present to us, that's just for us, na mahibaw-an lang namo at least in front of you guys.
 - But we are not protecting any of your sides.
 - Mao bitaw na nga nag investigate ta aron mahibaw-an nato ug unsa gyuy tinuod.
 - So, karon wal mi gi-saydan ang amo lang is gusto namo ma present sa amo sa Municipal Accountant ang mga documents nga naa sa iyaha karon since we requested her to be present this hearing.
 - Thank you.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, Your Honor.
 - Is there a legal basis for that?
 - I just want to ask.
 - Is there a legal basis for that based on your Internal Rules?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):

- Actually, if both parties do not have counsels, kami gud talaga ang mag question sa ilaha.
 - But they prefer to have counsel.
 - But on our part, we are also obliged to investigate what really happen ngano man tanan sila mi anhi nag reklamo.
 - Nganong mahadkok man ta ipakita diha kung kinsay naka-payroll diha.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Actually, we are not afraid, your Honor.
 - I will withdraw the manifestation, your Honor.
 - Whatever the pleasure of this Body, your Honor, we will submit.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Pwede man tingale mo mag investigate kang ma'am Lorna during a committee hearing.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, just a mere suggestion, your Honor, to dispense with the burden of going through the amount of payroll, for today, your Honor, we can dispense with the testimony of the witness, and we can call her again the next hearing given that, your Honor, if we go through daghan kaayo, your Honor, nya pwede man ta maghimo'g list lang as with respect to the complainants for a certain period.
 - But it's just a mere suggestion, your Honor open for your consideration.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Actually, Madam Chair, nag start na Madam Chair nga nagka-interes si Honorable Veloso during the second witness when the good counsel asked if she was appointed.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Anyway, when the Barangay Chairman will be interrogated here, of course, you will be called here to witness, you can ask him directly.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Mao na madam Chair ang concern dire kung wa siyay appointment tan-awon namo sa payroll kung naka-payroll.
 - So, ang giingon ni Honorable Veloso gusto lang pud namo, wa mi gi-kampihan, madam Chair, sorry Attorney, pero ang amo dire ma balansi pud namo ug unsay gyuy nahitabo.
 - Thank you, madam Chair.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Sige, ma'am Lorna pwede na nimo summarize na lang.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Madam Chair, may I know the name of the second witness that was presented?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, I can submit a list of the private complainants and the specific period with respect to the payrolls.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Only the second witness that is being asked, your Honor.
 - I believe it was Erit Aringoy.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Madam Chair, I asked for the name of the second witness because it was during the second witness that the Counsel asked for the appointment.
 - So, we want to know if the second witness is on the payroll.
 - So, how come they are on the payroll if there was no appointment?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - We can call again ma'am Lorna, I think, next hearing.
 - It is very time-consuming na.

- Hon. Luis Gabriel U. Veloso (Ad Hoc Committee Member):
 - Maybe madam Chair, we'll give some time to our Municipal Accountant to summarize, and siguro we need to give her a copy of everyone siguro, the names, para pag summarize niya naa na siyay names na gigunitan.
 - Para pag present niya during the hearing na summarized na niya ang tanan with the names of the witnesses.
 - Anyway, we'll just give time to Ms. Lorna to summarize everything and to be presented during the hearing.
 - Thank you.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - I can give the Municipal Accountant of the list, your Honor of private complainants.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - May we furnish also that list, your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
- Hon. Rubilita A. De la Cruz (Ad Hoc Committee Chair):
 - Okay, ma'am Lorna, you are dispensed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, for now, that would be the witnesses.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You may call the next witness.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Calling to the witness stand, Madam Eda S. Balleno.
- Valentino A. Codera (SB Secretary):
 - Nanumpa ka ba nga ang tanan nimong isulti karon mao lamang ang tinuod walay lain ug ang tinuod?
(Do you solemnly swear that your testimony today shall be the truth, the whole truth, and nothing but the truth?)
- Eda S. Balleno (Witness):
 - Yes, sir.
- Valentino A. Codera (SB Secretary):
 - Your Honor, our next witness is Ms. Eda S. Balleno, 41 years old, and a resident of Sitio Colonia, Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - The testimony of the witness, your Honor is being offered to prove that she is one of the complainants; that she was terminated because she was not able to support the candidate for mayoralty that the Barangay Captain was supporting last May 2022 elections, and that she will identify here affidavit and she will testify on other relevant matters in connection with this case.
 - May I proceed, your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Maayong hapon, Madam witness.

- Eda S. Balleno (Witness):
 - Maayong hapon, Attorney.
(Good afternoon, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, nakahinumdom ka nga naay kay gihimo nga affidavit complaint labot ani nga kaso?
(Madam witness, do you recall executing an affidavit complaint relative to this case?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung kani nga affidavit complaint ipakita nimo, imo ni siya ma identify?
(If this affidavit complaint will be shown to you, can you identify it?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Naa dihay usa ka joint affidavit complaint nga ang usa dihaa nagpangan ug Eda S. Balleno, palihug ko'g tan-aw niya palihug ko go over ana nga document.
(We have here a joint affidavit complaint wherein your name was printed, kindly check the document.)
 - Mao ba na ang joint affidavit complaint nga gipasabot?
(Is that what you are referring to?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, sa ikatulo nga pahina naay perma sa ibabaw sa ngan nga Eda S. Balleno, imo nan ga perma?
(On the third page of the affidavit there is a signature above the name Eda S. Balleno, is that your signature?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, nagpamatuod ka nga ang kanang imong giistorya diha gisalaysay sa imong affidavit complaint tinuod?
(Will you attest that what you have said in your affidavit complaint was true?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Sa imong affidavit ni claim man pud ka nga gitanggal ka sa Barangay Captain, tinuod ni?
(In your affidavit you claimed that you were also terminated by your Barangay Captain, is that true?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Nganong nakaingon man ka nga gitanggal ka?
(Why did you say that you were terminated?)

- Eda S. Balleno (Witness):
 - Attorney, human sa among general cleaning human ni ana nagpatawag siya sa amo.
(After our general cleaning, we were called by the Barangay Captain.)
 - Kami jud tanan gipatawag.
(All of us.)
 - Ni ingon siya nga ang dili mosunod, si Kapitan ingon siya nga ako tua na baya ko sa pikas.
(He told us that he already shifted his support.)
 - Ang dili mosunod sa ako akong tangtangan.
(Those who will not go with me, will be terminated.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, after adto nga ni ingon siya ang dili mosunod sa ako akong tangtangan, unsa may nahitabo?
(After saying that those who will not go with him will be terminated, what happened next?)
- Eda S. Balleno (Witness):
 - Isip BHW, Attorney, wa jud ko dayon ni undang diha-diha dayon, Attorney tungod kay busy to ang Midwife sa covid vaccination.
(As a BHW, Attorney, I did not stop working right away because there was a covid vaccination going on.)
 - Mi hangyo gyud siya nga dyutihi lang isa kay naay daghang mo ari bisita way mo entertain.
(I was requested to report for work because there were so many visitors.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, makahinumdom ka kung kanus-a ni nahitabo?
(Can you remember when this happened?)
 - Maka-recall ka?
(Can you recall?)
- Eda S. Balleno (Witness):
 - Attorney, wa ko kahinumdom unsa tong buwana.
(Attorney, I cannot recall what month it is.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Estimate lang.
- Eda S. Balleno (Witness):
 - Mga July 2021.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Imong gi-mention nga usa ka ka BHW, so pagkahuman adto nga giingnan ka nga adto iyahang giistorya sa imo, unsa may imong gibuhat?
(You mentioned that you are a BHW, so after what they have told you, what did you do?)
- Eda S. Balleno (Witness):
 - Attorney, wa usa ko ni tuo na ing ato iyang istorya ni duty jud isa ko, Attorney, as in January jud ko wa na ni duty nga pag last nako nga duty, Attorney, naay ni ingon nga Konsehal sa ako, "ni duty pa diay ka!".
(Attorney, I did not yet believe what he said. It was in January that I stop reporting for work and during my last day, one of the Barangay Kagawad told me, "Why are you still at work?"
 - Unya ikaduha, Attorney, sa ilahang resolution nga gihimo, Attorney.
(Then the second one is the resolution that they adopted.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Unya kani nga January unsa nga tuig?
(January of what year?)

- Eda S. Balleno (Witness):
 - 2022, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, naka duty pa diay ka gikan sa imong bana-bana July 2021, naka duty pa ka kutob sa January 2022?
(So, you reported for work from July 2021 until January 2022?)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kanus-a man ka nga ni claim man ka nga ingon gipatanggal, kanus-a man ka na tanggal?
(So, you claimed that you were terminated, when was that?)
- Eda S. Balleno (Witness):
 - Katong tungora, Attorney, nga katong gipatawag mi ni Kapitan ako na tong gibutang sa akong huna-huna, Attorney, unya ni duty ko ni ato pagkahuman ato, Attorney, ni ingon dayon si Konsehal nako nga, "ni duty pa diay ka?"
(When we were called by the Barangay Captain, and also after one of the Barangay Kagawad told me, "Why are you still at work?")
 - Unya utrohan sad ni, Attorney, nga naa sila diay resolution nga gihimo na ang mga gi-appoint tangtangan.
(In addition, there was a resolution adopted terminating all appointed officials and employees.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Just for clarification kaning resolution naa didtoy gibutang nga ang mga appointed workers tanggalon.
(Just for clarification that this resolution provides that all appointed workers were terminated.)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kanus-a man ni makahinumdom ka kanus-a ni nimo nakit-an?
(So, can you recall when did you happen to see the resolution?)
 - Nakit-an ni nimo nga resolution?
(Have you seen this resolution?)
- Eda S. Balleno (Witness):
 - Ang among Barangay Secretary namo, Attorney, ang nakakita.
(It was our Barangay Secretary, Attorney, who saw it.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, Madam Chair, we manifest that the judicial affidavit of this witness as well as the questions propounded thereafter will form part of her direct testimony, and the witness is now ready for cross.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - May I inquire kung unsa na siya BW o BHW?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - BHW
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Barangay Health Worker.
 - Okay.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Maayong hapon.
(*Good afternoon.*)
- Eda S. Balleno (Witness):
 - Maayong hapon, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Imong pangan unsa to?
(*What is your name?*)
- Eda S. Balleno (Witness):
 - Eda Balleno, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ni ingon ka nga imong last duty January, mura'g January karong tuiga ka ni last ning duty, sakto?
(*You said that your last duty was January of this year, correct?*)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kung mo duty mo unsa man mo logbook man mo di ba?
(*If you will report to your duty, as a procedure, do you login into the logbook?*)
- Eda S. Balleno (Witness):
 - Attorney, normal namo nga duty sa usa ka buwan kaupat gyud mi mo duty.
(*Attorney, our normal duty is 4 times in a month.*)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nanguntan ra ko kung mo logbook ba mo.
(*I only asked if you record your duty in a logbook.*)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, imong ingon last January 2022, last nimo na duty.
(*So, you said that your last duty was in January 2022.*)
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, if I may, attached to our counter-affidavit which was submitted to the Honorable Court is our Annex "4" and series, which contains the logbook of the barangay Manlawaan, your Honor.
 - It contains Annex "4", which is also our exhibit consisting of 3 pages, your Honor.
 - What's your name again?
- Eda S. Balleno (Witness):
 - Eda Balleno.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - We have here a photocopy of the logbook of the barangay dated February 24, 2022, do you recognize whose name is that ma'am?
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):

- Yes, or no?
- Eda S. Balleno (Witness):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your position is BHW?
- Eda S. Balleno (Witness):
 - BHW.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - And this is your signature?
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - And on March 3, 2022, you again reported and recorded in the logbook, Eda Balleno, BHW, and then with signature.
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - And on March 9, 2022, you again reported and fill in the logbook, Eda Balleno, BHW.
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - But you claimed earlier that you stop reporting on January 2022, correct?
- Eda S. Balleno (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero mao gihapon nga pangutana, wala kay termination paper na gihatag ni Kapitan sa imo.
(But there was no termination paper issued by the Barangay Captain.)
- Eda S. Balleno (Witness):
 - Wala.
(None.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Niya ni ingon ka nga naay resolution nga gipakita ang Secretary sa inyo.
(You said that there was a resolution that was shown to you by the Secretary.)
- Eda S. Balleno (Witness):
 - Naa, Attorney, katong resolution nga gi-attached dinhi, Attorney.
(There was, Attorney, which was attached in the complaint affidavit.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pangitaa daw.
(Please try to look.)
- Eda S. Balleno (Witness):
 - Kini, Attorney, Resolution No. 19.
(This one, Attorney, Resolution No. 19.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kasabot ka kung official ni nga resolution o dili?
(Are you aware if this resolution is official, or not?)
- Eda S. Balleno (Witness):
 - Official, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Natagaan ug kopya ana ang DILG kung nakahibawo ka?
(Are you aware if a copy of the resolution was furnished to the DILG?)
- Eda S. Balleno (Witness):
 - Wa ko kahibawo, Attorney.
(I don't know, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero walay nakabutang dire'g received sa DILG, sakto?
(But there is no stamped received by the DILG in the resolution, correct?)
- Eda S. Balleno (Witness):
 - Wala sad, Attorney.
(There's also none, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Giperumahan ni ni Kapitan?
(Does the resolution was signed by the Barangay Captain?)
- Eda S. Balleno (Witness):
 - Naa, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Naa puy perma sa mga kagawad?
(Are their signatures also of the Barangay Council members?)
- Eda S. Balleno (Witness):
 - Naa, Attorney, mga konsehal.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pila kabuok?
(How many signed?)
 - Ipha daw?
(Will you please count?)
- Eda S. Balleno (Witness):
 - Unom, Attorney.
(6, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, pila man kabuok kagawad?
(How many members of the Barangay council?)
- Eda S. Balleno (Witness):
 - Pito, Attorney.
(7, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, majority ning ni perma, kung tinuod man gane ni siya nga dokumento?
(So, it was signed by the majority, granting that this document is true and official?)

- Eda S. Balleno (Witness):
 - Majority, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kung tinuod man gani ni siya nga dokumento.
(Granting that this document is true and official.)
 - But we are not admitting the authenticity of the execution of this document, your Honor.
 - I just ask that question for purposes of cross-examination.
 - That would be it, your Honor, for this witness.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - No re-direct, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chairman):
 - Is there any other witness?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Last witness, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chairman):
 - So, we may call our next witness.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, this will be our last witness for today's hearing.
 - We may call to the witness stand, Myrna B. Balleno.
- Valentino A. Codera (SB Secretary):
 - Madam witness, nanumpa ka ba nga ang tanan nimong isulti karong hapon ma lamang ang tinuod walay lain ug ang tinuod?
(Madam witness, do you solemnly swear that your testimony this afternoon shall be the truth, the whole truth, and nothing but the truth?)
- Myrna B. Balleno (Witness):
 - Yes, sir.
- Valentino A. Codera (SB Secretary):
 - Madam Chair, your Honor, our next witness is Myrna B. Balleno, 53 years old and a resident of Sitio Colonia, Manlawaan, Tabango, Leyte.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, the testimony of the witness is being offered to prove that she is one of the complainants, she was again terminated by the Barangay Captain because she failed to support the same mayoralty candidate for the May 2022, local election, she will identify her affidavit and she will testify on other relevant matters in connection to this case.
 - May I proceed, your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chairman):
 - Yes, you may proceed.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Maayong hapon, madam witness.
(Good afternoon, madam witness.)
- Myrna B. Balleno (Witness):
 - Maayong hapon, Attorney.
(Good afternoon, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Madam witness, nakahinumdong ka nga naa kay gihimo nga affidavit complaint kabahin ani nga kaso?

(Madam witness, can you recall executing an affidavit complaint relative to this case?)

- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung kani nga affidavit complaint ipakita sa imo, imo ning mailhan?
(If this affidavit complaint will be shown to you, will you recognize it?)
- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, nagpakita ko nimo ug affidavit complaint nga usa sa naghimo ana kay si Myrna B. Balleno, pwede nimo tan-awon?
(Presented to you is an affidavit complaint in which one of the names reflected therein is a certain Myrna B. Balleno, will you please take a look?)
 - Mao ba nan ga affidavit complaint nga imong gipasabot?
(Is this the affidavit complaint that you are referring to?)
- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, sa ikatulo nga pahina sa affidavit complaint naa dihay perma sa taas sa pangan nga Myrna B. Balleno, imo na nga perma?
(On the third page of the affidavit complaint, there is a signature above the name, Myrna B. Balleno, is that your signature?)
- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Nagpamatuod ka nga ang tanan nimong giistorya diha sa imong affidavit complaint tinuod?
(Do you confirm that all your statements in the affidavit complaint are all true?)
- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, madam witness, ni ingon ka sa imong affidavit complaint nga usa ka sa mga Barangay Workers nga gitanggal sa trabaho?
(Madam witness, you said in your affidavit complaint that you are one of the Barangay workers that were terminated?)
- Myrna B. Balleno (Witness):
 - Yes, Attorney.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Unsa man ang imohang posisyon sa barangay?
(What is your position in the barangay?)
- Myrna B. Balleno (Witness):
 - BNS ug BHW.
(BNS and BHW.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Duha?
(2?)

- Myrna B. Balleno (Witness):
 - Duha.
(2)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Unsa may imong trabaho isip usa ka BNS?
(*What do you as BNS?*)
- Myrna B. Balleno (Witness):
 - Ang BNS mo assist sa Midwife, motabang sa pagpanimbang.
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Sa imong pagka BHW, unsa may lakip sa imong trabaho?
(*As a BHW, what are your functions?*)
- Myrna B. Balleno (Witness):
 - Mo assist ko sa Midwife or Nurse.
(*Assist the Midwife or Nurse.*)
 - Kung naay sitio visit, akoy maoy mo guide sa ila.
(*I served as a guide during sitio visits.*)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Ni claim ka nga gitanggal ka, nganong naka-ingon man ka nga gitanggal ka?
(*You said that you were terminated, why did you say that you were terminated?*)
- Myrna B. Balleno (Witness):
 - Kay last July 10, 2021, nag general cleaning mi didto sa Colonia ang giingon ni Kapitan nga kung dili ko mo uyon sa iya papason mi ug biodata.
(*Last July 10, 2021, we have our general cleaning at Colonia and the Barangay Captain spoke to me that if I do not go along with him, I must submit a biodata.*)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, pagkahuman nimo'g kabati ani sa giistorya sa Kapitan, unsa may nahitabo?
(*After you heard the pronouncement of the Barangay Captain, what happened then?*)
- Myrna B. Balleno (Witness):
 - Bisan kung nag-ingon na siya wala lang gihapon ko ning undang.
(*Even if he told me, I still reported for work.*)
 - Padayon ko'g panghatag ug vitamin A, sa deworming, magsulat ko sa pangan sa mga bata, mao tuy akong gibuhat.
(*I continue the giving of vitamin A, deworming, and listing down the names of the children. That's what I did.*)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, kung nagpadayon ka sa imong buhat, kanus-a man ka gitanggal?
(*So, if you still continued working, when was the exact date that you were terminated?*)
- Myrna B. Balleno (Witness):
 - Sa kadtong December 21, sige lang gihapon ko'g duty kay volunteer na man lang akong gibuhat bisan giingnan na ko ni konsehal Willy nga, "Te, gisugo baya ko ni Kapitan nga dili ka na pa dyutihon."
(*Last December 21, I still reported for work in a voluntary capacity. I was even told by Honorable Willy that, "Te, I was ordered by the Barangay Captain to inform you that you are advised not to report for work anymore."*)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Kanus-a to nga date, madam?
(*When was that date?*)
- Myrna B. Balleno (Witness):
 - December 2021.

- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - So, after adto nga date, wala naka ni duty?
(So, after the said date, you no longer reported for work?)
- Myrna B. Balleno (Witness):
 - Nagsige gihapon ug duty pero volunteer na lang ko wala nako mo duty sa barangay.
(I still reported for work as a volunteer.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Gikan sa July kutob December nag duty ka ana?
(From July to December, you reported for duty?)
- Myrna B. Balleno (Witness):
 - O.
(Yes.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Pero after sa December 2021, volunteer na lang ka?
(But after December 2021, you are already working in a volunteer capacity?)
- Myrna B. Balleno (Witness):
 - Volunteer na lang ko, Attorney.
(As a volunteer, Attorney.)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Your Honor, we manifest that the judicial affidavit as well as the questions propounded thereafter will form part of her direct testimony and the witness is now ready for cross.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chairman):
 - You may now proceed with the cross-examination.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
 - Nag volunteer ka kutob kanus-a man?
(You volunteered until when?)
- Myrna B. Balleno (Witness):
 - Until now.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Until now.
 - So walay kay suweldo until now.
- Myrna B. Balleno (Witness):
 - Wala.
(None.)
 - Volunteer lang ko.
(I just volunteered.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, nganong nag volunteer man ka?
(So, why did you volunteer?)
- Myrna B. Balleno (Witness):
 - Kay gikinahanglan man ko sa Midwife.
(Because the Midwife needs my help.)
 - Kay kung walay mohimo sa akong trabaho, walay mo timbang, ang mga bata padayon nga mag malnourish sila.
(Because if nobody will do my job, such as weighing the children, they will continue to be malnourished.)

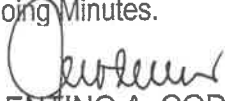
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, mo uyon ka nga na apil paka sa payroll kutob January karong tuiga?
(Will you agree that you were still on the payroll until January this year 2022?)
 - Nakadawat pa ka?
(Did you still receive your salary?)
- Myrna B. Balleno (Witness):
 - Wala.
(None.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - January 2022, wala na?
(No more, until January 2022?)
- Myrna B. Balleno (Witness):
 - Kutob ra sa January 2022.
(Until January 2022.)
 - Mao na last nako nga sweldo.
(That's my last salary.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Last nimo nga sweldo, January 2022.
(Your last salary was on January 2022.)
- Myrna B. Balleno (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero imong ingon ganina July 10, 2021 pa lang gipaundang namo kay pasabmiton mo'g biodata, sakto?
(But you said earlier that on July 10, 2021, you were already told to stop working because you were told to submit a biodata, correct?)
- Myrna B. Balleno (Witness):
 - Oo.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero kutob karong January 2022, naka sweldo pa ka sa barangay?
(But you are still receiving your salary until January 2022?)
- Myrna B. Balleno (Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kahibawo ka nga wa mapermahe ang fidelity bond sa barangay?
(Are you aware that the fidelity bond of the barangay was not signed?)
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Irrelevant, your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Those are preliminary questions, your Honor because I would ask her about her salary.
 - Kahibawo ka nga wa mapermahe ang fidelity bond sa barangay, wala?
(Are you aware that the fidelity bond of the barangay was not yet signed, no?)
- Myrna B. Balleno (Witness):
 - Wala ko kahibawo ana, Attorney.
(I do not know about that, Attorney.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, pagka February volunteer gihapon ka?
(Do you still volunteer in the month of February?)
- Myrna B. Balleno (Witness):
 - Oo.
(Yes.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wa gihapon ka sweldo?
(Did you receive your salary?)
- Myrna B. Balleno (Witness):
 - Wala.
(No.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero kahabawo ka nga ang Kapitan ug mga konsehal wa say sweldo tong buwana?
(But are you also aware that the Barangay Captain and the Barangay Council members did not receive their salaries during that month?)
- Myrna B. Balleno (Witness):
 - Wala ko kahibawo ana, Attorney.
(I know nothing about that, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kutob June or July kahibawo ka nga wa silay sweldo gihapon, wa ka kahibawo?
(That until June or July they have not yet received their salaries, are you aware of that?)
- Myrna B. Balleno (Witness):
 - Wa silay sweldo gihapon.
(They did not receive their salaries.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kahibawo ka ana.
(You did know.)
- Myrna B. Balleno (Witness):
 - O, nakabati ko ana, Attorney.
(Yes, I've heard about it, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So pareho ra mung tanan volunteer sa barangay.
(So, all of you are volunteers in the barangay.)
- Myrna B. Balleno (Witness):
 - Volunteer.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, ang Kapitan ug ang mga kagawad kay wa man sweldo, mao lagi akong giingon nimo pareho ramo tanan volunteer sa barangay.
(So, since the Barangay Captain and the Barangay Councilors have not yet received their salaries, just like you, you are all volunteers in the barangay.)
- Myrna B. Balleno (Witness):
 - Oo, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That would be all, your Honor.

- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - No re-direct, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Since there are no more witnesses, we have to schedule again for the next hearing.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Can we do it on Tuesday, if the Honorable Body would be available, your Honor, and the Good Counsel?
 - Tuesday, anytime, your Honor, morning or afternoon.
 - I'll be available, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - How about the Counsel for the Complainants?
- Atty. Jolleanne Claire Perino (Counsel for the Complainants):
 - Me, your Honor, I'm not available in the afternoon, but I am available in the morning.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - It will be scheduled on Tuesday, morning at 9 AM.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - This hearing is now adjourned.

The committee adjourned at exactly 4:43 in the afternoon.

I HEREBY CERTIFY the correctness
of the foregoing Minutes.


VALENTINO A. CODERA
Secretary to the Sanggunian



MINUTES OF THE PROCEEDING OF THE FORMAL HEARING/INVESTIGATION OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON AUGUST 31, 2022.

Present:

Hon. Rubilita A. Dela Cruz	-	SB Member/Chairman-Ad hoc Committee
Hon. Jose Welson G. Vosotros	-	Vice-Chairman
Hon. Luis Gabriel U. Veloso	-	Member
Hon. Kirsty V. Jabonete	-	Member
Hon. Fortune Frauline T. Misa	-	Member

Absent:

Hon. Richard V. Merontos	-	Member
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- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Good afternoon, everyone.
 - May I ask everybody to please stand for the prayer?

- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - The preliminary conference is now called to order.

Call to Order: 2:20 p.m.

- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Are the Counsels of both parties ready?
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - We are ready, Madam Chair.
 - So, for the complainant, we are ready to present our first witness in the person of Ma. Gilda M. Pepito.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - You may proceed.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - May we call to the witness stand Ma. Gilda M. Pepito.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - If I may, Your Honor?
 - Good afternoon, Your Honor.
 - Appearing as Counsel for the respondent, Your Honor.
 - Before we call to the witness stand, Your Honor, Gilda M. Pepito, may we ask all the other witnesses, Your Honor, to be..... to go outside in the meantime, Your Honor, so that who will be left here would be this Honorable Body, the Counsels, and the witness, Your Honor, so that they would not know, they would not hear what the line of questioning of this representation would be, Your Honor.
 - That's why I also instructed our witnesses, listed witnesses to go outside, Your Honor, just the way we do in court also, Your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Your Honor, I think all the people besides this area are complainants.
 - So, they cannot be thrown out of the session hall because they have the right to observe the proceeding unless that person inside is only a mere ordinary witness.

- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
-

- Okay, overruled.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, thank you, madam Chairman.
 - May we call to the witness stand Ma. Gilda M. Pepito.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - If that's the case, Your Honor, may I ask our witnesses to come inside?
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Only those who are witnesses are allowed inside, but please observe silence.
- **Valentino A. Codera (SB Secretary):**
 - Madam witness, manumpa ka ba nga ang imong isulti karong adlaw mao ra gyud ang tinuod, walay lain og ang tinuod?
- **Ma. Gilda M. Pepito (Complainant/Witness):**
 - Yes, sir.
- **Valentino A. Codera (SB Secretary):**
 - Palihug lingkud.
 - Palihug ko pagsulti sa imong pangan, edad og diin ka nagpuyo.
- **Ma. Gilda M. Pepito (Complainant/Witness):**
 - Ako si Ma. Gilda Pepito, Barangay Secretary of Barangay Manlawaan last year, 64 years old.
- **Valentino A. Codera (SB Secretary):**
 - Your Honor, our first witness is Ma. Gilda M. Pepito, 64 years old from Barangay Manlawaan, Tabango, Leyte.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - With the kind permission of this Honorable Board, before proceeding with the presentation of the first witness for the complainants, your Honor, we would like to manifest that we will be utilizing the affidavit of the witness to serve as her direct testimony, subject to additional questions that will be propounded, Your Honor.
 - May I proceed, Your Honor?
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - You may proceed now.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, the purposes of the testimony of the witness are being presented for the following:
 - 1) She will testify that she was the former Barangay Secretary of Barangay Manlawaan, Tabango, Leyte.
 - 2) She will testify that she is one of the appointed Barangay Officials of Barangay Manlawaan, Tabango, Leyte that was terminated by the Barangay Captain because she did not go along with their Barangay Captain in supporting his candidate for mayor on May 9, 2022, local election.
 - 3) She will testify on other relevant matters surrounding the case and she will identify her affidavit and other documents.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Subject to cross-examination, Your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - May I proceed, Your Honor?
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Okay, kanang puwede para maka sabot gyud puwede man siya magsulti sa iyang kaugalingong dialect.
 - Para ma klaro sa tanan.

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - We suggest, Your Honor, that the questions will be translated by the Secretary, Your Honor before the witness will answer, and the answer also will be translated into English.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Or If I may, Your Honor, however, the Minutes would appear as Cebuano.
 - If I may suggest, Your Honor, I would like to have my questions asked in Cebuano.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Puwede.
 - If both Counsels puwede man mag ask sa ilang questions sa Cebuano aron maintindihan sa tanan.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - And then later in the Minutes, Your Honor, although, our questions are in Cebuano, there would just be a translation in the Minutes.
 - In the transcription, if the Body would allow that, Your Honor.
 - Because that would make the proceeding easier also, Your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Okay, so we will be allowed to profound questions in Cebuano.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Yes.
 - Okay, you may proceed now.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Madam witness, kabahin ani nga kaso nakahinumdom ka kung naka perma ka ug usa ka affidavit?
(Madam witness, in connection to this case, do you remember if you have signed an affidavit?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Kung kana nga affidavit ipakita sa imo, maka ila pa ka?
(If the said affidavit will be shown to you, will you recognize it?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So naay affidavit naa sa official records sa usa ka Ma. Gilda M. Pepito, tan-awa kuno kung mao ba na ang imong giingon nga affidavit nga imong nahimo kabahin ani nga kaso.
(So, there is an affidavit on the official records executed by a certain Ma. Gilda M. Pepito, is it the affidavit you are referring to that you have executed?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, kana nga affidavit gisulat sa Ingles, so sa wala pa ka mo perma gihubad ba na sa Cebuano nga sinulti-an?
(Now, the said affidavit is written in English, does the content of the affidavit was translated into the local dialect, Cebuano, before you signed it?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, nakasabot ka sa tanan nga unod diha?
(So, do you understand the content of the document?)

- **Ma. Gilda M. Pepito (Witness):**

- Yes.

- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Now, madam witness, sa imong affidavit naghisgot ka ug usa ka Resolution No. 19 nga diin ang ulohan sa maong resolution, "A Resolution Confirming the Removal of all Barangay Appointed Officials and Employees of Barangay Manlawaan, Tabango, Leyte," so sakto ni nga resolution nga imong gihisgutan sa imong affidavit?
(Now, madam witness, in your affidavit you mentioned Resolution No. 19, entitled: "A Resolution Confirming the Removal of all Barangay Appointed Officials and Employees of Barangay Manlawaan, Tabango, Leyte," is this the exact resolution that you mentioned in your affidavit?)

- **Ma. Gilda M. Pepito (Witness):**

- Yes, Attorney.

- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Now, ang gi-attached dire sa record nga Resolution No. 19 usa ka xerox copy, asa man ang original ani?
(Now, the attached Resolution No. 19 in the complaint affidavit is a photocopy, do you know where is the original copy?)

- **Ma. Gilda M. Pepito (Witness):**

- Naa sa akong bag, Attorney.
(It is on my bag, Attorney.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, puwede imo ipakita dinhi sa halangdon nga Body?
(So, can you show it to this Honorable Body?)
- So, request, Your Honor, for the Counsel of the respondent to examine and authenticate that what is presented is an original and that what is attached to the record is the faithful reproduction of the original.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- The problem with the black ballpen, Your Honor,..... that's why we use blue ballpen in the office so that we would recognize if it's an original or not.
- As of this time, Your Honor, I cannot stipulate that this is the faithful reproduction of the original because well this is the photocopy, this is the original, alleged original, and it has markings on the side.
- So, if we say this is a true and faithful reproduction of the original, I cannot stipulate that.

- **Atty. Octavius Labtic (Counsel for the Complainants):**

- Anyway, Your Honor, if the Counsel for the respondent would not stipulate, I would like to submit that to the sound discretion of this Honorable Body to observe if what is attached to the record is a faithful reproduction of the original presented by the witness.
- So, for the record, Your Honor, I am handing this copy to the members to examine.

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Can the members also see the photocopy, Your Honor, so that they would know there are side writings on the alleged original, Your Honor, as compared to the photocopy?

- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**

- Please give them the photocopy also.

- **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, anyway, Your Honor, in order not to delay the proceedings of this case, we are submitting to the sound discretion of the members of this Honorable Body to appreciate whether what is found in the records is a faithful reproduction of the original as shown by the witness.

- So, may I proceed, Your Honor?
- So, madam witness, ingon ka imong gi-identify ang kana nga affidavit nga anaa sa record nga ikaw ang naghimo ana, ikaw ang nag perma, so akong pangutana imo bang matuoron nga ang tanan nga nakabutang diha sa imohang affidavit matuod lamang?
(So, madam witness, you confirmed that you are the one who executed and signed the affidavit on record, so my question is do you attest to the veracity of the contents of the said affidavit?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, mangutana ko ug dugang gamay nga mga pangutana.
 - Madam witness, gawas nimo nga Barangay Secretary, appointed man ka no ug sa Barangay Treasurer nga appointed man pud siya, duna pa bay lain mga appointed na mga empleyado or sologuon or trabahante sa barangay?
(Madam witness, besides you as an appointed Barangay Secretary and Barangay Treasurer, is there any other employee or workers in the barangay?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - If I may, Your Honor?
 - That's our fear, Your Honor, that line of questioning wherein the other complainants will be able to hear what she will answer because otherwise, Your Honor, when they will be presented before the witness stand, they would have the same answer, Your Honor.
 - Ms. Gilda Pepito only.....is a sole complainant, Your Honor.
 - She is not in a joint complaint affidavit with other witnesses.
 - She has a sole affidavit meaning she is a complainant of herself.
 - Now, that was my fear, Your Honor, if the other witnesses or other complainants would hear such an answer because later on, they would know what to answer.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - I think, Your Honor, the witness is not the complainant.
 - She is only an ordinary witness as shown in her affidavit.
 - It's only a plain affidavit.
 - So, we cannot throw out the complainants because they have the right to observe the proceedings.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Overruled.
 - Please proceed.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Thank you, Your Honor.
 - So, nakakuha ka sa akong pangutana gawas sa imo sa Barangay Treasurer, na tinudlo nga empleyado sa Kapitan, duna pa bay lain na mga tinudlo nga mga trabahante o empleyado sa inyong barangay?
(So, you understand my question that aside from you, and the Barangay Treasurer, which is appointed by the Barangay Captain, are there any other appointees in the barangay?)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your, Honor, just for the record, if she is not a complainant then may we ask who is the complainant in this case?
 - For the record, Your Honor.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, the complainant, Your Honor, it's on the record, Your Honor, the one that signed the affidavit, Erit Aringoy, Erlinda Quanem, Et. Al.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Based on the complaint no ang complainant are.....affidavit complaint Erit M. Aringoy, Lydia Baronda, joint affidavit of complaint, Erlinda Quanem, and et. al.
 - Gilda Pepito is only a witness here.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Yes, Your Honor, and also Lydia Baronda.
 - May I proceed, Your Honor?
 - Okay, so madam witness nakuha man nimo akong pangutana no, palihug kuno tubaga. *(Okay, so madam witness I believe you understand my question, please answer.)*

- Ma. Gilda M. Pepito (Witness):
 - Naay daghan, Attorney. *(There are also others, Attorney.)*
 - Kini silang tanan dinhi puros ni nagtrabaho sa barangay. *(All of them here right now are barangay workers.)*

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay.
 - So, unsa man nga mga posisyon ang ilang gihuptan? *(So, what positions are they holding?)*

- Ma. Gilda M. Pepito (Witness):
 - Barangay Worker ug kanang BHW. *(Barangay Worker and BHW.)*

- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, unsa pa? *(So, what else?)*

- Ma. Gilda M. Pepito (Witness):
 - Treasurer.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Gawas sa Treasurer. *(Besides the Treasurer.)*

- Ma. Gilda M. Pepito (Witness):
 - Tanod.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Tanod, okay.
 - Now, madam witness, so katong imong ginganlan nga barangay worker, barangay health worker ug barangay tanod nagdawat na sila og suweldo or suhol sa barangay? *(Now, madam witness, those barangay workers, barangay health workers, and barangay tanod that you have mentioned, are they receiving salaries from the barangay?)*

- Ma. Gilda M. Pepito (Witness):
 - Kaniadto sa wala pa sila ma tang-tang nagdawat sila'g sweldo. *(They are receiving salaries before they were terminated.)*

- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, ang ilang suhol gikan sa pundo sa barangay, okay. *(So, their salaries came from the coffers of the barangay, okay.)*
 - What about this sa imong affidavit ni ingon ka usa ka sa na tang-tang nga empleyado, sakto? *(In your affidavit you stated that you are one of the employees that were terminated, right?)*

- Ma. Gilda M. Pepito (Witness):
 - Yes, Attorney.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay.
 - Unsa may imong namatikdan sa uban pud nimo nga mga kaubanan nga mga tinudlo nga trabahante sa barangay na tinudlo sa Kapitan?

(What did you observe from your co-workers, which were appointed by the Barangay Captain?)

• **Ma. Gilda M. Pepito (Witness):**

- Na tang-tang sila, Attorney, kay wala man sila gud mo..... naglahi naman gud ang among pagsuporta sa barangay sa kang Aropo ug kang Mayor Benjo mao to nga ang among Kapitan tua man sa pikas ni ingon siya nga kung dili mo mokuyog nako ako ra ba manangtang.

(They were terminated, Attorney, because our Barangay Captain shifted his support to Aropo and he told us that he will terminate anybody who will not go along with him.)

• **Atty. Octavius Labtic (Counsel for the Complainants):**

- Okay.
- So, laktud nga pagka-istorya dunay imong mga kaubanan nga trabahante sa barangay nga gi tang-tang sa Kapitan tungod kay wala sila mo uban sa iyang gilabanan nga mayor.

(So, in short, there are workers in the barangay that were being terminated because they did not give their support to the candidate whom the Barangay Captain is supporting.)

• **Ma. Gilda M. Pepito (Witness):**

- O, Attorney.
- (Yes, Attorney.)*

• **Atty. Octavius Labtic (Counsel for the Complainants):**

- So, that is all for the witness, Your Honor.
- She's ready for the cross.

• **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**

- The Counsel for the respondent may cross-examine the witness.

• **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Yes, your Honor.
 - Thank you.
 - Just a few questions, Your Honor.
 - Maayong hapon, ma'am Gilda.
 - Ingon ka secretary ka sa Barangay Manlawaan.
- (You said that you are the secretary of Barangay Manlawaan.)*

• **Ma. Gilda M. Pepito (Witness):**

- O, Attorney.
- (Yes, Attorney.)*

• **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Pila ka ka tuig nga secretary?
- (How many years are you working as a secretary?)*

• **Ma. Gilda M. Pepito (Witness):**

- Gikan atong 2013 ug hangtud atong January 10, 2021.
- (From 2013 up to January 10, 2021.)*

• **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Your Honor, again may I ask that the
- Again, Your Honor, that's my fear that we have so many people here because they are coaching the witness, Your Honor.
- Let that be put on record that these people are coaching.

• **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**

- Please observe silence.
- Ayaw mo bisa'g ubo kung mahimo.

• **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**

- Let it be put on record, Your Honor, that they are coaching the witness.

- These people who are accompanying the witness.
 - Let that be put on record.
 - Now, ma'am mo uyon ba ka nga nag session mo kadtong January 10, 2022?
(Now, ma'am, do you agree that a session was conducted last January 10, 2022?)
 - Nakahinumdom ka?
(Do you remember?)
- Ma. Gilda M. Pepito (Witness):
 - O, Attorney.
(Yes, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ug giingnan nimo ang council nga murag mo undang na lang ko pagka secretary, imo nang kompermahon?
(And you told the council that you will no longer work as the secretary, do you confirm that?)
- Ma. Gilda M. Pepito (Witness):
 - Wala, Attorney.
(No, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Niya ni ingon sad ka, di ba Barangay Secretary ka, naa kay appointment?
(You also said that you are the Barangay Secretary, do you have an appointment paper?)
- Ma. Gilda M. Pepito (Witness):
 - Naa, Attorney.
(Yes, I have, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Imong gida?
(Have you brought it?)
- Ma. Gilda M. Pepito (Witness):
 - Wala ra ba pero naa mi copy diha.....
(No, I did not, but we have a copy.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Karon lang akong pangutana, imong gida, wa?
(I am asking if have you brought it with you right now or not?)
- Ma. Gilda M. Pepito (Witness):
 - Wala.
(I did not.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, aside sa imong giingon nga Barangay Secretary ka, wa kay mapakitang papel nga Barangay Secretary ka karong panahona?
(So, besides your pronouncement that you are the Barangay Secretary, you cannot provide right now any documents to prove what you have said?)
- Ma. Gilda M. Pepito (Witness):
 - Wala, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wala, okay.
 - Naa kay gipakita ganina nga Resolution No. 19?
(You presented earlier Resolution No. 19?)
- Ma. Gilda M. Pepito (Witness):
 - O, naa, Attorney.

(Yes, Attorney.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Di ba imo ning giingon nga.....imo ning gi-ila ganina, ma'am, kaning Resolution No. 19, saktó?
(You said earlier that you identified Resolution No. 19, correct?)
- Ma. Gilda M. Pepito (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - And ug ikaw ang naghatag ug kopya ani?
(And you were the one who provided a copy of this one?)
- Ma. Gilda M. Pepito (Witness):
 - O, ako ang naghatag ug copy kang Attorney.
(Yes, I was the one who provided a copy.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Giunsa nimo pagkakuha'g kopya ani nga Resolution No. 19?
(How did you get a copy of Resolution No. 19?)
- Ma. Gilda M. Pepito (Witness):
 - Katong.....
(When.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Aw, kadali, kadali.
 - I withdraw that question, Your Honor.
 - Okay, balik ta sa Resolution No. 19, makita nimo ang imong pangan?
(Okay, going back to Resolution No. 19, have you seen your name?)
- Ma. Gilda M. Pepito (Witness):
 - Wala.
(No.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, wala ka officially, wala man imong pangan dire, di ba?
(So, officially, your name is not in the document, right?)
- Ma. Gilda M. Pepito (Witness):
 - Naa sa igbaw, Attorney, sa giperumahan nako, wala.
(There is, Attorney, at the top, but none in the signature portion.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, sa giperumahan officially wala ang imong pangan, saktó?
(So, officially your name does not appear in the signature portion, correct?)
 - Sakot, dili?
(Is it correct or not?)
- Ma. Gilda M. Pepito (Witness):
 - Sakto.
(Correct)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Giunsa nimo pagkakuha'g kopya ani?
(How did you get a copy of the resolution?)
- Ma. Gilda M. Pepito (Witness):
 - Gibutang sa purtahan, Attorney, nga nangita ko sa yawe kay ila mang gitago ang yawe.

(It was put at the door, Attorney. I saw it when I was looking for the key.)

- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Yawe sa?
(What key?)
- **Ma. Gilda M. Pepito (Witness):**
 - Opisina ni Kapitan.
(Office of the Barangay Captain.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay.
 - Official ni, sa imong nahibaw-an?
(Is this Official as far as you know?)
- **Ma. Gilda M. Pepito (Witness):**
 - Official gyud na, Attorney, kay naa may mga perma nila.
(It is official, Attorney since it has their signatures.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Kasabot ka kung na submit ni sa DILG or wala?
(Do you know if this was submitted to the DILG?)
- **Ma. Gilda M. Pepito (Witness):**
 - Aw, dili pud ko ana sure, Attorney, kay ila naman nang buhat.
(I am not sure, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Pero di ba dapat kung mag appoint, sa imong nasabtan sa imong experience as a secretary, kung mag appoint or magkuha or mag-remove og Barangay Official, di ba mag-submit og kopya sa DILG, sakto ba ko?
(In your understanding, in your experience as a secretary, when the Barangay Captain appoints or removes a Barangay Official, a copy of such document must be submitted to the DILG, am I correct?)
- **Ma. Gilda M. Pepito (Witness):**
 - O, ensakto, Attorney.
(Yes, correct, Attorney.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Sakto.
 - Okay.
 - So, kani sa kintahay sa pultahan ni nimo nakit-an, gibutang?
(So, for the sake of argument, the document was placed at the door?)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Wa sad ka nakig-istorya ni Kapitan bahin ani?
(Have you tried talking with your Barangay Captain regarding the matter?)
- **Ma. Gilda M. Pepito (Witness):**
 - Wala kay.....
(No because.....)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Okay.
 - Okay, lang that's it.
 - Now, ma'am mo uyon ka nga ang secretary kauban sa treasurer kauban sa uban pang barangay workers, kamo ang gitawag nga appointed officials, barangay appointed officials, sakto?

(Now, do you agree that the secretary, treasurer together with the other barangay workers is considered a barangay-appointed official, is it correct?)

- Ma. Gilda M. Pepito (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Unsa may imong nasabtan sa pulong nga appointed?
(What do you understand about the word appointed?)
- Ma. Gilda M. Pepito (Witness):
 - Gi-appoint, mo trabaho ug unsay gi-assign sa amo.
(Appointed, will work on the job assigned to us.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Ug mo uyon ka nga ang mo appoint ninyo, example sa imo, ang Kapitan?
(Do you also agree that the one who will appoint a barangay official is the Barangay Captain?)
- Ma. Gilda M. Pepito (Witness):
 - Yes, Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Basta uyonan sa majority sa mga kagawad, sakto?
(As long as it was approved by the majority of the barangay council, is it correct?)
- Ma. Gilda M. Pepito (Witness):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero mo uyon pud ka, ma'am, nga ang Kapitan kung uyonan sad sa majority sa mga kagawad.
 - Sorry, I withdraw that question, Your Honor.
 - Tungod kay appointed ka puwede sad ka ma tang-tang, sakto?
(Because you are appointed, you can also be removed/terminated, is it correct?)
- Ma. Gilda M. Pepito (Witness):
 - Depende, kung sabotan pud.
(It depends because that needs to be agreed upon.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sakto o dili?
(Is it correct or not?)
 - Tungod kay appointed ka puwede pud ka ma tang-tang, sakto o dili?
(Because you are appointed, you can also be removed or terminated, is it correct or not?)
- Ma. Gilda M. Pepito (Witness):
 - Sakto. *(Correct)*
 - Pero kung
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - That would be all.
 - Ug ang Kapitan kung uyonan gani pud sa mga kagawad puwede mo tang-tang og appointed official, sakto?
(And the Barangay Captain if approved by the majority of the Barangay Council, can remove, or terminate an appointed official, correct?)
- Ma. Gilda M. Pepito (Witness):
 - Depende.
(It depends.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sakto, Dili?
(Correct or not?)
- Ma. Gilda M. Pepito (Witness):
 - Dili ko sure kung sakto ba.
(I'm not sure if it is correct.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Ma'am, nakabasa ka ug..... kay dugay naman kang secretary, nakabasa ka'g local government code, pamilyar ka?
(Ma'am, since you have been a secretary for quite a long time, have you ever read or are familiar with the local government code?)
- Ma. Gilda M. Pepito (Witness):
 - Dili gyud mi kaayo kay dili gyud mi magbasa gani permanente.
(No, I am not because I seldom read it.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Nganong di man mo magbasa?
(Why do you not read?)
- Ma. Gilda M. Pepito (Witness):
 - Usahay pud, Attorney, kay wa pud diha ang..... mismo ang Kapitan wa gani na magbasa.
(Sometimes, Attorney, the Barangay Captain is not around, and even he, himself, did not read the code.)
 - Adto man sa iya ang mga libro unya nga gikan dire madawat niya di man pud mahatag sa amo.
(The books were in his possession, and it was not given to us.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wa diay gibilin ang libro sa barangay, ma'am?
(Are the books not kept in the barangay?)
- Ma. Gilda M. Pepito (Witness):
 - Wa, Attorney.
(No, Attorney)
 - Mismo gani ang logbook, Attorney, wa naman gani diha sa amo'ng barangay.
(Even the logbook, Attorney, is no longer in the barangay.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Now, pero kahibawo ka nga naay local government code of 1991?
(Now, but you are aware that there is a local government code of 1991?)
 - Kahibawo ka ana nga libro nga mao nay gisubay sa mga barangay, sa local government unit, kahibawo ka ana?
(You know that book is being used as a guide by the barangays, and the local government units, isn't it?)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - We object to the line of questioning, Your Honor because that is already argumentative with the witness.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - It is not argumentative, Your Honor.
 - I'm just asking if she is familiar with that book because the local government code governs all LGUs including barangays.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - The witness already answered that she is not familiar.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Let's just base our questions on what the witness kung unsa naa diha sa ilang affidavit na lang.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I'm sorry, Your Honor, I'm cross-examination.
 - I believe I have the leeway to ask some questions, although, not directly related to the affidavit, but still relevant, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, sustained.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you.
 - So, mo uyon ka ba nga naa sa Section 389 sa Local Government Code nga ang Kapitan kuyogan sa majority sa kagawad puwede mo appoint, puwede sad mo remove og appointed official?
(So, do you agree that under Section 389 of the Local Government Code, the Barangay Captain with the approval of the majority of the barangay council can appoint, and remove an appointed official?)
- Ma. Gilda M. Pepito (Witness):
 - Depende.
(It depends)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Oo or dili?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - The witness already answered "*depende*", Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, that's the answer of the witness, Your Honor.
 - For the record, Your Honor, may I just manifest that if I may read Section 389 of the Local Government Code, "The Punong Barangay shall upon approval by the majority of all the members of the Sangguniang Barangay appoint or replace the barangay treasurer, barangay secretary, and other barangay appointed officials."
 - That would be all, Your Honor for this witness.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - May I have some re-direct examination, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, madam witness, ni ingon ka ganiha nga nakaila ka nga ang katong resolution nga imong nakuha sa pultahan silay nag gama.
(Madam witness, you said earlier that you recognized who made the resolution that was placed at the door.)
- Ma. Gilda M. Pepito (Witness):
 - Sila gyud, Attorney, kay ila mang gyud nang mga perma.
(It was them, Attorney, because it was their signatures.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay, okay.
 - Nganong naka-ingon man ka nga ila tong mga perma?
(How can you be so sure that it is their signature?)
- Ma. Gilda M. Pepito (Witness):
 - Makita-an ko gud na pirme nang ilang mga perma.
(I always see their signatures.)

- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, sa laktud nga pagka istorya pamilyar ka sa ilang mga perma tungod sa imong gidugayon sa pagka-secretary.
(In other words, you are familiar with their signatures because you have been the secretary for a long time.)
 - Now, lain pud ato, madam witness, unsa man diay usual nimo nga mo ingon man ka nga wa na didto ang yawe sa imong butanganan sa imong opisina?
(Now, madam witness, why did you say that the key was no longer in the place where you hid it in the office?)
- **Ma. Gilda M. Pepito (Witness):**
 - Kay sa dati, Attorney, among yawe ibilin ra na nako sa purtahan unya sa dugay na na panahon 2013 pa mi nagtrabaho adtong January 10 lang human namo ug session hing ingon ang Kapitan nga ang mga bag-o nga trabahante sa barangay manaka sa taas kay mag meeting ta.
(Before Attorney, since 2013, the key is usually placed near the door, but on January 10 right after the session the Barangay Captain told the newly appointed barangay workers to go upstairs because there will be a meeting.)
 - Lain naman ang ilang gi-mitingan parti naman sa politika.
(The meeting was something else. It was already all about politics.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I guess, Your Honor, it is no more part of the cross-examination.
 - The answer was anymore part of the cross-examination.
 - It only refers to the key to the office, Your Honor.
 - So, can the witness's answer be limited to that because it's already very beyond?
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, okay, madam witness, ang na andan ang butanganan sa inyong yawe didto gyud sa imong opisina.
(So, Madam witness, you usually placed the key in your office.)
- **Ma. Gilda M. Pepito (Witness):**
 - Yes, Attorney.
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - So, kadto lang higayona niadtong Enero nahitabo nga gikuha to?
(So, it was only during that time last January that the key was no longer in its usual place?)
- **Ma. Gilda M. Pepito (Witness):**
 - O.
(Yes)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, madam witness, sa pagtang-tang sa imo isip Barangay Secretary duna kay mahinumduman nga may sala ka?
(Now, madam witness, can you recall any wrongdoing that resulted in your termination as Barangay Secretary?)
- **Ma. Gilda M. Pepito (Witness):**
 - Wala, Attorney.
(None, Attorney.)
- **Atty. Octavius Labtic (Counsel for the Complainants):**
 - Now, sa pagtang-tang sa imo isip Barangay Secretary, gipahibalo ka sa Kapitan nga tang-tangon ka?
(Now, has the Barangay Captain informed you that you will be terminated?)
- **Ma. Gilda M. Pepito (Witness):**
 - Wala gyud, Attorney.
(Never, Attorney.)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Not anymore part of the cross..... not anymore part of the cross, Your Honor.
 - Your Honor, please, not anymore part of the cross.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Sustained.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - I think that would be all for the re-direct, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Re-cross, Your Honor?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, you may.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ni ingon ka nakit-an ni nimo sa pultahan.
(You said that you saw this at the door.)
 - Ato lang i-ingon nga kintahay tinuod ni nga dokumento, kita ka pag perma nga na merma sila ani mismo?
(Granting for the sake of argument this is a genuine document, have you seen them personally sign the document?)
 - Wala?
(I did not?)
- Ma. Gilda M. Pepito (Witness):
 - Aw, wala gyud noon ko makakita, Attorney.
(I did not see them sign it personally, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Niya ni ingon ka nga pamilyar ka sa ilang mga perma.
(You also said that you are familiar with their signatures.)
- Ma. Gilda M. Pepito (Witness):
 - Aw, siyempre, Attorney.
(Certainly, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kay tungod?
(It's because?)
 - Secretary ka, sakto?
(You are the secretary, correct?)
- Ma. Gilda M. Pepito (Witness):
 - Sakto, Attorney.
(Correct, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Sundoga kuno ila perma karon?
(Can you try replicating their signatures?)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Your Honor, I think that is beyond the.....
 - I think that is not part of the.....
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I was just testing, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Order of the room, please.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I was just testing the witness.
 - That would be all, Your Honor.
 - Thank you.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, I would like to present our second witness, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you may.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, can have a break?
 - 10 minutes break.

Break: 2:50 PM

Resumed: 3:00 PM

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, so let's proceed.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay, Your Honor.
 - We will be presenting our second witness, Your Honor, in the person of Erit Aringoy, one of the complainants.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, we call on Erit Aringoy?
- Valentino A. Codera (SB Secretary):
 - Palihug ug barog ug i-isa imong tuong kamot.
 - Manumpa ka ba nga ang imong isulti karong adlaw mao lamang ang tinuod walay lain ug ang tinuod?
(Do you swear that your testimony today shall be the truth and nothing but the whole truth?)
- Erit M. Aringoy (Complainant):
 - O.
(Yes)
- Valentino A. Codera (SB Secretary):
 - Your Honor, our second witness is Erit M. Aringoy, 56 years old and a resident of Barangay Manlawaan, Tabango, Leyte.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - With the kind permission of this Honorable Board, for the record, Your Honor, I will state the purpose of the testimony of the witness in English, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, proceed.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, the purpose of the testimony of the witness is being offered for the following:
 - 1) She will testify that she was a former Barangay Worker of Barangay Manlawaan, Tabango, Leyte.
 - 2) She will testify that she was appointed by the respondent, Barangay Captain Albert C. Morilla way back in November 2013.
 - 3) She will testify that sometime in July 2021, she was called by Barangay Captain Morilla and she was asked by the latter whom she will support in the May 9, 2022, local election. She told the latter that as usual, she will support Mayor Benjo Remandaban.
 - 4) She will testify that Barangay Captain Morilla told her that he will terminate Barangay workers if he/she will not go with him whom he will support for mayor.

- 5) She will testify that because of her signification to support Mayor Remandaban, she was terminated from work.
- 6) And she will identify her affidavit complaint and she will testify on other relevant matters in connection with this case.
- May I proceed, Your Honor?
- Hon. Rubilita A. Deia Cruz (Ad Hoc Committee Chair):
 - You may proceed.
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - Madam witness, maayong hapon.
(Madam witness, good afternoon)
 - Erit M. Aringoy (Complainant):
 - Maayong hapon.
(Good afternoon)
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - So, nakahinumdom ka nga nakaperma ka ug usa ka affidavit complaint kabahin ani nga kaso karon?
(So, madam witness, do you recall that you have signed an affidavit complaint about this case at hand?)
 - Erit M. Aringoy (Complainant):
 - Oo, Attorney.
(Yes, Attorney)
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, kung ipakita sa imo kana nga affidavit-complaint nga imong giingon, maka-ila pa ka?
(Now, if it will be shown to you, the affidavit complaint that you have mentioned, will you recognize it?)
 - Erit M. Aringoy (Complainant):
 - Oo, Attorney.
(Yes, Attorney)
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - So, naa sa file ipakita naay affidavit-complaint nga dunay duha ka pahina, tan-awa kuno kung mao ba na ang imong giingon nga imong gihimo?
(So, there is an affidavit complaint, which consists of 2 pages, kindly check if that is the one you are referring to?)
 - Erit M. Aringoy (Complainant):
 - Oo, Attorney, ako.
(Yes, Attorney, that's mine.)
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - Sa pahina 1 ana nga mao nga affidavit-complaint naay perma igbaw sa ngalan nga Erit Aringoy, kinsa ma nang perma?
(On page 1 of the said affidavit complaint, there is a signature on top of the name Erit Aringoy, who's signature is that?)
 - Erit M. Aringoy (Complainant):
 - Ako Attorney.
(It's mine, Attorney)
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - Sa pahina 2 naa puy perma igbaw sa ngalan nga Erit Aringoy, kinsa man nang perma?
(On page 2, there is also a signature on top of the name Erit Aringoy, who's signature is that?)
 - Erit M. Aringoy (Complainant):

- Ako Attorney.
(It's mine, Attorney)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay.
 - Madam Witness, kani nga affidavit sinulat og ingles, ang pangutana gihubad ba ni sa imo sa binisaya usa ka ni perma?
(Madam witness, this affidavit is written in English, does your affidavit was translated into the vernacular, Bisaya, before you affix your signature?)
- Erit M. Aringoy (Complainant):
 - Gihubad, Attorney.
(It was translated, Attorney)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, nakasabot gyud ka sa unod sa imong affidavit complaint.
(So, you do understand the contents of your affidavit complaint.)
- Erit M. Aringoy (Complainant):
 - Oo, Attorney.
(Yes, attorney.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, madam witness, imo bang e-kompirma ug matuoron nga ang nakasulat ni ining imong affidavit complaint or ang unod ining imong affidavit complaint, matuod lamang?
(Now, madam witness, do you confirm and attest to the veracity of the statement reflected on your affidavit complaint?)
- Erit M. Aringoy (Complainant):
 - Tinuod, Attorney.
(That's true, Attorney.)
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Now, your Honor, the affidavit of the witness serves as her direct testimony.
 - She is ready for the cross, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, you may proceed with the cross-examination.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your, Honor.
 - Maayong hapon, ma'am Erit Aringoy.
(Good afternoon, ma'am Erit Aringoy.)
- Erit M. Aringoy (Complainant):
 - Maayong hapon sad, Attorney.
(Good afternoon, too, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Imong pangan ma'am, Erit gyud Erit?
(Is your real name, Erit?)
- Erit M. Aringoy (Complainant):
 - Erit lang, Erit lang.
(It is Erit.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, ni ingon ka nga Barangay Worker ka sa Barangay Manlawaan, Tabango, Leyte?
(So, you said that you are a Barangay Worker of Barangay Manlawaan, Tabango, Leyte?)
- Erit M. Aringoy (Complainant):
 - O, Attorney.

(Yes, Attorney)

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Naa kay da nga appointment paper nimo ron?
(Do you have with you right now your appointment paper?)
- Erit M. Aringoy (Complainant):
 - Wa.
(No.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Naa, wa?
(Do you have it or none?)
- Erit M. Aringoy (Complainant):
 - Wa.
(None.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, labot lang sa imong gisulti nga ni ingon ka nga Barangay Worker ka, wa kay mapakita ebidensya karon nga Barangay Worker ka?
(Besides your statement that says you are a Barangay Worker; you do not have any evidence right now to prove that you are a Barangay Worker?)
- Erit M. Aringoy (Complainant):
 - Wala, Attorney.
(None, Attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Ibutang ta na lang no granting for the sake of argument ibutang ta na lang nga kung tinuod man gani pero wa ko ming ingon nga tinuod, nga Barangay Worker ka unsay trabaho sa usa ka Barangay Worker, ma'am?
(Granting for the sake of argument, let us say that you are a Barangay Worker, but I am not saying that is true, what are the duties and functions of a Barangay Worker?)
- Erit M. Aringoy (Complainant):
 - Maglimpyo sa barangay sako og sa gawas palibot unya motabang og naay mga ku-an sa barangay may mga bisita.
(Clean the barangay including its surroundings and help the barangay if there are visitors.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, gi-appoint gyud mo sa Kapitan nga Barangay Worker or?
(So, you were appointed as Barangay Worker by the Barangay Chairman?)
- Erit M. Aringoy (Complainant):
 - Siya man gani nagpasulod sa ako.
(It is the Barangay Chairman who himself urged me to work.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, ning sulod mo nga Barangay Worker kintahay kadtong 2013, ikaw?
(So, you were appointed as Barangay Worker way back 2013?)
- Erit M. Aringoy (Complainant):
 - Oo.
(Yes)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Diin ni nimo gihimo imong affidavit complaint?
(Where did you execute your affidavit complaint?)
- Erit M. Aringoy (Complainant):

- Didto sa kanda madam Lydia.
(There at Madam Lydia.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Madam?
- Erit M. Aringoy (Complainant):
 - Lydia.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kinsa man na?
(Who is she?)
 - Kinsa man na?
(Who is she?)
 - Isulti ang pangan.
(Tell the name.)
 - Ma'am, tan-aw lang sa ako ha, tan-aw lang.
(Ma'am, just look at me.)
 - Kinsa man nang Madam Lydia?
(Who is this Madam Lydia?)
- Erit M. Aringoy (Complainant):
 - Baronda.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Didto nimo gihimo ang imo affidavit complaint?
(It is where you execute your affidavit complaint?)
 - Ma'am, tan-aw sa ako.
(Ma'am, look at me.)
 - Oo, dili?
(Yes, or no?)
- Erit M. Aringoy (Complainant):
 - Gi-istorya ko gisuwat.
(I narrated, and somebody writes the same.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ah, diin man ka nag istorya ani?
(Where did you do the narration?)
- Erit M. Aringoy (Complainant):
 - Didto sa kanda Madam Lydia balay.
(At the house of Madam Lydia.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Madam Ldyia?
- Erit M. Aringoy (Complainant):
 - Baronda.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero ning perma ka diin man?
(But where did you sign the document?)
- Erit M. Aringoy (Complainant):
 - Didto sad.
(There also.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Diin?
(Where?)

- Erit M. Aringoy (Complainant):
 - Balay ila.
(At their house.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ni?
(Whose house?)
- Erit M. Aringoy (Complainant):
 - Ni Lydia Baronda.
(Lydia Baronda.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So wa ka ning perma sa abogado.
(So, you did not sign in the presence of a lawyer.)
 - Atubangan sa abogado.
(In front of a lawyer.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - We object, Your Honor.
 - The document speaks for itself, Your Honor, and it is signed at San Isidro, Leyte, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - No, Your Honor, the witness is speaking for herself, Your Honor.
 - Let the witness answer.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - May I request the witness, Your Honor, not to answer?
 - Ayaw usa pagtubag.
(Do not answer yet.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - So, in that case, Your Honor, we would assume that this was not signed before the lawyer, Your Honor.
 - Anyways, we have no problem with that.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - It is on the record, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kinsa may nag-ingon nimo nga maghimo ka'g complaint affidavit, ikaw lang mismo or naay nag sugo nimo?
(Who told you to execute a complaint affidavit, is it your own volition or somebody told you?)
- Erit M. Aringoy (Complainant):
 - Ako ang nagistorya ana si Attorney ang naghimo.
(I am the one who narrated, and it was Attorney who prepares the affidavit complaint.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ah, dili ba, kinsa may nagingon nimo ba nga maghimo ka ug affidavit, ikaw lang mismo or naay nagsugo nimo pa kaha?
(What I mean is, who told you to execute the affidavit complaint, is it your own will or somebody told you?)
- Erit M. Aringoy (Complainant):
 - Wala, walay nagsugo.
(None, nobody ordered me.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Ikaw lang.
(Only you.)

- Erit M. Aringoy (Complainant):
 - Ako lang nagistorya niya gisuwat.
(It is I who narrated, and somebody wrote it.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Gisuwat ni?
(Wrote by?)
- Erit M. Aringoy (Complainant):
 - Attorney.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kinsa may nagpangadto nimo kang Attorney?
(Who told you to go to a lawyer?)
- Erit M. Aringoy (Complainant):
 - Ako lang.
(It is my decision.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Now, kaila kang Geraldine Rose Morilla?
(Now, do you know Geraldine Rose Morilla?)
- Erit M. Aringoy (Complainant):
 - O, attorney.
(Yes, attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Kay, nganong kaila ka niya?
(Why do you know her?)
- Erit M. Aringoy (Complainant):
 - Maong konsehal on duty namo domingo.
(She is the councilor on duty during that day, Sunday.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - Mo uyon ka nga ingon man gud si Geraldine Morilla ba nga nagkaistorya mo usa pa ang eleksyon unya ni ingon ka niya nga mo resign na lang ka tungod kay ahng tag-iya sa yuta nga kung asa ka nagpuyo supporter ni kanang Remandaban, unya si Kapitan dili supporter ni Remandaban, kahinumdom ka ning sulti ka ana niya, wa?
(Will you agree that you told Geraldine Morilla, that was before the election, that you will resign because the land where you are residing is owned by the Remandaban and that the Barangay Captain is not a supporter of the Remdandaban, do you remember that or not?)
- Erit M. Aringoy (Complainant):
 - Wala. Ni ingon ko nga mapaundang ko ani'g trabaho kay si Kapitan hing bale naman.
(No. What I said is that I might be terminated since the Barangay Captain had already shifted his support to another candidate.)
 - Kung papahawaon kami ni Kapitan, mo hawa kami.
(If we will be terminated, then be it.)
 - Wa man kaha mi niya pahawaa, gipulihan lang kami.
(If we were not terminated, then why have we already been replaced.)
 - Pag duty nako gipulihan na kami didto gipahawa lang wa magpahibawo.
(When I reported to duty, I learned that I have already been replaced and that I was terminated without notice.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - So, that is clear ma'am, klaro karon wa gyud ni ingon si Kapitan nga gipahawa ka.

(So, to be clear, the Barangay Chairman did not personally tell you that you are terminated.)

- Erit M. Aringoy (Complainant):
 - Wa.
(No.)
 - Bisan siya nagsulti nga.....wa magsulti nga hawa ka man no, pero.....
(Even if he did not tell me that I was terminated, but.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay, okay sakto na kana lang sakto na to.
(Okay, okay that is enough.)
- Erit M. Aringoy (Complainant):
 - Dili, attorney.
(No, attorney.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Dili, dili kutob lang didto ang tubag, salamat.
(No, that is enough, thank you.)
 - So, pero pag adto ninyo naa nay laing nanilhig or unsa ba?
(So, when you reported for work, there is already somebody doing your work like sweeping or whatever?)
- Erit M. Aringoy (Complainant):
 - Attorney, bisan ako gisultihan niya no nga ang dili mo uyon sa iya mo tang-tang siya, hing duty pa ko, Attorney, ang problema pag abot pag-duty wala na, wala nako ka duty gipulihan naman ko niya.
(Attorney, even if I was told that those who will not go along with him will be terminated, I still went to work, however, the problem is upon arriving at my place of work, there is already somebody working on my behalf.)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Pero wa gyud ka gi-ingnaan niya nga gipulihan ka niya basi sa imong giingon ganina.
(But the Barangay Captain did not tell you that you are being terminated.)
- Erit M. Aringoy (Complainant):
 - O, gipahawa lang kami wala lang ku-an.
(Yes, we were terminated but.....)
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Wala gyud ka pahawaa.
(You were not terminated.)
- Erit M. Aringoy (Complainant):
 - Wala lang gi-ingon.
(There was no verbal.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - Already answered, Your Honor.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Okay.
 - That would be all, Your Honor.
 - I think the witness answered very clearly.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - So, madam witness, mi ingon man ka nga wala gyud ka personal nga ning sulti si Kapitan sa imo nga pahawa.
(Madam witness, you said that the Barangay Chairman did not tell you personally not to report for work.)
- Erit M. Aringoy (Complainant):

- Wala.
(Yes.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - Pero sa pagtrabaho nimo usa ka domingo ana gipulihan ka na.
(But when you went to work one Sunday, you found out that you were already been replaced.)
- Erit M. Aringoy (Complainant):
 - Gipulihan hing duty gyud ko.
(I did report to work but, I was already been replaced.)
 - Pag-abot ko didto gipulihan na.
(When I arrived at work, I was already been replaced.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - So, sa ato pa kadto kay gipulihan ka so mandasyon to sa Kapitan.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, that would be an opinion of the witness, Your Honor.
 - That is beyond her personal knowledge, Your Honor.
 - Only the Punong Barangay can answer that.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - I think the witness may answer, Your Honor, considering that it is a follow-up question.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - It's a follow-up question, Your Honor, but I think it's beyond her knowledge.
 - If we are going to ask that question that should be addressed to the Punong Barangay, not to her.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You may answer.
 - The witness may answer.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - Okay.
 - So, tubaga tong akong katapusang pangutana.
(So, answer my last question.)
 - So, ang nagsugo ato Kapitan gyud.
(So, it was the Barangay Chairman who ordered to replaced you.)
- Erit M. Aringoy (Complainant):
 - Ambot sa iya kay basta gipahawa lang kami nga wala pahibaw-a. Wa man mo ingon siya nga hawa basta pagduty nako naa na didto nagduty.
(I am not sure, but the fact is we were terminated without notice. Although he did not say it personally, when I reported for work, somebody is already there in my post.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - So, gipulihan kana.
(So, you were already been replaced.)
- Erit M. Aringoy (Complainant):
 - Gipulihan na ako oo mao rana ang naka ku-an kang Kapitan.
(Yes, I have been replaced.)
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - Sukad ato, by the way, gikan sa pagsugod nimo pagtrabaho ni ingon ka 2013, sakto?
(Since you started working way back in 2013, that is what you said, correct?)
- Erit M. Aringoy (Complainant):
 - Oo.
(Yes)

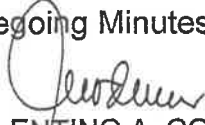
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - Okay.
 - So, pagsugod gyud nimo'g trabaho nagdawat ka'g suweldo.
(So, since you started working, you are already receiving a salary.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Not part anymore of the cross.
 - That was not asked during cross, Your Honor so it cannot be asked during re-direct, Your Honor, please.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - May I ask for a ruling on that from the Chair?
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I did not ask about her salary, Your Honor, so that cannot be asked during re-direct.
 - Please, Your Honor.
 - It's also part of her affidavit complaint page item number 3, Your Honor.
 - So, why need to ask that question anymore?
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - So, I think, Your Honor, we are not bound by technical rules here in this proceeding so we can ask in order to elicit the truth.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - You may proceed, Attorney, with your question.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - Thank you, Your Honor.
 - So, Madam witness, gikan niadtong 2013 pagkasud nimo as Barangay worker nagdawat gyud ka'g suweldo.
(So, madam witness, since 2013 when you were appointed as a Barangay worker you have been receiving your salary.)
- **Erit M. Aringoy (Complainant):**
 - Oo, Attorney.
(Yes, Attorney.)
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - Okay.
 - Now, kadtong gipulihan naka'g trabaho na undang pud ang imong suweldo.
(Now, when you were replaced, you also stop receiving your salary.)
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Again, your Honor, not anymore part of the cross.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - I think, Your Honor, the Chair allows already to answer.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor, please if the good counsel is saying we are not bound by the technical rules, then what's the use of the resolution, Your Honor providing for?
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Anyway, Attorney,puwede man tingale mangayo ug kopya sa ilang payroll aron kung naka-suweldo ba since from the very beginning nga na appoint sila as Barangay workers.
 - So, you may not ask that question.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Thank you very much.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - Thank you, thank you, Your Honor.

- I think that would be all for the re-direct, Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - No more re-cross, Your Honor.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - So, we move for the continuance, Your Honor.
 - For the presentation of our.....
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Just a reminder of both counsels nga kita dinhi this is only a Sangguniang Bayan, not necessary mo follow ta kung unsa gyud didto sa korte.
 - So, ang ato para mapamatud-an nato karon kung unsa gyud ang tinuod nganong naa man sila karon nag complain 27 ni sila tanan.
 - So, you may proceed with your next witness.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I understand, Your Honor.
 - Thank you, Your Honor.
 - However, Your Honor, the body must also understand that we are for the defendants, and we have to do everything we can in order to protect him, Your Honor.
 - Thank you, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - You may continue.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - So, we will ask for another schedule, Your Honor for the presentation of the third and succeeding witness, Your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - We have no objection, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Do you have any objections?
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - None, Your Honor because we are also quite tired, Your Honor.
- **Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):**
 - Since we cannot proceed next week because we have to travel to Cebu, for 1 week, so maybe we can schedule September 13 to.....we may look at the calendar, September 13, 14, 15, 16, you may choose the date.
 - Because 12 is our regular session.
 - So, Tuesday, Wednesday, Thursday, and Friday.
 - 13, 14, 15, 16.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - Your Honor if I may we have our schedules.....
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - Monday afternoon, your Honor.
- **Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):**
 - I'll be in Abuyog RTC I'm sorry, Your Honor.
 - We have checked our schedules, Your Honor, either he, Atty. Labtic nor me is not available either in the morning or in the afternoon.
 - This is our scheduled hearing every day, Your Honor.
 - If the court would allow, Your Honor, 19, Your Honor, Monday afternoon if this Honorable Body would allow.
- **Atty. Octavius L. Labtic (Counsel for the Complainants):**
 - 19, okay, afternoon.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Afternoon, Your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, the next formal hearing will be on September 19 at the same time, 2 o'clock.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - 2, Your Honor so we can have travel time.
 - Thank you, Your Honor.
- Atty. Octavius L. Labtic (Counsel for the Complainants):
 - That would be all, Your Honor.
- Hon. Kirsty V. Jabonete (Member, Ad Hoc Committee):
 - Move for the adjournment of today's formal hearing, Madam Chair.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - The formal hearing is now adjourned.

The committee adjourned at exactly 3:19 in the afternoon.

I HEREBY CERTIFY the correctness
of the foregoing Minutes.


VALENTINO A. CODERA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

ERIT M. ARINGOY
LYDIA BARONDA
GILDA M. PEPITO
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

~versus~

Complainants,

Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X

ORDER

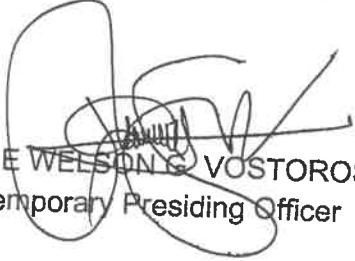
This has reference to the motion filed by the Complainants through their Counsel placing the respondent, Hon. Albert C. Morilla, under a 60-day preventive suspension. The Ad Hoc Committee rendered a Committee Report, which was adopted by the Sangguniang Bayan during its regular session on September 12, 2022.

Rule VI, Section 3 of the Rules of Procedures in the Conduct of an Administrative Investigation Against Elective Barangay Officials of the Sangguniang Bayan of Tabango clearly states that preventive suspension may be imposed at any time after the issues are joint when the evidence of guilt is strong, and there is a great probability that the continuance in office of the respondent could influence the witness or pose a threat to the safety and integrity of the records and other evidence.

Upon a majority vote of all the members present during the regular session, the motion for a preventive suspension is hereby granted.

SO ORDERED.

ISSUED this 14th day of September 2022 at Tabango, Leyte.


JOSE WELSON G. VOSTOROS
Temporary Presiding Officer

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

RECEIVED
SB Sec. JPL
08 AUG 2022
2:32 P.M. J

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

VEHEMENT OPPOSITION

(Re: Motion for Preventive Suspension of
Respondent)

RESPONDENT, by undersigned counsel, by way of
Vehement Opposition, unto this Honorable Office, most
respectfully avers, THAT:

1. Respondent, thru undersigned counsel, received a
copy of the Motion for Preventive Suspension of Respondent
Hon. Albert C. Morilla last August 5, 2022.

2. As agreed upon during the August 2, 2022
hearing, Respondent has three (3) days from receipt to file

his Comment or Opposition. Thus, the instant Vehement Opposition is timely filed.

3. The Rules of Procedure in the Conduct of Administrative Investigation of this Honorable Sangguniang, Rule VI (Preventive Suspension) provides that:

SECTION 3. GROUNDS. – Preventive suspension may be imposed at any time after the issues are joined, that is, after the respondent has answered the complaint when the **evidence of guilt is strong and given the gravity of the offense**, there is a **great probability** that the **continuance in office** of the respondents **could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence.**

I. THE EVIDENCE OF GUILT AGAINST RESPONDENT IS WEAK AND NOT STRONG.

4. As per Section 3 quoted above, one of the grounds of preventive suspension is when the evidence of guilt is strong. However, basing from the Complaint and the witnesses of the Complainants, nothing would show that the evidence of the Complainants can warrant conviction or sustain a win against the Respondent.

5. Aside from the mere allegations of the Complainants, they have not presented any other proof to at least corroborate their statements that there was abuse of authority or oppression on the part of Respondent.

6. Basing from the Rules of Procedure in the Conduct of Administrative Investigation of this Honorable Sangguniang, the definition of Abuse of Authority and Oppression are as follows, viz:

5. Oppression – An act of cruelty, severity, unlawful exaction, domination, or excessive use of authority. (Ochage vs. Deling, 105 Phil. 390)

xxx

9. Abuse of Authority – It is a denial of justice when discretion, under one's position, has not been justly and properly exercised. It signifies the use of that discretion in

such a way as to deprive a person of his right or of the remedy to protect or enforce such right. (DILG Opinion No. 11, s. 2006, Feb. 20, 2006)¹

7. Complainants have not, in any way, categorically and positively argued on why the Respondent committed Oppression and Abuse of Authority.

8. The mere allegations of Complainants that they were terminated is lame, weak and cannot sustain a conviction against Respondent.

9. In their Complaints, Complainants have submitted Resolution No. 19 of the Sangguniang Barangay of Manlawaan, entitled "A Resolution Confirming the Remvoal of All Barangay Appointed Officials and Employee of Barangay Manlawaan, Tabango, Leyte."

10. The said Resolution was signed not only by the Punong Barangay but by all the Sangguniang Barangay Members (7 Barangay Kagawads).

11. What Complainants do not understand is that such barangay resolution is **imbued with the presumption of regularity**, and is therefore **presumed valid and regular**.

12. As ruled by the Supreme Court:²

"It is frequently said that a **presumption of regularity the performance of administrative duties**. That is, when an act has been completed, it is to be supposed that the act was **done in the manner prescribed and by an officer authorized by law to do it**. The presumption is of course a rebuttable one, **but the bare allegation that there has been a failure to observe statutory requirements has been regarded as a mere conclusion** of the pleader; where the administrative order is accompanied by a statement that there has been compliance and there is no showing of fact to the contrary, **the presumption of regularity is ordinarily sufficient to support the official act of a public officer.**"

¹ Page 2, Resolution No. 2022-62. Rules of Procedure in the Conduct of Administrative Investigation Against Elective Barangay Officials.

² People vs. Jolliffe, GR No. L-9553, May 13, 1959.

13. That is exactly the case at bar, the mere allegations of the Complainants are just their mere conclusions and cannot rebut the presumption granted to official acts.

14. Moreover, the said attached Resolution No. 19 to the Complaint should also be read in connection with the following resolutions:

Resolution	Title	Remarks
No. 1 Series of 2022	A Resolution Confirming the Removal of All Barangay Appointed Officials and Employees of Barangay Manlawaan, Tabango, Leyte	Attached as Annex "1" to the Joint Affidavit of witness of Rolly R. Lerio, et. al., and is Exhibit "1" of the Respondent.
No. 2 Series of 2022	A Resolution Concurring the Appointment of Donna Jean A. Bacay as Barangay Secretary of Barangay Manlawaan, Tabango, Leyte	Attached as Annex "3" to the Joint Affidavit of witness of Rolly R. Lerio, et. al., and is Exhibit "3" of the Respondent.
No. 3 Series of 2022	A Resolution Concurring the Appointment of Crislyn R. Lerio as Barangay Treasurer of Barangay Manlawaan, Tabango, Leyte	Attached as Annex "2" to the Joint Affidavit of witness of Rolly R. Lerio, et. al., and is Exhibit "2" of the Respondent.

15. Again, such resolutions of the Sangguniang Barangay of Barangay Manlawaan are presumed valid and within their power to do so.

16. Section 389 of RA No. 7160 or otherwise known as the Local Government Code of 1991 even provides that:

Section 389. Chief Executive: Powers, Duties, and Functions. -

(b) For efficient, effective and economical governance, the purpose of which is the general welfare of the barangay and its inhabitants pursuant to Section 16 of this Code, **the punong barangay shall:**

(5) Upon approval by a majority of all the members of the sangguniang barangay, appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials;

17. It is very clear in the aforesaid provision that the Punong Barangay, upon approval by a majority of all the members of the sangguniang barangay, can appoint or replace appointive barangay officials.

18. Thus, there was no abuse of power nor oppression on the part of the Respondent.

19. From that provision alone of the Local Government Code, this case against Respondent ought to be dismissed already.

II. COMPLAINANTS HAVE NOT SHOWN ANY PROBABILITY THAT THE CONTINUANCE IN OFFICE OF THE RESPONDENT CAN INFLUENCE THE OUTCOME OF THE CASE.

III. THE STATEMENTS OF JUANITA EPE ARE INCONSISTENT WITH LOGIC AND HUMAN EXPERIENCE, AND ARE MERE AFTER-THOUGHTS.

20. Aside from showing that the evidence of guilt against the Respondent is strong, Complainants must also show that the Respondent can influence the outcome of the proceedings as per Section 3 of the Rules of Procedure in the Conduct of Administrative Investigation of this Honorable Sangguniang.

21. First and foremost, how will Respondent influence the witnesses when in fact these witnesses are not anymore connected with the barangay government of Manlawaan?

22. In an attempt to mislead this Honorable Sanggunian, Complainants attached the Judicial Affidavit of Juanita Delantar Epe in their Motion for Preventive Suspension of Respondent Hon. Albert C. Morilla.

23. It must be noted that this Juanita Delantar Epe only made such Judicial Affidavit last August 3, 2022, whereas, way back last June 28, 2022, the Respondent has already submitted to this Honorable Body a copy of her

written statement dated April 6, 2022 and marked and attached as **Annex "5"**, wherein she categorically stated that:

Ako si Juanita Epe us aka Barangay Worker sa Manlawaan ako voluntary nga ni-undang sa pagtrabaho sa Barangay niadtong bulan sa September 2021 og wala ako tang-tanga sa Kapitan og sa mga konsehal.

Aron sapagmatood sa naasoy sa ibabaw ako kining permahan niing adlaw Mirkules April 6, 2022 uban sa koang bana ug testigos.

24. This April 6, 2022 statement by Juanita Epe was signed by her, her husband, and witnessed by five (5) Sangguniang Barangay members (barangay kagawads).

25. It must be noted that the Punong Barangay is not one of the witnesses who signed the statement of Juanita Epe.

26. Hence, it would only tell us that her execution of the Judicial Affidavit dated August 3, 2022 is a mere afterthought designed to mislead this Honorable Sanggunian.

27. Moreover, Juanita Epe also attached as Annex "D" in the Motion an extract of the police blotter of Tabango, Leyte dated April 9, 2022 with Entry No. 2000 wherein she alleged that she was made to sign a blank paper on April 6, 2022 as she was held for four (4) hours in the barangay hall.

28. The same really is inconsistent with very simple logic and human experience.

29. **First**, as stated, the Punong Barangay did not sign as a witness on the statement made by Juanita Epe dated April 6, 2022, how then can she say that it was the Punong Barangay who held her for hours in the barangay hall?

30. **Second**, if she was really held against her will, why did she had it blotter only on April 9, 2022, or three days after? Why did she not report it immediately?

31. **Third**, a very glaring inconsistency which would show that this Juanita Epe is lying: in her Judicial Affidavit

dated August 3, 2022 particularly on Answer No. 14, she said she was made to sign a paper wherein she voluntarily resigned, however, on the police blotter (Annex "D"), she said that she was forced to sign a blank paper.

32. Juanita Epe has made a fool of herself and has made a mockery of the proceedings of this Honorable Sangguniang by making lies evident by her very much contradicting statements.

33. **Fourth**, as regards the police blotter dated July 16, 2022 and with Entry Number 2022 (Annex "E"), the allegation therein is that it was a certain Teotimo Jorda who went to her house. The name of Respondent was never mentioned.

34. Entries in the police blotter are not evidence of the truth thereof but merely of the fact that the entries were made.³ In short, entries in the police blotter are nothing but hearsays or *chismis*.

35. In summary, the Motion for Preventive Suspension of Respondent Hon. Albert C. Morilla should be denied because:

- a. Complainants have not shown that the evidence that they have is strong;
- b. There is no showing that the Respondent can influence the outcome of the case.

IV. IT WOULD BE PREMATURE AT THIS STAGE TO ASCERTAIN IF THE EVIDENCE AGAINST THE GUILT OF THE RESPONDENT IS STRONG.

36. Lastly, basing from the records alone, it would be premature to determine if the evidence of guilt against the Respondent is strong.

37. The Sangguniang Bayan needs to hear first the witnesses of the Complainants to really determine if indeed they have a strong case against the Respondent.

³ People vs. Corpuz, G.R. No. 215320, February 28, 2018.

38. With all due respect, it would be impossible to determine at this stage whether Complainant has a strong case against Respondent to warrant preventive suspension.

39. Let the Complainants present first their essential witnesses, subject to the cross examination of the Respondent's counsel, so that this Honorable Body can factually determine the evidence against Respondent.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the **MOTION TO PREVENTIVELY SUSPEND RESPONDENT** be **DENIED** for being **unmeritorious**.

Other just and equitable reliefs and remedies are likewise prayed for.

Ormoc City (for Tabango, Leyte), Leyte, Philippines.
August 6, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073
escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.
PTR No. 7053400 issued on
January 3, 2022, Ormoc City
IBP O.R. No. 183020, 1/3/2022
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE
Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same pleading unto the Honorable
Prosecutor for its kind consideration immediately upon
receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:

Atty. OCTAVIUS L. LABTIC

Counsel for All Complainants

Labtic Law Office

Quezon Street, San Isidro, Leyte

Copy received by MICHAEL ADREANNE M. BARBASA

08 AUG 2022
1:01 P.M.

**MUNICIPAL LOCAL GOVERNMENT OPERATIONS OFFICERS
(MLGOO)**

DILG-Tabango, Leyte

Tabango, Leyte

Copy received by

DILG-TABANGO	
RECEIVED	
By:	<i>[Signature]</i>
Date/Time:	8/8/22

Republic of the Philippines
OFFICE OF THE SANGGUNIANG BAYAN
Province of Leyte
Municipality of Tabango
Tabango, Leyte, Philippines

**ERIT M. ARINGOY, LYDIA BARONDA,
GILDA M. PEPITO, ERLINDA C.
QUANEM, ET. AL,**
Barangay Manlawaan, Tabango, Leyte,
Complainants,

RECEIVED
SB-82 0786
05 AUG 2022
3:50 P.M. J

**ADMIN CASE No.
SB-2022-03-01**

- versus -

For:
**ABUSE OF AUTHORITY,
OPPRESSION, POSSIBLE
VIOLATION OF THE
OMNIBUS ELECTION
CODE**

HON. ALBERT C. MORILLA,
Punong Barangay
Barangay Manlawaan, Tabango, Leyte,
Respondent.

x-----x

MOTION FOR PREVENTIVE SUSPENSION OF RESPONDENT
HON. ALBERT C. MORILLA

Complaints **ERIT M. ARINGOY, LYDIA BARONDA, GILDA M. PEPITO, ERLINDA C. QUANEM, ET. AL**, by the undersigned counsel, and unto this Honorable Office, most respectfully allege that:

1. On 16 March 2022, Complainants filed with this Honorable Office the Complaint-Affidavit of Erit M. Aringoy, Affidavit of Lydia Baronda, Affidavit of Ma. Gilda M. Pepito, and Joint Affidavit-Complaint of Erlinda C. Quanem, et. al, all charging Respondent Hon. Albert C. Morilla (**Respondent Morilla, for brevity**), for Abuse of Authority, Oppression, and Possible violation of the Omnibus Election Code. To the Complainants,

the acts or omissions complained of are contrary to law, oppressive, unfair, unreasonable, and devoid of justification, thus subject to the disciplinary authority of this Honorable Office;

2. In particular, Complainants decried the manifest abuse of authority and oppression of the herein Respondent Morilla when he pressured the former to support the same political candidate for mayoralty position for the May 2022 elections and terminated all of them through Resolution No. 19 dated 4 December 2021 (**Resolution No. 19, for brevity**) when they did not heed to such demand, all without cause and without proper observance of due notice. A copy of the said Resolution is attached as **Annex A** and made an integral part of this motion;
3. Under Section 3, Rule VI of the Rules of Procedure in the Conduct of Administrative Investigation against Elective Barangay Officials of the Honorable Sangguniang Bayan of Tabango, Leyte, it states that:

Section 3. GROUNDS – Preventive suspension may be imposed at any time after the issues are joined, that is, after the respondent has answered the complaint when the evidence of guilt is strong and given the gravity of the offense, there is great probability that the continuance in office of the respondents could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence.
4. Complainants submit that Respondent Morilla should be preventively suspended on the following grounds: a) Respondent Morilla has already filed his Counter-Affidavit dated 27 June 2022; b) the evidence of Respondent Morilla's guilt is strong; c) the charge against Respondent Morilla involves abuse of authority and oppression, offenses that are grave in nature; and d) Respondent Morilla's continued stay in office can influence the witnesses and pose a threat to the safety and integrity of the records and other evidence;
5. Abuse of Authority is defined as a denial of justice when discretion, under one's position, has not been justly and properly exercised and signifies the use of such discretion as to deprive a person of his right or of the remedy to protect or enforce such right.¹ It is clear under the Local Government

¹Section 2, Rule II of the Rules of Procedure in The Conduct of Administrative Investigation against Elective Barangay Officials of the Honorable Sangguniang Bayan of Tabango, Leyte, pp. 2-3.

Code² that the Punong Barangay, as the Chief Executive of the barangay government, has the discretion to appoint or replace the barangay treasurer, the barangay secretary, and other appointive barangay officials upon approval by a majority of all the members of the sangguniang barangay. However, such discretion cannot be exercised arbitrarily. On other hand, oppression is defined as an act of cruelty, severity, unlawful exaction, domination or excessive use of authority³;

6. In this case, the evidence is strong that the Respondent abused his authority in the exercise of his functions when he caused the mass termination of the complainants through Resolution No. 19 clearly without cause and without the benefit of proper notice;
7. According to the testimony of Complainant Ma. Gilda M. Pepito, former Barangay Secretary of Brgy. Manlawaan, Tabango, Leyte, she was able to know that she was terminated from her duties as barangay secretary only when she chanced upon Resolution No. 19 outside the door of their office and she had no knowledge on its passage despite her incumbency. A copy of the Affidavit of Ma. Gilda M. Pepito is attached as **Annex B** and made an integral part of this motion;
8. Moreover, it is important to note that prior to the said termination, the Respondent pressured and demanded from the complainants to support the same Mayoralty candidate for the May 2022 elections but the latter did not concede. Thus, for failing to heed Respondent's demand, the rest of the complainants were either replaced, terminated or pressured to resign from their duties. This act of domination on the part of the Respondent Morilla and the excessive use of his authority clearly show that he is liable for oppression against the complainants;
9. The purpose of a preventive suspension order issued by the Honorable Sangguniang Bayan of Tabango, Leyte cannot be gainsaid. It is aimed at inhibiting the subject public official from influencing the witnesses and posing threat to safety and integrity of the records and evidence, to which in application to this present case, the present complainants are clearly entitled

²Sec. 389, par. b(5), Chapter 3, Title One, Book III of the Local Government Code of the Philippines.

³Section 2, Rule II of the Rules of Procedure in The Conduct of Administrative Investigation against Elective Barangay Officials of the Honorable Sangguniang Bayan of Tabango, Leyte, p. 2

on account of the continued harassment of the Respondent against one of the complainants with clear intent to influence the same;

10. The harassment happened on separate dates against Complainant Juanita D. Epe (**Complainant Epe, for brevity**), in April and July 2022 respectively. A copy of the Judicial Affidavit of Juanita D. Epe is attached as **Annex C** and made an integral part of this motion;
11. On 6 April 2022, Complainant Epe together with her husband went to the barangay hall as per invitation of Respondent Morilla and were held for almost four hours without apparent cause and were forced to sign a blank paper. This incident is evidenced by a Police Blotter Report, a copy of which is attached as **Annex D** and made an integral part of this motion; Consequently, on a later date, 15 July 2022, Teotimo Jorda, a barangay councilor of Brgy. Manlawaan, Tabango, Leyte went to Complainant Epe's house and threatened her not to appear during the scheduled hearing at the Municipal Hall or else a warrant will be issued against her and she will be arrested in relation to the blank paper she signed. This incident is likewise evidenced by a Police Blotter Report, a copy of which is attached as **Annex E** and made an integral part of this motion. It is clear that said actions are motivated to influence Complainant Epe not to proceed with this case;
12. Given the strong evidence of guilt of the respondent and his attempted acts to influence the witnesses of this case, the private complainants are thus entitled to the relief prayed for.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office to **ISSUE A PREVENTIVE SUSPENSION ORDER** against Respondent Hon. Albert C. Morilla, incumbent Punong Barangay of Barangay Manlawaan, Tabango, Leyte, Philippines.

Other reliefs, just and equitable under the circumstances are likewise prayed for.

San Isidro, Leyte. 4 August 2022

LABTIC LAW OFFICE
Counsel for the Complainants

By:


JOLLEANNE CLAIRE E. PERINO

Counsel for the Complainants
Quezon St., San Isidro, Leyte
Roll No. 76783

PTR No. 7125606 -21 June 2022
IBP OR No. 231154 -13 June 2022
Admitted to the Bar -05 May 2022

THE SANGGUNIANG BAYAN SECRETARY

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same motion unto the Honorable Prosecutor for its immediate consideration upon receipt hereof.

Thank You.


JOLLEANNE CLAIRE E. PERINO

Copy furnished:

ATTY. ALEXANDER G. SALAS, JR.

Counsel for the Respondent
Escalon & Escalon Law Office
Corner Real & Aviles St., Ormoc City

 8-5-22

CERTIFICATION

I hereby certify that a copy of this motion for preventive suspension was furnished to Atty. Alexander G. Salas, Jr. Corner Real & Aviles St., Ormoc City, Philippines, on _____ by personal service.


JOLLEANNE CLAIRE E. PERINO

Counsel for the Complainants

Republic of the Philippines
Province of Leyte
Municipality of Tabango
Barangay Manlawaan
-0-

ANNEX A

Resolution No. 19

A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE BARANGAY MANLAWAAN, TABANGO, LEYTE,

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 389, Paragraph (b)(5) states that the Punong Barangay, as the Chief Executive of the barangay government, shall appoint or replace the Secretary upon approval by a majority of all the members of the Sangguniang Barangay

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 394, Paragraph (a) states that the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;

WHEREAS, the Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 395, Paragraph (a) states that the Barangay Treasurer shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;


NOW THEREFORE: on motion of Kagawad ROLLY LERIO with the unanimous accord of the members of the Sangguniang Barangay present; BE IT

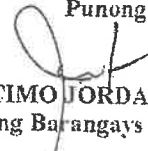
RESOLVED: be it resolved and it is hereby resolved confirming the removal of all Barangay appointed officials and employee Barangay Manlawaan, Tabango, Leyte.

RESOLVED FURTHERE, that copy of this resolution be furnished all offices concerned.

UNANIMOUSLY APPROVED adopted on December 04, 2021 at Barangay Manlawaan.

CERTIFIED CORRECT:


ALBERT C. MORILLA
Punong Barangay

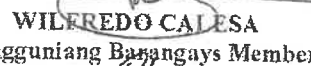

TEOTIMO JORDAN
Sangguniang Barangays Member

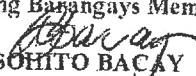
ANTONIO PEPITO, SR.
Sangguniang Barangays Member


ERNESTO CAPUYAN
Sangguniang Barangays Member

Conforme:


ROLLY LERIO
Sangguniang Barangays Member


WILFREDO CALESA
Sangguniang Barangays Member


MONSOHITO BACAY
Sangguniang Barangays Member


GERADDINE ROSE MORILLA
Sangguniang Barangays Member

AIDA NUÑEZ
SK chairperson

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)S.S.
MUNICIPALITY OF SAN ISIDRO)


ANNEX "B"

AFFIDAVIT

I MA. GILDA M. PEPITO, of legal age, Filipino, married, and residing at Brgy. Manlawan, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That I am the former Barangay Secretary of Brgy. Manlawan, Tabango, Leyte;
2. That I was appointed on November 2013 by Barangay Captain Albert C. Morilla;
3. That on the 2016 and 2019 local elections, I and Barangay Captain Albert C. Morilla were supporting Mayor Bernard Jonathan M. Remandaban;
4. That lately, sometime July 2021, I have known that Barangay Captain Albert C. Morilla shifted his political support, because he is now supporting Romel Aropo, the opponent of Mayor Bernard Jonathan M. Remandaban this coming May 09, 2022 local elections. This Romel Aropo is the opponent of Mayor Remandaban in the last 2019 elections, he was defeated by the latter;
5. That Barangay Captain Albert C. Morilla told me that he is supporting already Romel Aropo;
6. That on January 10, 2022, I got hold of a Resolution No. 19 and the same was put in the door of our office, and when I read it, it turns out that the title of it is "A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE OF BARANGAY MANLAWAN, TABANGO, LEYTE." it was unusual because I was still the Barangay Secretary, but I did not know its passage. It seems that I was removed without cause and without proper notice to me;
7. That one of the indication that I was terminated as Barangay Secretary and is included in Resolution No. 19 is that the key of my office in the barangay hall was no longer in the place where it used to be placed;
8. That I remember that I have heard once from the Barangay Captain that he told me "Ang dili mokuyog nako motangtang ra ba ko." (Those who will not go with me, I will terminate.). He was referring to those who will not support him in supporting the mayoralty candidate he is supporting;
9. That I am voluntarily executing this Affidavit to attest the foregoing facts to be true and correct, and for whatever legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 day of MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.


MA. GILDA M. PEPITO
Affiant

SUBSCRIBED AND SWORN, to before me a Notary Public, for and in the Municipality San Isidro, Province of Leyte, Philippines, this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me her _____, issued by _____, I hereby certify that I have personally examined the affiant and I am satisfied that she voluntarily executed and understood the contents of her affidavit.



ATTY. OCTAVIUS L. LABTIC

Notary Public

Until Dec. 31, 2023

PTR No. 6131609 1/03/22

San Isidro, Leyte

Roll No. 44,913

IBP No. 408908 -01/06/21

Leyte Chapter

MCLE Compliance Cert. No. VI

0011138 -08/03/18

NC No. ADM. 20-081

Doc. No. 468

Page No. 94

Book No. LXVI

Series of 2022



**JUDICIAL AFFIDAVIT OF JUANITA DELANTAR EPE
WITNESS/COMPLAINANT ADMIN. CASE NO. SB-2022-03-01, FOR: "ABUSE
OF AUTHORITY/OPRESION/POSSIBLE VIOLATION OF THE OMNIBUS
ELECTION CODE, SANGGUNIANG BAYAN, TABANGO, LEYTE**

I, JUANITA DELANTAR EPE, of legal age, Filipino, married, and residing at Sitio Limite, Brgy. Manlawa-an, Tabango, Leyte, Philippines, having the occupation of housewife, having fully aware and conscious, answer the following questions under oath, under the pain of criminal liability for false testimony or perjury: (Hingkud ang panuigon, minyo, Filipino, nagpuyo sa Sitio Limite, Brgy. Manlawa-an, Tabango, Leyte, Pilipinas, naa ra sa balay, nakahibalo sa mga pangutana ako mitubag ani pinaagi sa pagpanumpa, nga kung ako mamakak nakahibalo ako nga pwede ko kihaan sa kaso nga pagtumotumo o pagpamakak):

That in accordance with A.M. No. 12-8-8-C, which prescribe the use of judicial affidavits to serve as direct testimony of a witness, on the basis of which the adverse party may conduct his cross- examination on such witness, I hereby execute this judicial affidavit in a question and answer format;

That in compliance with Section 3 (b) of the said A.M. No. 12-8-8-SC, I also state that it was Atty. Octavius L. Labtic, who conducted my examination;

That also pursuant with Section 3 (c) thereof, I hereby state under pain of perjury that in answering the questions asked of me as appearing herein below, I was fully conscious that I did so under oath, and that I may face criminal liability for false testimony or perjury;

The lawyer who conducts or supervises the examination is Atty. Octavius L. Labtic and being held at his Labtic Law Office in Quezon St., San Isidro, Leyte, Philippines.

Purposes of the testimony of the witness:

1. She will testify that she is one of the complainant in the above-entitled case;
2. She will testify that is the former Barangay Worker of Brgy. Manlawa-an, Tabango, Leyte;
3. She will testify that she was the one of the Barangay Worker of their barangay who was terminated by the Barangay Captain because she did not signify to support the candidate for Mayor of the Barangay Captain whom he is supporting last May 09, 2022 elections;
4. She will testify that on April 06, 2022 she was pressured by the Barangay Captain to refrain in pursuing the case she filed against him;
5. She will identified documents;
6. She will testify on other relevant matters in connection with this case;

Question No. 1. What is your work before?
(Unsa man ang imong trabaho sa una?)

Answer No. 1: Barangay Worker (BW) of Brgy. Manlawa-an, Tabango, Leyte
(Barangay Worker sa Brgy. Manlawa-an, Tabango, Leyte.)

Question No. 2. Until now you are still working as Barangay Worker?
(Hangtud karon Barangay Worker gihapon ka?)

Answer No. 2: No more, because I was terminated.
(Wala na kay gipapahawa man ko.)

Question No. 3. Who terminated you?
(Kinsa man ang nagpapahawa nimo?)

Answer No. 3: Our Barangay Captain.
(Ang among barangay kapitan.)

Question No. 4. Who is the name of your barangay captain?
(Kinsa man ang ngalan sa inyong barangay kapitan?)

Answer No. 4: Albert C. Morilla.

Question No. 5. By the way how much was your salary as Barangay Worker?
(Lain ato pila man diay ang imo sweldo sa pagka Barangay Worker?)

Answer No. 5: Seven Hundred Fifty Pesos (P750.00) per month.
(Siyete Sientos Singkwenta Pesos (P70.00) matag bulan.)

Question No. 6: Will you kindly tell why you were terminated by your Barangay Captain?
(Isulti daw ngano nga gipapahawa man ka sa inyong barangay kapitan?)

Answer No. 6: About July 2021 while were in the barangay hall together with my co-barangay worker, we were told by our barangay captain that those who will not follow with whom I am supporting, I will terminate because it is hard if we have different to be supported.

(Mga Hulyo 2021 samtang didto mi sa barangay hall uban sa akong mg kauban nga Barangay Worker gi-ingnan mi sa among kapitan nga "Ang dili mosunod sa akong gilabanan motang-tang ra ba ko kay lisud kuno nga lahi lahi ta ug gilabanan.)

Question No. 7. What does you barangay captain mean gilabanan?
(Unsa man ang ipasabot sa inyong kapitan nga gilabanan?)

Answer No. 7: About the coming election on May 09, 2022 for Mayor because we are supporting different candidate. We are supporting Mayor Benjo Remandaban while our barangay captain is supporting Romel Aropo.

(Sa parte sa umaabot nga eleksiyon sa Mayor pagka Mayo 9, 2022 kay lahi man siya ug gilabanan. Kami diri sa kang Mayor Benjo Remandaban siya sa kang Romel Aropo.)

Question No. 8. What happened after that meeting?
(Unsa man ang nahitabo human ato nga tigum?)

Answer No. 8: Next week after that I was about to work but I was not able because I was replaced also and one of our barangay kagawad told me that I will not be admitted to work.

(sunod semana human ato mo trabaho unta ko pero wala nako ka trabaho kay gi-ilisan na man ko unya gawas ana gi-ingnan sa usa ka kumsehala nga dili na pa-trabahuon.)

Question No. 9. In short you were terminated as a Barangay Worker?
(Sa langtud gipapahawa ka isip Barangay Worker?)

Answer No. 9: Yes.
(Oo.)

Question No. 10. How many of you were terminated?
(Pila man ang gitangtang?)

Answer No. 10. Almost all of us, because only seven (7) were retained
(Halos tanan kay pito (7) na lang nahabilin.)

Question No. 11. How long have you been working as Barangay Worker prior to your termination?

(Unsa na ka kadugay nga nag-trabaho isip barangay worker sa wala pa ka papahaw-a?)

Answer No. 11: I was working since 2019.
(Sukad pa sa tuig 2019.)

Question No. 12. What did you do together with your co-barangay worker when you were terminated by your barangay captain?

(Unsa man inyo gibuhad uban sa imong mga kauban sa dihang gipapahawa mo sa inyong barangay kapitan?)

Answer No. 12: We filed a complaint against our barangay captain and filed it at the Sangguniang Bayan.

(Nag himo mi ug reklamo batok sa among barangay kapitan unya among gi file sa kunseho sa lungsud.)

Question No. 13. What happened after you file a complaint against your barangay captain?

(Unsa man ang nahitabo paghuman ninyo ug file ug reklamo batok sa inyong barangay kapitan?)

Answer No. 13: My husband was summoned by the barangay captain on April 06, 2022 because my husband was being accused of accusing the barangay officials that they did nothing in the barangay and that they don't have a good mind.

(Gipatawag ang akong bana sa barangay kapitan kay kuno may reklamo ug nagpasangil ang mga barangay opisyal sa akong bana nga nag estorya nga sila mga opisyal wala kuno nahimo sa barangay unya wala kuno silay mga buot.)

Question No. 14. What did you do on that?
(Unsa man ang imo gihimo?)

Answer No. 14: I go with my husband inside the barangay hall. The barangay captain said we will settle this in order that it will not reach in the higher authority. Then my husband was caused to sign a paper undertaking that he will not spread such talk again. After my husband finished sign the paper and when we asked permission to leave, our barangay captain told me "Now that it is settled I will be the one to request, He told me to sign a paper that I voluntarily resigned as a Barangay Worker. I told him I will not do that because I was able to sign a complaint. Our barangay captain told me that if I will not sign he will file a case against my husband so that he will be arrested. Because of that threat, I was forced to sign a paper.

(Mi uban ko sa akong bana didto sa sulod sa barangay hall unya ingon ang kapitan ato ning husayon aron dili na mo adto ug taas. Unya gi papirma siya nga dili na mo estorya pag utro. Sa dihang nahuman na ug pirma ang akong bana nananghid mi nga mo uli na. Pero mi-ingon ang among kapitan nga karon kay human na man na settle ako na pud ang mohangyo sa imo. Ni-ingon ko unsa man kap? Ingon siya nga pag-pirma ug papel nga mag-ingon nga ako boluntaryo nga mihawa pagka barangay worker. Hingbalibad ko kay naka pirma na ko. Mi-ingon ang among kapitan nga ug dili ko mopirma kasuhan niya ang akong bana. Mao to nga ning pirma na lang ko, napugos ko kay ingon man siya nga ipadakup niya ang akong bana kay iyang kasuhan.)

Question No. 15. Meaning to say if you were not threatened by the barangay captain you will not sign that paper?

(Buot nimo ipasabot ug wala lang ka hulga-a sa inyong kapitan dili gyud ka mo prima ato?)

Answer No. 15: Yes.

(Oo.)

Question No. 16. What else did the barangay captain did to you on April 06, 2022 at the barangay hall?

(Unsa man lain gibuhat sa inyo sa inyong kapitan kaniadtong Abril 6, 2022?)

Answer No. 16: We were held inside the barangay hall for about four (4) hours because I did not sign the paper right away. Then the barangay captain told us to hurry because they will bring that paper to his lawyer.

(Gi tener mi sulod sa barangay hall ug mga upat (4) ka oras kay dugay man mi ningprima sa ilang gipa pirmahan. Unya gi-ingnan pa mi nga pagdali kay dad on nila ang among gipirmahan sa ilang abogado.)

Question No. 17. After that what did you do?

(Human ato unsa may imong gibuhat?)

Answer No. 17: I went to the house of Gilda Pepito our former barangay secretary and ask advise on what to do because I was not able to sleep because of fear.

(Niadto ko sa balay ni Gilda Pepito among barangay secretary sa una nangayo ko ug tambag kung unsay buhaton nako kay wala ko katulog sa kahadlok.)

Question No. 18. What did Gilda Pepito told you?

(Unsa man ang gisulti ni Gilda Pepito sa imo?)

Answer No. 18: She advised me to put it into the record at the police.

(Nitambag siya nga ipa record sa police.)

Question No. 19. And what did you do?

(Unya unsa man ang imong gihimo?)

Answer No. 19: I went to the police station on April 09, 2022 and have it entered in the police blotter.

(Niadto ko sa estasyon sa police pag Abril 9, 2022 unya ako gipa blotter ang maong hitabo.)

Question No. 20. What is your proof on that?

(Unsa man ang imong prweba ana?)

Answer No. 20: I have here a copy of the Police Blotter with Entry No. 2000.
(Naa ko kopya sa police blotter nga my Entry No. 2000.)

Question No. 21. What else you experience on this case?
(Unsa pa man ang lain nga imong na eksperinsiya kabahin ani nga kaso?)

Answer No. 21: Last July 15, 2022 around 4:00 in the afternoon this Barangay Kagawad Teotimo Jordan who is an ally of Captain Morilla went to our house and told me that its hearing on 20 to back track because if I will not, he will bring a warrant for me he will cause me arrested he will cause police to fetch me. He further told me not to tell any one that he was here.

(Kaniadtong Hulyo 15, 2022 mga alas 4:00 sa hapon kani si Barangay Kagawad Teotimo Jordan nga ka alyado ni Kapitan Morilla miadto sa mong balay unya gi-ingnan ko niya nga husay man kuno sa petsa 20 atras na lang kay kung mo adto ka dad –an ta ka ug warrant ipadakup taka ipakuha ta ka ug police diri. Igon pa gyud isya ayaw pagsaba nga diri ko.)

Question No. 22. What did you do upon hearing that?
(Unsa man ang imong gibuhad sa pagka bati nimo ato?)

Answer No. 22: I went to the house of Gilda Pepito and ask advise.
(Niadto na pud ko sa kang Gilda Pepito nangayo ug tambag.)

Question No. 23. What did she advise you?
(Unsa man ang iya gitambag?)

Answer No. 23: She advise me to blotter it again.
(Nitambag siya nga ipa-blotter na pud.)

Question No. 24. Do you have proof on that?
(Duna ka pruwaba ana?)

Answer No. 24: Yes, I have here police blotter with Entry No. 2022.
(Oo, naa ko police blotter nga may numero 2022.)

Question No. 25. Do you have more to say before this examining officer?
(Aduna pa ba kay idugang sa pagsulti aning opisyal nga nangutana nimo?)

Answer No. 25. No more.
(Wala na.)

IN WITNESS WHEREFORE, I have hereunto set my hand 3rd day of August, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.

Juanita D. Epe
JUANITA DELANTAR EPE
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public for and in the Municipality of San Isidro, Province of Leyte, Philippines, this 3rd day of August, 2022 in the Municipality of San Isidro, Province of Leyte. Affiant exhibited to me her Competent Proof of Identity using her National ID Card No. 5367-2197-6457-3208, issued by the Philippine Statistics Authority (PSA).



ATTY. OCTAVIUS L. LABTIC

Notary Public

Until Dec. 31, 2023

PTR No. 6131609 1/03/22

San Isidro, Leyte

Roll No. 44,913

IBP No. 222470 -05/18/22

Leyte Chapter

MCLE Compliance Cert. No. VI

0011138 -08/03/18

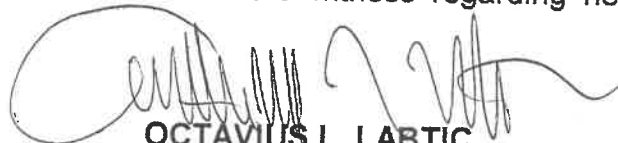
NC No. ADM. 20-081

RTC 11, Calubian, Leyte

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Page No. 57
Book No. 1xVII
Series of 2022

SWORN ATTESTATION OF THE LAWYER

I, **OCTAVIUS L. LABTIC**, a lawyer by profession, have conducted the examination of **JUANITA DELANTAR EPE** and that I faithfully recorded or caused to be recorded the questions I propounded and the answers that she gave, and that I, nor any other person then present coached the witness regarding her answer given.




OCTAVIUS L. LABTIC

Counsel

SUBSCRIBED AND SWORN to before me this 4th day of _____, 2019, in the Municipality of Calubian, Province of Leyte, Philippines.

Doc No. 11802
Page No. 438
Book No. 2
Series of 2022



JAY L. VIAGEDOR
NOTARY PUBLIC IN FOR
THE MUNICIPALITY OF
SAN ISIDRO/CALUBIAN
BRGY. CABOJAN CALUBIAN
ROLL NO. 75526
IBP NO. 19769
ISSUED ON 11/9/22
PTR NO. 626304
MCLE NO. VII-001082 1/1/22

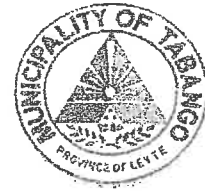


Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
LEYTE POLICE PROVINCIAL OFFICE
TABANGO MUNICIPAL POLICE STATION

Tabango, Leyte

Email: pstabango@yahoo.com

Hotline Nr: 09171389238



ANNEX D 11

THIS IS TO CERTIFY that the following entry is an extract copy from the Official blotter of Tabango Police Station, Tabango, Leyte recorded as follows;

TIME ENTERED : 1:13 P.M.

DATE ENTERED : April 9, 2022

ENTRY NUMBER : 2000

PAGE NUMBER : 81

Botter Extract


On this time and date, one Juanita D Epe, 53 years old, married, housewife filipino, and resident of Brgy. Manlawaan, Tabango, Leyte requested to put into record alledge that she together with her husband Sergio Epe went to the barangay hall upon the invitation pf the Barangay Chairman of Brgy. Malawaan on April 6, 2022 at 10:00am in the morning and were hold for almost four (4) hours inside with no apparent reason and later were forced to signed a blank paper.

Signed and entered by: PSSg Clinton Jay Ramos

Or No.: 6621234

Issued On: July 18, 2022

Place Issued: Tabango, Leyte


PLT CARMELO I GACHO
Officer in-Charge

WINEX E



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
LEYTE POLICE PROVINCIAL OFFICE
TABANGO MUNICIPAL POLICE STATION



Tabango, Leyte
Email: psstabango@yahoo.com
Hotline Nr: 09171389238

THIS IS TO CERTIFY that the following entry is an extract copy from the Official blotter of Tabango Police Station, Tabango, Leyte recorded as follows;

TIME ENTERED : 8:30 AM
DATE ENTERED : July 16, 2022
ENTRY NUMBER : 2022
PAGE NUMBER : 107

Botter Extract
(Threats)

On Juanita Delantar Epe, 54 years old, married, housewife, filipino, and resident of Brgy. Manlawaan, Tabango, Leyte personally come to this Police office requested to put into record and states that more or less 4:00 PM of July 15, 2022 a certain Teotimo Jorda, barangay councilor of Brgy. Manlawaan tabango, Leyte suddenly appeared in their house and uttered words in vernacular "ayaw na pag-atubang sa hearing karong merkoles didto sa munisipyo, kay kung dika moatras ipadakop taka sa pulis kay naana kay gipirmahan ngan papel, ug ayaw pagsaba kay nga mianhi ko kay pasakahan taka ug warrant". Then the respondent leaves immediately their house. The complainant was afraid of the threats since last April 6, 2022 after the invitation happened at the barangay hall that she and her husband were forced to signed a blank paper.

Signed and entered by: PCpl Aneza D Aranzado

Or No.: 6621233
Issued On: July 18, 2022
Place Issued: Tabango, Leyte


PLT CARMELO I GACHO
Officer in-Charge



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

ERIT M. ARINGOY
LYDIA BARONDA
GILDA M. PEPITO
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

Complainants, Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

~versus~

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X

ORDER
PRELIMINARY CONFERENCE

This is an Administrative Complaint docketed as Adm. Case No. SB-2022-03-01 filed before the Sangguniang Bayan of Tabango, Leyte against Hon. Albert C. Morilla, Barangay Chairman of Manlawaan, Tabango, Leyte for the alleged abuse of authority, oppression, and possible violation of the Omnibus Election Code.

July 13, 2022, Preliminary Conference.

A Preliminary Conference was conducted last July 13, 2022. However, since the Counsels of both parties were not available on the said schedule, and as per written request from the respondent through his counsel to reset the preliminary conference, the Ad Hoc Committee reset the preliminary conference on July 20, 2022.

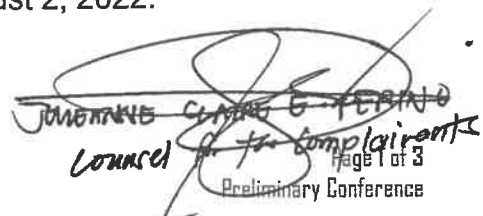
July 20, 2022, Preliminary Conference.

The complainants were represented by their counsel, Atty. Octavius L. Labtic while the respondent was represented by his counsel, Atty. Alexander Salas, Jr. The Ad Hoc Committee Chair asked both parties whether they wanted to proceed with the formal hearing or enter into an amicable settlement. The Counsel of the Complainants manifested that they desire a formal hearing/investigation. Likewise, the respondent through his counsel also manifested their desire for a formal hearing/investigation, although, they also manifested that they are willing to enter into an amicable settlement if the complainant so desires. The committee encouraged both parties to enter into an amicable settlement through a compromise agreement.

Upon conferring with the complainants, Atty. Labtic requested the committee to reschedule the preliminary conference to give the complainants enough time to discuss the terms of the compromised agreement. Since there was no objection on the part of the respondent, the preliminary conference was reset on August 2, 2022.

August 2, 2022, Preliminary Conference.

Alexander G. Salas, Jr. 9/27/2022
Counsel for the Respondent


JOSEPHINE CLAYTON G. FERMINO
Counsel for the Complainants
Page 1 of 3
Preliminary Conference

The Complainants through their Counsel presented their proposal of the compromised agreement:

- 1) The complainants will be reinstated in their previous positions;
- 2) They will be paid their honorariums starting from the time they were terminated up to the present.

The respondent through his Counsel, Atty. Salas told the committee that in as much as they wanted to reinstate the complainants in their previous positions, they cannot do so for the reason that it is their stand that the complainants were not been terminated, but rather they voluntarily resigned. In addition, paying their honorarium is also impossible since the Barangay Officials themselves was not yet been able to receive their honoraria because their fidelity bond was not yet been signed.

On this note, since both parties failed to enter into an amicable settlement, the administrative case will proceed with the formal hearing/investigation.

The Complainants through their Counsel, Atty. Labtic, presented a motion for the issuance of an order placing the respondent under preventive suspension. The respondent through his Counsel, Atty. Salas, reacted that the preventive suspension can only be imposed if the evidence of guilt is strong and there is a great probability that the continuance in office of the respondent could influence the witnesses. He averred that the witnesses are no longer connected with the barangay government and they believed that the evidence of guilt of the respondent is not strong.

Atty. Labtic commented that it is not the parties involved who will rule on the matter, but the Honorable Body itself. He told the committee that they have pieces of evidence that the respondent is influencing the witnesses or the complainants. He made mention of a police blotter. He prayed that they will be given the time to formalize their motion for the issuance of a preventive suspension.

Atty. Salas commented that the motion must be in writing copy furnished to the respondent so that they can also properly comment on the matter. He also made a manifestation with regards to the police blotter. He manifested that under the Rules of Court, which he believes also apply to the administrative case, police blotters are considered hearsays or chismis because anybody can just go to the police station and have something put into the blotter. The Police recording the incident does not have personal knowledge of what happened during the incident.

Relative thereto, the Ad Hoc Committee Chair directed the Counsel of the Complainants to submit their motion for a preventive suspension within three (3) days.

Atty. Salas also requested that they be given three (3) days to comment on the motion for a preventive suspension upon receipt of the latter.

The Ad Hoc Committee set the schedule of the formal hearing/investigation with the confirmation of both Counsels on August 31, 2022, at 9 a.m.

Both parties through their Counsel presented the names of their witnesses and the marking of the exhibits that will be presented during the formal investigation.

A. For the Complainants.

a) Witnesses:

- 1) Erit M. Aringoy
- 2) Lydia Baronda
- 3) Erlinda C. Quanem
- 4) Gilda M. Pepito
- 5) Elma Ayade
- 6) Eda Balleno
- 7) Melma Ma. Condes

- 8) Eumenigelda Dacalos
 - 9) Juanita D. Epe
- b) Documentary Exhibits:
- 1) Exhibit "A" - Resolution No. 19 date December 4, 2021
 - 2) Exhibit "B" - Excerpt of the Police Blotter dated April 9, 2022
 - 3) Exhibit "C" - Excerpt of the Police Blotter dated July 16, 2022
- B. For the Respondents.
- a) Witnesses:
- 1) Hon. Albert C. Morilla
 - 2) Any 2 of the Barangay Kagawads
 - 3) Any 2 of the Barangay Tanods
 - 4) Any 2 of the Barangay Workers
- b) Documentary Exhibits:
- 1) Exhibit "1" - Sangguniang Barangay Resolution No. 01, series of 2022
 - 2) Exhibit "2" - Sangguniang Barangay Resolution No. 03, series of 2022
 - 3) Exhibit "3" - Sangguniang Barangay Resolution No. 02, series of 2022
 - 4) Exhibit "4 and series" - Logbook/Payroll of Barangay Manlawaan, Tabango, Leyte
 - 5) Exhibit "5" - Statement of Juanita Epe dated April 6, 2022
 - 6) Exhibit "6" - (Reserved) Usb containing video footage of Erit M. Aringoy admitting that she was not been terminated

ISSUED this 12th day of September 2022 at Tabango, Leyte.

SO ORDERED.


 RUBILITA A. DELA CRUZ
 Chairperson
 Ad Hoc Committee


 JOSE WELSON G. VOSTOROS
 Vice-Chairperson
 Ad Hoc Committee

Ad Hoc Committee Members:


 LUIS GABRIEL U. VELOSO


 RICHARD V. MERONTOS


 KIRSTY V. JABONETE


 FORTUNE FRAULINE T. MISA


Approved:

ROSLIE E. OMEGA, M.D.
 Municipal Vice Mayor
 Presiding Officer



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
SANGGUNIANG BAYAN

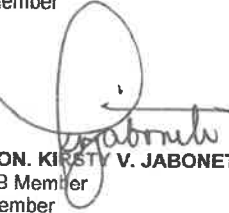
AD HOC COMMITTEE



ION. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman


ABSENT)
ION. JOSE WELSON VOSOTROS
SB Member
Floor Leader
Vice-Chairman


ON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


ON. LUIS GABRIEL U. VELOSO
SB Member
Member


ON. KIRSTY V. JABONETE
SB Member
Member


ON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Federasyon ng mga SK
Member


VALENTINO A. CODERA
Secretary to the Sanggunian

TRANSCRIPT OF THE PROCEEDING DURING THE PRELIMINARY CONFERENCE OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON AUGUST 2, 2022.

Present:

Hon. Rubilita A. Dela Cruz	-	SB Member/Chairman-Ad hoc Committee
Hon. Luis Gabriel U. Veloso	-	Member
Hon. Richard V. Merontos	-	Member
Hon. Kirsty V. Jabonete	-	Member
Hon. Fortune Frauline T. Misa	-	Member

Absent:

Hon. Jose Welson G. Vosotros	-	Vice-Chairman
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- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good afternoon, everyone.
 - The preliminary conference is now called to order.

Call to Order: 2:06 p.m.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Please rise for the prayer to be led by Hon. Richard V. Merontos.

Prayer led by Hon. Richard V. Merontos

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good afternoon, again.
 - Let's now continue to our preliminary hearing.
 - Last hearing both parties decided to reset the preliminary hearing for the reason that both parties are open for an amicable settlement.
 - Ang complainant ba naa na moy decision with regards to the issue?


- Atty. Octavius Labtic (Counsel for the Complainants):
 - After the consultation with the complainants, they come up with a proposal in order that there will be an amicable settlement.
 - But before we'll proceed, Madam Chairman, I would like to know if the proposal proposed this afternoon will be on record or off the record?

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - I think it will be on record.

- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, anyway, it is not prohibited under the rules.
 - Now after consultation with my clients, with the complainants, they come up with a proposal.
 - Their proposal is that number 1) they will be reinstated in their previous position then 2) that they will be paid of the honorarium to start from the time they were terminated up to the present.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, what can you say Attorney?

AD HOC COMMITTEE



IN. RUBILITA A. DELA CRUZ
-Officio SB Member
-President, Liga ng mga Barangay
-Ad Hoc Committee Chairman


3SENT)
IN. JOSE WELSON VOSOTROS
-Member
-Vice Leader
-Deputy Chairman


IN. RICHARD V. MERANTOS
-Member
-Deputy Floor Leader


IN. LUIS GABRIEL U. VELOSO
-Member



IN. KIRSTY V. JABONETE
-Member


IN. FORTUNE FRAULINE T. MISA
-Officio SB Member
-President, Pambayang
-Pederasyon ng mga SK
-Member


LENTINO A. CODERA
-Secretary to the Sanggunian

- First good afternoon, Your Honor.
 - First, your Honor, as to the proposal that they will be reinstated that would be impossible, your Honor, because on the first place it is our stand that they were not terminated.
 - They voluntarily resigned.
 - And it is impossible now to pay their honorarium since the Barangay Council themselves now are not receiving any honorarium since their fidelity bond was not yet signed, your Honor,
 - In fact, just recently the electricity of the Barangay Hall was cut-off since they could not pay the services anymore.
 - So, the proposal, as much as we would want to, but we cannot accommodate such proposal, your Honor.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - If that is the case, your Honor, so we'll proceed with the formal hearing of this case.
 - And before proceeding, your Honor, we would like to pray that the Honorable Sangguniang Bayan through this Ad Hoc Committee will issue an order for the preventive suspension of the respondent pursuant to Rule VI, Section 1.
 - Rule VI, Section 1, in relation to Section 3.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, it is in this rule that if we have to continue for the formal investigation, there will be a preventive suspension for the respondent.
 - So, on Section 1 - Power to Suspend, I think you have your copy, I would like everybody to know that this will really affect both han iyo barangay.
 - For the meantime, Honorable Morilla will be suspended according to the
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may your Honor?
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - The suspension is not automatic, your Honor.
 - Reading section 3, the evidence of guilt must be strong, and the complainant should show that the evidence of guilt is strong and the gravity of the offense.
 - Now, there is also a great probability that the continuance in office of the respondent could influence the witnesses.
 - These witnesses are not anymore connected to the barangay, your Honor, and we believed the guilt of the respondent is not strong.
 - In fact, reading the complaint it's a weak complaint, your Honor.
 - Given the chance that we could cross-examine the complainants, your Honor, we will show to this Honorable Body that these complaints are lame and unmeritorious, and unsubstantiated.
 - So, there is no ground to suspend the responded.
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - I think, your Honor, it's for the body or the committee to rule on.
 - It's not the party.
 - So, if the Ad Hoc Committee would like to require the parties to formally submit our motion praying for the issuance of a preventive suspension of the respondent, and to rule on the matter.
 - Because even if I will be on the side of the respondent, naturally, I will say that there is no ground for the issuance of a preventive suspension.
 - So, the matter must be thrown before this Honorable Body.
 - In fact, your Honor, we have even pieces of evidence that the respondent is influencing the witnesses, and the complainants.
 - We have here a copy of the abstract of the police blotter.
 - So, that is why that preventive suspension is designed to be put on the rule.

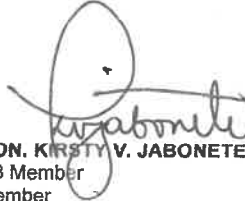
AD HOC COMMITTEE



JN. RUBILITA A. DELA CRUZ
-Officio SB Member
resident, Liga ng mga Barangay
AD HOC Committee Chairman

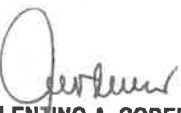
PRESENT)
JN. JOSE WELSON VOSOTROS
3 Member
Floor Leader
Vice-Chairman


JN. RICHARD V. MERONTOS
3 Member Deputy Floor Leader
Member


JN. LUIS GABRIEL U. VELOSO
3 Member
Member


JN. KIRSTY V. JABONETE
3 Member
Member


JN. FORTUNE FRAULINE T. MISA
-Officio SB Member
resident, Pambayang
Pederasyon ng mga SK
Member


MELENTINO A. CODERA
Secretary to the Sanggunian

➤ So, if that is the case, your Honor, we will pray that we will be given time to formalize our motion for the issuance of a preventive suspension to the respondent.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
➤ If I may, your Honor?

• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ Yes, you have the floor.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
➤ Thank you, your Honor.
➤ So, if that is the case, your Honor, we ask that they submit.
➤ They put that into writing so that we could also properly comment and just a manifestation, your Honor, under the rules of evidence, which I think will also be applicable in this case in the administrative proceedings, suppletorily, police blotter, your Honor, are considered hearsays, chismis because anybody can just go to the police station and have something recorded.
➤ The police have no personal knowledge of what in fact transpired.
➤ At any rate, your Honor, whatever will be their pieces of evidence to support their motion, we will also comment on the same, your Honor.

• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ Yes, you have the floor, Honorable Merontos.

• Hon. Richard V. Merontos (Ad Hoc Committee Member):
➤ Requesting for a 10 minutes break.

• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ 10 minutes break.

Break: 2:20 p.m.

• Hon. Richard V. Merontos (Ad Hoc Committee Member):
➤ Motion for the resumption of the preliminary investigation.

• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ So, the Ad Hoc Committee would like the Counsel of the Complainants to submit your motion for the preventive suspension within three (3) days so that the Counsel of the Respondent can comment.

• Atty. Octavius Labtic (Counsel for the Complainants):
➤ Okay, we will submit it, your Honor.

• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ Then we will schedule the formal hearing on August 16, if you are available.

• Atty. Octavius Labtic (Counsel for the Complainants):
➤ August 16?
➤ I'm not available, your Honor.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
➤ If I may, your Honor?
➤ Since they will be given three (3) days, may I also ask for a three (3) days period, your Honor, to file our comment?

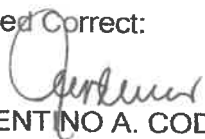
• Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
➤ Yes.

• Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
➤ I believe, your Honor, since we will be sending it through registered mail. August

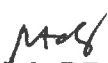
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You have the floor, Honorable Misa.
- Hon. Fortune Frauline T. Misa (Ad Hoc Committee Chair):
 - Madam Chair, I move for the adjournment of this preliminary conference.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, this preliminary conference is adjourned.

The committee adjourned at exactly 2:40 in the afternoon.


Certified Correct:


 VALENTINO A. CODERA
 Secretary to the Sanggunian

Attested by:


 RUBILITA A. DELA CRUZ
 Chairman, Ad Hoc Committee

JOSE WELSON G. VOSOTROS
 Vice Chairman-


 RICHARD V. MERONTOS
 Member


 LUIS GABRIEL U. VELOSO
 Member


 KIRSTY V. JABONETE
 Member


 FORTUNE FRAULINE T. MISA
 SK Federation President

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,**
Respondent.

X-----X

PRELIMINARY CONFERENCE BRIEF
(For Respondent Hon. Albert C. Morilla)

RESPONDENT, by undersigned counsel, by way of Pre-Trial Brief, unto this Honorable Office, most respectfully aver, THAT:

I. Proposed Stipulation of Facts

1. For Complainant Lydia Baronda, former barangay treasurer of Barangay Manlawaan, Tabango, Leyte as early as December 2021, she told the council that she will only be

working until December 31, 2021 and intends to resign on the said date.

2. On our January 10, 2022 session, Lydia Baronda even gave the council One Thousand Pesos (P1,000.00) for her despedida, which was used by the council to buy snacks, as she said that would be her last day to work.

3. For Complainant Gilda M. Pepito is concerned, after the January 10, 2022 barangay session, she intimated to the council that she will no longer work as a barangay secretary.

4. For Complainant Erit Aringoy is concerned, she was not terminated by the Punong Barangay but she voluntarily resigned.

5. For Complainants Erlinda C. Quanem et. al. are concerned, they were not pressured in any way as it was their own volition to stop working for a promise of the same salary.

6. Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the complaint when in fact they are still working as worker of Barangay ~~Masawalo~~ Manlawagan.

7. Juanita Epe, one of the complainants, even made a statement dated April 6, 2022 that she was not terminated but she voluntarily resigned

II. Issue

1. Whether or not Respondent is liable for the charges against him.

III. Witnesses

The Respondent will present the following witnesses:

1. **Hon. Albert C. Morilla** – The Respondent's testimony will be offered in evidence as proof of the material allegations as stated in the Answer and he will likewise testify on other relevant matters in relation thereto.

2. **Any two** of the **Barangay Kagawads** of Barangay Manlawa-aan, Tabango, Leyte who signed the Joint Affidavit of Witnesses dated June 22, 2022.

3. **Any two** of the **Barangay Tanods** of Barangay Manlawa-aan, Tabango, Leyte who signed the Joint Affidavit of Witnesses dated June 23, 2022.

4. **Any two** of the **Barangay Workers** of Barangay Manlawa-aan, Tabango, Leyte who signed the Joint Affidavit of Witnesses dated June 23, 2022.

III. Documentary Exhibits

The Respondent will present the following as documentary exhibits:

<u>Exhibit</u>	<u>Nature</u>
1	Sangguniang Barangay of Manlawaan, Tabango, Leyte Resolution No. 01, Series of 2022.
2	Sangguniang Barangay of Manlawaan, Tabango, Leyte Resolution No. 03, Series of 2022
3	Sangguniang Barangay of Manlawaan, Tabango, Leyte Resolution No. 02, Series of 2022
4 and series	Logbook/payroll of Barangay Manlawaan, Tabango, Leyte to show Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the complaint when in fact they are still working in the barangay until this day.
5	Statement of Juanita Epe dated April 6, 2022.
6 (Reserved)	USB containing a video footage of Erit M. Aringoy wherein the latter admitted that he was not terminated.

IV. Statement of the Willingness to Enter Into Amicable Settlement

The Respondent is willing to enter into an amicable settlement or alternative modes of dispute resolution in accordance with existing Rules.

V. Available Trial Dates

For practicable reasons, it would be best for the parties to agree on the trial dates, if necessary during the Pre-trial.

VI. Manifestation

Respondent would like to opt for a formal investigation but will submit to the discretion of this Honorable Body if instead of a formal investigation, position papers will be required.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the **Preliminary Conference Brief** be **NOTED**.

Other just and equitable reliefs and remedies are likewise prayed for.

Ormoc City (for Tabango, Leyte), Leyte, Philippines.
June 29, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073
escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.
PTR No. 7053400 issued on
January 3, 2022, Ormoc City
IBP O.R. No. 183020, 1/3/2022
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same pleading unto the Honorable
Prosecutor for its kind consideration immediately upon
receipt hereof.

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:


Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labtich Law Office
Quezon Street, San Isidro, Leyte
Copy received by _____

AD HOC COMMITTEE



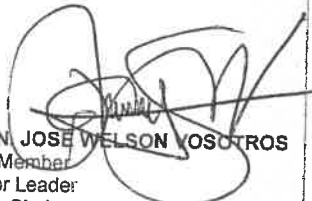
Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
SANGGUNIANG BAYAN


MINUTES OF THE PRELIMINARY CONFERENCE OF THE AD HOC COMMITTEE
HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MUNICIPALITY OF
TABANGO, PROVINCE OF LEYTE ON JULY 20, 2022.


HON. RUBLITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay.
AD HOC Committee Chairman

Present:

Hon. Rubilita A. Dela Cruz	-	SB Member/Chairman-Ad hoc Committee
Hon. Jose Welson G. Vosotros	-	Vice-Chairman
Hon. Luis Gabriel U. Veloso	-	Member
Hon. Richard V. Merontos	-	Member
Hon. Kirsty V. Jabonete	-	Member
Hon. Fortune Frauline T. Misa	-	Member
Erit M. Aringoy	-	Complainant
Lydia Baronda	-	Complainant
Gilda M. Pepito	-	Complainant
Erlinda C. Quanem, Et. Al.	-	Complainants
Hon. Albert C. Morilla	-	Respondent


HON. JOSE WELSON VOSOTROS
SB Member
Floor Leader:
Vice-Chairman


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - The preliminary conference is now called to order.

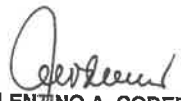
Call to Order: 9:24 a.m.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good morning to the counsel of the respondent, and the complainants.
 - I just want to have a roll call for those who are present here.
 - For the complainants:
 1. Lydia Baronda
 2. Gilda Pepito
 3. Erlinda Quanem
 4. Norma Bohol
 5. Maria Delantar
 6. Jovelin Simbahon
 7. Eda Balleno
 8. Marcelino Pagadora
 9. Maricel Mapula
 10. Erminigelda Dacalos
 11. Edwin Manriquez
 12. Myrna Balleno
 13. Lelia Ramo
 14. Ophelia Ramo
 15. Riza Sario
 16. Liezel Valenzona
 17. Juanita Epe
 18. Rosalinda Halikhik
 19. Merlita Condes
 20. Visitacion B. Mapula
 21. Josephine Señar
 22. Danilo Baticolon
 23. Elma T. Ayade
 24. Arlyn Salondro
 25. Hermela Epe
 26. Wilma Ma. Condes
 - For the respondent, Hon. Albert Morilla.
 - Witnesses:
 1. Roly Lerio



HON. LUIS GABRIEL U. VELOSO
SB Member
Member



HON. KIRSTY V. JABONETE
SB Member
Member



HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member


VALENTINO A. CODERA
Secretary to the Sanggunian

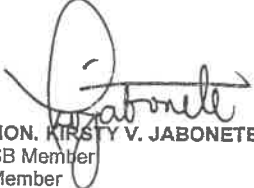
AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

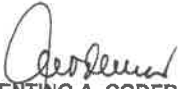

HON. JOSE WELTON VOSOTROS
SB Member
Floor Leader
Vice-Chairman


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


HON. LUIS GABRIEL U. VELOSO
SB Member
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HON. KIRSTY V. JABONETE
SB Member
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HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member



VALENTINO A. CODERA
Secretary to the Sanggunian

2. Teotimo Jordan
3. Wilfredo Calesa
4. Monsohito Bacay
5. Ernesto Capuyan
6. Geraldine Rose Morilla
7. Jaime Saludaga
8. Jeremias Torlao
9. Edgar Jumao-as
10. Dario Cuervo
11. Joseph Arcega
12. Hospicio D. Rosa
13. Eric Corpin
14. Artemo Compuesto
15. Conchita Jordan
16. Rowena Jordan
17. Jenalyn Arpon
18. Fe Salino
19. Jenevive Compuesto
20. Carlinda Mametes
21. Nina Bayron

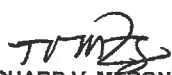
- So, everybody is present.
- So, I would like to ask the respondent and the complainants if they want to proceed with the formal hearing or pwede man mag settlement.
- Mag amicable settlement.

- Hon. Richard V. Merontos:
 - Madam Chair, the counsel from the complainants wants the floor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You have the floor, Attorney.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - I think, your Honor, settlement or compromise agreement with this kind of complaint is prohibited by law, and against public policy, because administrative liabilities of a public officer could not be compromised.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Based on the Rules of Procedure, dire nakasuwat man gud whether the parties desire a formal investigation unya and willing to submit the case for resolution based on the evidence.
 - So, if the parties desire a formal investigation to consider the simplification of the issues, you have your copy I think, copy of the rules.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Yes, Madam Chair.
 - We have a copy of the Rules of Procedure of the SB.
 - Now, under Rule VI, we are in the preliminary conference stage.
 - Now, there are two (2) options under Section 1.
 - Number 1, is whether the parties desire a formal investigation or are willing to submit the case for resolution based on the evidence on record.
 - Now, if the parties desire a formal investigation to consider the simplification of issues, the possibility of obtaining stipulation, admission of facts and documents, specifically affidavits and depositions, to avoid unnecessary proof, the limitation of the number of witnesses, and such other matters as may aid the prompt disposition of the case.
 - Now, in our part, Your Honor, for the complainants, we desire to have a formal investigation in order that the demeanor of the witness will be observed by the members of this Honorable Ad Hoc Committee if he/she is telling the truth.
 - Now, what we need here this morning, Your Honor is to agree on paragraph (b) of Section 1.
 - So, for our part, we desire a formal investigation

AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

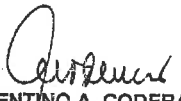
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HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
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VALENTINO A. CODERA
Secretary to the Sanggunian

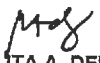
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, noted.
 - How about the respondent?
 - Counsel for the respondent.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Good morning, Your Honor.
 - I'm Atty. Alexander Salas, Jr. of Escalon and Escalon Law Office.
 - We represent Punong Barangay, Morilla.
 - In so far as we are concerned, Your Honor, we also desire a formal investigation wherein we can cross-examine the witnesses, the complainants of the private complainants, Your Honor, of this case.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, if you desire a formal investigation, ang ako lang on the part of the council, the committee, gi-encourage gud namo ang both nga mag-amicable.
 - If the two (2) parties decided to have a formal investigation then we're going to have a formal investigation.
 - So, we have to schedule.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may also your Honor, even if we desire for a formal investigation, your Honor, wherein it would be a full-blown hearing, we are not closing our doors, your Honor, for an amicable settlement should the private complainant so desire, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, any member of the committee who have their own part to say?
 - Naa moy ma suggest kasi on my part being also a Barangay Chairman, I feel the situation of both parties nga naa man gyud ta sa barangay, no, so ang ato'ng.....kaugmaon sa barangay.
 - So, kamo tanan kahibawo mo kung unsa gyud ang nahitabo didto sa inyoha.
 - Kamo ang nakahibawo, kamo pud ang maka-desisyon.
 - So, for every action, decision you make, mao na ang resulta.
 - So, ni come up na wala mo nagkasinabot so naay complain kamo pud kinahanglan tubagon.
 - So naa pud na sa desisyon sa complainant mismo kung gusto nila mag-settlement kamo.
 - Kamo lang kung i-proceed gyud nato since the counsel of the complainant wants to have a formal investigation, kamo lang ang maka-desisyon ana.
 - Yes, you have the floor.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - That's only my view as counsel, your Honor, but without prejudice with the decision of the complainants if they wish to enter into an amicable settlement, and what are the terms thereof.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Are the complainants willing to have an amicable settlement, and your terms kung unsa?
 - You have 15 minutes to talk about it.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay, your Honor.
 - I will confer with the complainants.
 - Madam Chair, can we ask permission that we will leave the session hall to talk with the complainants?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, you can talk privately with your clients.
 - Yes, you have the floor, Honorable Merontos.
- Hon. Richard V. Merontos (Ad Hoc Committee Member):

AD HOC COMMITTEE

➤ Madam Chair, I think we need a 15 minutes break.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, 15 minutes break.

Break: 9:34 a.m.



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - Madam Chair, motion to resume our Preliminary Conference.
- Hon. Jose Welson G. Vosotros (Ad Hoc Committee Member):
 - Seconded, Madam Chair.


HON. JOSE WELSON VOSOTROS
SB Member
Floor Leader
Vice-Chairman

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - The Preliminary hearing is now resumed.

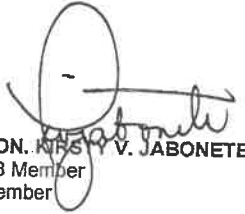
Resumed: 9:41 a.m.


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You have the floor, Atty. Labtic.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Madam Chair, after conferring with the few of the complainants, we come up with an agreement that we will ask for the resetting of this preliminary conference because they want that they will converge all the complainants to discuss about the possibility of entering a compromise agreement, and what are their proposals because if they will do it today, it's hard for them to decide.
 - So, we pray, Madam Chair, that this preliminary conference will be continued on August 2 if the good counsel of the respondent is available.


HON. LUIS GABRIEL U. VELOSO
SB Member
Member


- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - How about the counsel of the respondent?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Regarding, your Honor, of conferring with the other complainants, we have no objection to that because even in court proceedings, your Honor, settlements cannot be done in 1 day.
 - They need to confer first with the other complainants.
 - However, your Honor, I'm available on August 2, but in the afternoon only, your Honor, if the Honorable Body is also available.


HON. ARIS Y. JABONETE
SB Member
Member

- Atty. Octavius Labtic (Counsel for the Complainants):
 - I'm available, your Honor.


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Afternoon.
 - Yes, you have the floor.


VALENTINO A. CODERA
Secretary to the Sanggunian

- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - No problem with us, Madam Chair.

- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you.
 - But if I may also, your Honor, before August 2 if the complainants could come up.....if they will agree to a settlement, and which terms, if they could submit to us at least a proposal for that, your Honor, so that we could also file our comment or if we are amenable or not or we could submit our counter-proposal also, your Honor, copy furnished this Honorable Body, your Honor.


- Atty. Octavius Labtic (Counsel for the Complainants):
 - We will do, your Honor.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):

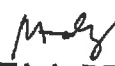
- Okay, so all agreed we will reschedule our preliminary hearing on August 2, that is Tuesday in the afternoon, 2 p.m.
- 2 p.m., is it okay?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Available.
 - Thank you very much, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - How about the.....are you available, 2 p.m.?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Yes, your Honor.
 - We'll request your Honor this Honorable Body openly inform both the complainants and the respondent to appear on that date without need of further notice.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, everyone please come on Tuesday, August 2 without further notice na.
 - Okay?
 - Yes, you may have the floor.
- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - Okay, so sa tanan nga naa dinhi-a, no, sa mga complainants, respondent ayaw kalimot.
 - Basi sa gipaabot sa ato ang Committee Chair nga di na mi magpada sa inyo.
 - So, ibutang sa inyoha August 2, hapon, alas dos sa hapon.
 - Thank you.
 - I think, Madam Chair, we have no more business to be discussed, so I move for the adjournment of our preliminary investigation.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Adjourned.

The committee adjourned at exactly 9:46 in the morning.

Certified Correct:


 VALENTINO A. CODERA
 Secretary to the Sanggunian

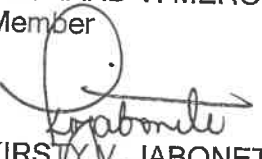
Attested by:


 RUBILITA A. DELA CRUZ
 Chairman, Ad Hoc Committee


 JOSE WELTON G. VOSOTROS
 Vice Chairman-


 RICHARD V. MERONTOS
 Member


 LUIS GABRIEL U. VELOSO
 Member


 KIRSTY V. JABONETE
 Member


 FORTUNE FRAULINE T. MISA
 SK Federation President

AD HOC COMMITTEE



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
SANGGUNIAN BAYAN


TRANSCRIPT OF THE PROCEEDING DURING THE PRELIMINARY CONFERENCE OF THE AD HOC COMMITTEE HELD AT THE SB SESSION HALL, MUNICIPAL BUILDING, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON AUGUST 2, 2022.

Present:

Hon. Rubilita A. Dela Cruz - SB Member/Chairman-Ad hoc Committee
Hon. Luis Gabriel U. Veloso - Member
Hon. Richard V. Merontos - Member
Hon. Kirsty V. Jabonete - Member
Hon. Fortune Frauline T. Misa - Member

Absent:

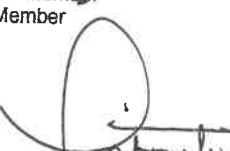
Hon. Jose Welson G. Vosotros - Vice-Chairman



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman


(ABSENT)
HON. JOSE WELSON VOSOTROS
SB Member
Floor Leader
Vice-Chairman


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


HON. LUIS GABRIEL U. VELOSO
SB Member
Member


HON. KIRSTY V. JABONETE
SB Member
Member


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member


VALENTINO A. CODERA
Secretary to the Sanggunian

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good afternoon, everyone.
 - The preliminary conference is now called to order.

Call to Order: 2:06 p.m.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Please rise for the prayer to be led by Hon. Richard V. Merontos.

Prayer led by Hon. Richard V. Merontos

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Good afternoon, again.
 - Let's now continue to our preliminary hearing.
 - Last hearing both parties decided to reset the preliminary hearing for the reason that both parties are open for an amicable settlement.
 - Ang complainant ba naa na moy decision with regards to the issue?


- Atty. Octavius Labtic (Counsel for the Complainants):
 - After the consultation with the complainants, they come up with a proposal in order that there will be an amicable settlement.
 - But before we'll proceed, Madam Chairman, I would like to know if the proposal proposed this afternoon will be on record or off the record?

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - I think it will be on record.


- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, anyway, it is not prohibited under the rules.
 - Now after consultation with my clients, with the complainants, they come up with a proposal.
 - Their proposal is that number 1) they will be reinstated in their previous position then 2) that they will be paid of the honorarium to start from the time they were terminated up to the present.

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, what can you say Attorney?

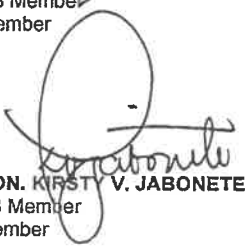
AD HOC COMMITTEE



HON. RUBLITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

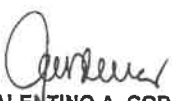
(ABSENT)
HON. JOSE WELSON VOSOTROS
SB Member
Floor Leader
Vice-Chairman


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


HON. LUIS GABRIEL U. VELOSO
SB Member
Member



HON. KIRSTY V. JABONETE
SB Member
Member


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member


VALENTINO A. CODERA
Secretary to the Sanggunian

- First good afternoon, Your Honor.
 - First, your Honor, as to the proposal that they will be reinstated that would be impossible, your Honor, because on the first place it is our stand that they were not terminated.
 - They voluntarily resigned.
 - And it is impossible now to pay their honorarium since the Barangay Council themselves now are not receiving any honorarium since their fidelity bond was not yet signed, your Honor,
 - In fact, just recently the electricity of the Barangay Hall was cut-off since they could not pay the services anymore.
 - So, the proposal, as much as we would want to, but we cannot accommodate such proposal, your Honor.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - If that is the case, your Honor, so we'll proceed with the formal hearing of this case.
 - And before proceeding, your Honor, we would like to pray that the Honorable Sangguniang Bayan through this Ad Hoc Committee will issue an order for the preventive suspension of the respondent pursuant to Rule VI, Section 1.
 - Rule VI, Section 1, in relation to Section 3.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, it is in this rule that if we have to continue for the formal investigation, there will be a preventive suspension for the respondent.
 - So, on Section 1 - Power to Suspend, I think you have your copy, I would like everybody to know that this will really affect both han iyo barangay.
 - For the meantime, Honorable Morilla will be suspended according to the
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may your Honor?
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - The suspension is not automatic, your Honor.
 - Reading section 3, the evidence of guilt must be strong, and the complainant should show that the evidence of guilt is strong and the gravity of the offense.
 - Now, there is also a great probability that the continuance in office of the respondent could influence the witnesses.
 - These witnesses are not anymore connected to the barangay, your Honor, and we believed the guilt of the respondent is not strong.
 - In fact, reading the complaint it's a weak complaint, your Honor.
 - Given the chance that we could cross-examine the complainants, your Honor, we will show to this Honorable Body that these complaints are lame and unmeritorious, and unsubstantiated.
 - So, there is no ground to suspend the responded.
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - I think, your Honor, it's for the body or the committee to rule on.
 - It's not the party.
 - So, if the Ad Hoc Committee would like to require the parties to formally submit our motion praying for the issuance of a preventive suspension of the respondent, and to rule on the matter.
 - Because even if I will be on the side of the respondent, naturally, I will say that there is no ground for the issuance of a preventive suspension.
 - So, the matter must be thrown before this Honorable Body.
 - In fact, your Honor, we have even pieces of evidence that the respondent is influencing the witnesses, and the complainants.
 - We have here a copy of the abstract of the police blotter.
 - So, that is why that preventive suspension is designed to be put on the rule.

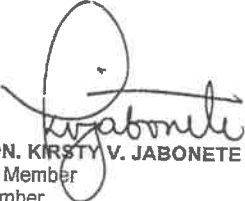
AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman


(ABSENT)
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Floor Leader
Vice-Chairman


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Member


HON. LUIS G. GABRIEL U. VELOSO
SB Member
Member

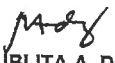

HON. KIRSTY V. JABONETE
SB Member
Member


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
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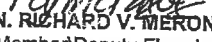

VALENTINO A. CODERA
Secretary to the Sanggunian

- So, if that is the case, your Honor, we will pray that we will be given time to formalize our motion for the issuance of a preventive suspension to the responded.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, your Honor?
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you have the floor.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
 - So, if that is the case, your Honor, we ask that they submit.
 - They put that into writing so that we could also properly comment and just a manifestation, your Honor, under the rules of evidence, which I think will also applicable in this case in the administrative proceedings, suppletorily, police blotter, your Honor, are considered hearsays, chismis because anybody can just go to the police station and have something recorded.
 - The police have no personal knowledge of what in fact transpired.
 - At any rate, your Honor, whatever will be their pieces of evidence to support their motion, we will also comment on the same, your Honor.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, you have the floor, Honorable Merontos.
 - Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - Requesting for a 10 minutes break.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - 10 minutes break.
- Break: 2:20 p.m.
- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - Motion for the resumption of the preliminary investigation.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, the Ad Hoc Committee would like the Counsel of the Complainants to submit your motion for the preventive suspension within three (3) days so that the Counsel of the Respondent can comment.
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - Okay, we will submit it, your Honor.
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Then we will schedule the formal hearing on August 16, if you are available.
 - Atty. Octavius Labtic (Counsel for the Complainants):
 - August 16?
 - I'm not available, your Honor.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - If I may, your Honor?
 - Since they will be given three (3) days, may I also ask for a three (3) days period, your Honor, to file our comment?
 - Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
 - Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - I believe, your Honor, since we will be sending it through registered mail, August 16, I think the issue will still not be resolved, your Honor.


AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

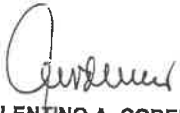
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SB Member
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HON. KIRSTY V. JABONETE
SB Member
Member



HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member


VALENTINO A. CODERA
Secretary to the Sanggunian

➤ So, if we can schedule this on September?

- Atty. Octavius Labtic (Counsel for the Complainants):
 - Your Honor, considering the time constraint of this case because Barangay Election is fast approaching, so we move that or we pray that the Counsel for the Respondent be required to submit their comment personally to expedite.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - There is no legal basis for that, your Honor.
 - We are not dependent on the Barangay Elections, your Honor.
 - We are here to make sure that we have a fair and thorough proceeding, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - We have to..... have the Counsel submit first their comments so that we can decide if the preventive suspension is necessary.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Yes, yes, your Honor, we will submit.
 - Then as for the comment, your Honor, we request that in order that we'll not be delayed to have it personally served because that is the primary mode of service.
 - 17, your Honor, we are available.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - August 2 man ta karon.
- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - August 30, madam Chair.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes, August 30.
 - Are you free on August 30?
- Hon. Richard V. Merontos (Ad Hoc Committee Member):
 - From the respondent, August 30.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - 30?
 - Yes, available, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Please provide copies to the Sangguniang Bayan both the motion for preventive suspension and also your comment.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Yes, your Honor.
 - So, what time on August 30?
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Morning?
 - Unsay time ninyo available?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - We suggest morning.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, your Honor, also morning.
 - But can we have it at around 9 a.m., your Honor, to allow travel time?

AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman


(ABSENT)
HON. JOSE WELSON VOSOTROS
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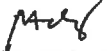

HON. KIRSTY V. JABONETE
SB Member
Member


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member



VALENTINO A. CODERA
Secretary to the Sanggunian

- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Thank you, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, the schedule for the formal hearing is on August 30 this month at 9 a.m.
 - The same venue.
 - We will send notice to both parties.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - So, on August 30, madam Chair, that will be the start of the presentation of witnesses.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Yes.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Your Honor, if August 30 will be the start of the presentation of the witnesses, I believe we should have first a preliminary conference, your Honor, wherein can list the witnesses and the exhibits that we will be presenting to have a guide.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Can we have it this afternoon, today?
 - Because we can limit the presentation of witnesses.
 - I think the issue, in this case, is not complicated.
 - So, on the part of the complainant, we will be presenting eight (8) witnesses only.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - May we know the names of the witnesses, you Honor?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Our witnesses would be Erit M. Aringoy, Lydia Baronda, Erlinda C. Quanem, Gilda M. Pepito, Elma Ayade, Eda Balleno, Melma Ma. Condes, and Germinihilda Dacalos.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - For the respondent.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - To have the Honorable Board a guide, your Honor, of our witnesses and exhibits, I've prepared a preliminary conference brief.
 - May I submit the same to the Secretary, your Honor, wherein we listed our witnesses and exhibits?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - May we add one (1) more witness, your Honor?
 - In the person of Juanita Delantar Epe.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, Juanita Delantar Epe has been added as an additional witness for the complainant.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - For the respondent, your Honor, based on our preliminary conference brief, we will be presenting the respondent himself, and then, your Honor, since the Sangguniang Barangay members or Barangay Kagawads need a joint affidavit, your Honor, of witnesses, we would be presenting any of the two (2) of the Barangay Kagawads who signed the same joint affidavit of witnesses, which affidavit of witnesses was already submitted to this Honorable Body, and the opposing counsel, your Honor.

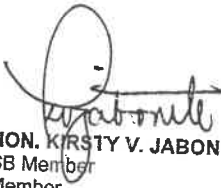
AD HOC COMMITTEE



HON. RUBILITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay
AD HOC Committee Chairman

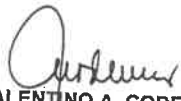
(ABSENT)
HON. JOSE WELSON VOSOTROS
SB Member
Floor Leader
Vice-Chairman


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader
Member


HON. LUIS GABRIEL U. VELOSO
SB Member
Member


HON. KIRSTY V. JABONETE
SB Member
Member


HON. FORTUNE FRAULINE T. MISA
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK
Member

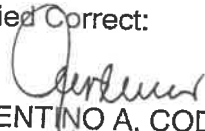

VALENTINO A. CODERA
Secretary to the Sanggunian

- All of the Barangay Tanods also made a joint affidavit of witnesses dated June 23, 2022, we would only be presenting any two (2) of the Barangay Tanods, your Honor, since they made the same statements.
- Any two (2) of the Barangay Workers of Barangay Manlawaan who again signed a joint affidavit of witnesses dated June 23, 2022.
- So, all in all, your Honor, we will be presenting seven (7) witnesses, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, seven (7) witnesses for the respondent.
 - May we know their names?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - We will be choosing, your Honor, since they have all made the same affidavit since the affidavits are joint affidavit of witnesses their names are on the affidavits, your Honor.
 - We still have to confer with them.
 - Anyways, whoever will be present, your Honor, they have the same testimonies, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, noted.
- Atty. Octavius Labtic (Counsel for the Complainants):
 - Your Honor, for our documentary exhibits, we would like to pray for the marking of the following:
 - 1) As our exhibit "A" is Resolution No. 19 dated December 4, 2021, of the Sangguniang Barangay of Manlawaan.
 - 2) Then as our exhibit "B" is the excerpt of the Police Blotter dated April 9, 2022.
 - 3) And as our exhibit "C" is the entry of the Police Blotter dated July 16, 2022.
 - And we reserve the marking of additional exhibits, your Honor, in the course of the hearing.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, noted.
 - So, are there any other matters?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, your Honor, for the respondent, as listed also in our preliminary conference brief, we have listed there six (6) exhibits, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Have you furnished a copy already?
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - Yes, your Honor.
 - These exhibits were already attached to the affidavits and counter-affidavit of the responded, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - Okay, noted.
 - So, is there any other concern from both parties?
- Atty. Octavius Labtic (Counsel for the Complainants):
 - For the complainants, your Honor, no more.
- Atty. Alexander G. Salas, Jr. (Counsel for the Respondent):
 - None also for the respondent, your Honor.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, if there is no more question or any comments from both parties, we may now adjourn this preliminary conference.


- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - You have the floor, Honorable Misa.
- Hon. Fortune Frauline T. Misa (Ad Hoc Committee Chair):
 - Madam Chair, I move for the adjournment of this preliminary conference.
- Hon. Rubilita A. Dela Cruz (Ad Hoc Committee Chair):
 - So, this preliminary conference is adjourned.

The committee adjourned at exactly 2:40 in the afternoon.


Certified Correct:


 VALENTINO A. CODERA
 Secretary to the Sanggunian

Attested by:


 RUBILITA A. DELA CRUZ
 Chairman, Ad Hoc Committee

JOSE WELSON G. VOSOTROS
 Vice Chairman-


 RICHARD V. MERONTOS
 Member


 LUIS GABRIEL U. VELOSO
 Member


 KIRSTY V. JABONETE
 Member


 FORTUNE FRAULINE T. MISA
 SK Federation President

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

RECEIVED
SB-sec. office
12 JUL 2022
1:25 PM. J.

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

x-----x

Hon. ROSLIE E. OMEGA, MD
Municipal Vice Mayor
Tabango, Leyte

**SUBJECT: REQUEST FOR RESETTING OF THE JULY 13,
2022 TO JULY 20, 2022.**

Dear Hon. Omega:

Good day!

Undersigned received a copy today, July 12, 2022, of the Notice directing the Respondent to appear before the Ad Hoc Committee on July 13, 2022 at 9:00 AM.

As much as undersigned counsel for the Respondent is willing to attend the same, undersigned is already set to appear before **RTC Branch 12 Cebu City** in the case of **MFTDC vs. Carmelo J. Locsin** docketed as Civil Case No. R-CEB-16-03821-CV for Delict & Quasi-Delict, with Prayer for TRO and a Writ of Preliminary Injunction.

Undersigned thus respectfully request that the Ad Hoc Committee hearing on July 13, 2022 be **RESET** to **July 20, 2022**.

Undersigned humbly requests for the Honorable Vice Mayor and the Honorable Sangguniang Bayan's understanding and indulgence.

Other just and equitable reliefs and remedies are likewise prayed for.

Ormoc City (for Tabango, Leyte), Leyte, Philippines.
July 12, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073
escalonlaw@gmail.com escalonlaw@yahoo.com.ph

By:

ALEXANDER G. SALAS, JR.
PTR No. 7053400 issued on
January 3, 2022, Ormoc City
IBP O.R. No. 183020, 1/3/2022
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

RECEIVED

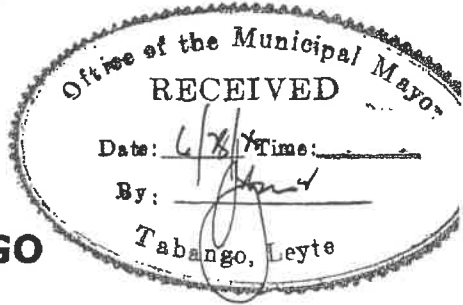
28 JUN 2022

VALENTINO A. CODERA 4:10 pm
Secretary to the Sanggunian

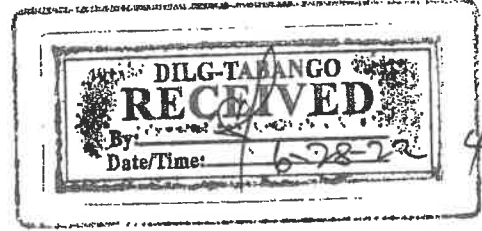
Republic of the Philippines
Province of Leyte

MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN



**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,



-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.**

X-----X

**SUBMISSION OF COUNTER-AFFIDAVIT
and AFFIDAVIT OF WITNESSES**

RESPONDENT, by undersigned counsel, by way of Submission of Counter-Affidavit and Affidavit of Witnesses, unto this Honorable Office, most respectfully aver, THAT:

BY WAY OF FORMAL ENTRY OF APPEARANCE

The **ESCALON & ESCALON LAW OFFICE** respectfully enters its appearance as **COUNSEL FOR RESPONDENT** in the above-captioned case, and requests that henceforth it be furnished with all the pleadings, papers and other processes of this Honorable Court at its below given address

BY WAY OF SUBMISSION OF COUNTER-AFFIDAVIT

1. Respondent received the order dated May 30, 2022 directing him to file his answer within fifteen (15) days last June 13, 2022.

2. Respondent respectfully submits the herein Verified Counter-Affidavit and the Affidavit of his witnesses, viz:

- i. **Verified Counter-Affidavit** of Respondent Hon. Albert C. Morilla;
- ii. **Joint Affidavit of Witnesses** (Barangay Kagawads of Barangay Manlawaaan, Tabango, Leyte);
- iii. **Joint Affidavit of Witnesses** (Barangay Tanods of Barangay Manlawaaan, Tabango, Leyte); and
- iv. **Joint Affidavit of Witnesses** (Barangay Workers of Barangay Manlawaaan, Tabango, Leyte).

3. Respondent respectfully asks that the instant submission be NOTED.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed of this Honorable Office that the **ENTRY OF APPEARANCE** of the **ESCALON & ESCALON LAW OFFICE** and the Submission of Counter-Affidavit be **NOTED**.

Other just and equitable reliefs and remedies are likewise prayed for. Ormoc City (for Tabango, Leyte), Leyte, Philippines. June 27, 2022.

Respectfully submitted:

ESCALON & ESCALON LAW OFFICE
Counsel for the Respondent

Corner Real & Aviles St., Ormoc City
TeleFax Nos. (053)255-4573/561-2073
escaloniaw@gmail.com escalonlaw@yahoo.com.ph

By:

EVERGISTO S. ESCALON
PTR No. 7053396 issued on
January 3, 2022, Ormoc City
IBP Lifetime Member No. 00881
Attorney's Roll No. 32549
TIN 113-492-978
MCLE Exemption No. VII-Acad003392
Valid until April 14, 2025

ALEXANDER G. SALAS, JR.
PTR No. 7053400 issued on
January 3, 2022, Ormoc City
IBP O.R. No. 183020, 1/3/2022
Attorney's Roll No. 65086
TIN 263-562-019
MCLE Compliance No. VII-0017823
Valid until April 14, 2025

THE RECEIVING CLERK OF OFFICE

Office of the Sangguniang Bayan
Tabango, Leyte

Greetings!

Kindly submit the same pleading unto the Honorable Prosecutor
for its kind consideration immediately upon receipt hereof,

Thank you.

ALEXANDER G. SALAS, JR.

Copy furnished:

Atty. OCTAVIUS L. LABTIC
Counsel for All Complainants
Labtlic Law Office
Quezon Street, San Isidro, Leyte

Copy received by MICHAEL ADREANNE M. BARBASA

28 JUN 2022
2:21 PM.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

**HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,**
Respondent.

X-----X

COUNTER-AFFIDAVIT

(of Punong Barangay Albert C. Morilla)

Purposes:

1. To prove that there was no mass termination done by the Respondent, Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that in order not to impede the operations of the barangay, the Respondent, with the concurrence of the Sangguniang Barangay, concurred the appointments of the new appointed officials.
4. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.

5. To prove that Respondent is not liable for abuse of authority or oppression.
6. To testify on other relevant matters and to testify on other relevant documents.

I, ALBERT C. MORILLA, married, Filipino citizen, a resident and the Punong Barangay of Barangay Manlawa-an, Tabango, Leyte, Philippines, after having duly sworn to in accordance with law, do hereby depose and state, THAT:

1. I am the current Punong Barangay of Barangay Manlawa-an, Tabango, Leyte, and is likewise the Respondent in the instant case.

2. The complaints against me are composed of the following Complainants, viz:

- i. Erit M. Aringoy, a former Barangay Worker of Barangay Manlawa-an, Tabango, Leyte;
- ii. Lydia Baronda, the former Barangay Treasurer of Barangay Manlawa-an, Tabango, Leyte;
- iii. Erlinda C. Quanem et. al., composed of former barangay workers, barangay tanods and barangay health workers of Barangay Manlawa-an, Tabango, Leyte; and
- iv. Gilda M. Pepito, the former Barangay Secretary of Barangay Manlawa-an, Tabango, Leyte

3. The Complainants have alleged that they were illegally terminated as workers of the barangay government of Barangay Manlawa-an, Tabango, Leyte.

4. In order to answer the several complaints, hereunder are my statements relative to each complainant.

For Complainant Lydia Baronda

5. Insofar as **Complainant Lydia Baronda** is concerned, the former barangay treasurer of our barangay, the truth of the matter is that as early as December 2021, she told the council that she will only be working until December 31, 2021 and intends to resign on the said date.

6. However, the council asked her to resign not on December 31, 2021 but on January 31, 2022 instead, so

that she will still be able to process the important papers of the barangay such as the payroll, vouchers, among others. Lydia Baronda agreed and even asked us to find her replacement already so that she will be able to train him/her.

7. On our January 10, 2022 session, she even gave the council One Thousand Pesos (P1,000.00) for her despedida, which we used to buy snacks, as she said that would be her last day to work.

8. However, Lydia Baronda refused to give her resignation letter. Thus, the council was in quandary how to appoint a new treasurer since there is no vacancy yet because even if she already stopped working, she refused to file her resignation letter.

9. The case of Lydia Baronda is the same as that of the other barangay appointment officials and employees who are also complainants in this case.

10. We then asked the DILG officer assigned in Tabango, Leyte for her opinion, to which she answered that since they refused to submit her resignation letter even if they already stopped working, then it would be better if they would be terminated by the Punong Barangay and concurred by the Sangguniang Barangay members.

11. Thus, the Sangguniang Barangay, through Resolution No. 01, Series of 2022, issued a resolution confirming the removal of the barangay appointed officials and employees. A copy of the same is attached as **Annex "1"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte).

12. On February 7, 2022, the Sangguniang Barangay concurred the appointment of Crislyn R. Lerio as the new Barangay Treasurer of Barangay Manlaw-an, Tabango, Leyte, thru Resolution No. 03, Series of 2022, a copy of which is attached as **Annex "2"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte).

13. Lydia Baronda was not illegally terminated nor prevented to work, it was her personal decision to stop working as Barangay Treasurer.

For Complainant Gilda M. Pepito

14. Insofar as Complainant Gilda M. Pepito is concerned, after the January 10, 2022 barangay session, she intimated to us that she will no longer work as a barangay secretary. True enough, she no longer reported for work.

15. Her refusal to go to work created a vacuum, thus, the need to appoint a new secretary. The same was likewise one of the reasons why Resolution No. 01, Series of 2022 (see **Annex "1"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al.) was passed by the Sangguniang Barangay.

16. Without the said Resolution No. 01, Series of 2022, the barangay could not appoint a new secretary.

17. On January 17, 2022, the Sangguniang Barangay concurred the appointment of Donna Jean A. Bacay as the new Barangay Secretary of Barangay Manlawa-an, Tabango, Leyte thru Resolution No. 02, Series of 2022, a copy of which is attached as **Annex "3"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlawa-an, Tabango, Leyte).

For Complainant Erit Aringoy

18. Insofar as Complainant Erit Aringoy is concerned, she was not terminated by the Punong Barangay but she voluntarily resigned.

19. As testified by Barangay Kagawad Geraldine Rose P. Morilla, she able to talk personally with Erit Aringoy. Erit Aringoy told Kagawad Morilla that she will just resign since she will be supporting the incumbent mayoralty candidate for the 2022 election as the owner of the lot where their house is erected is a supporter of the incumbent mayor and they were asked to support the same candidate.

20. Erit Aringoy was not terminated by me nor of the barangay council. She voluntarily resigned for reasons stated above.

For Complainants Erlinda C. Quanem et. al.

21. Insofar as Complainants Erlinda C. Quanem et. al. are concerned, they were not pressured in any way by me nor of the barangay council to resign.

22. It was their own volition to stop working for a promise of the same salary. Considering that many of the barangay workers stopped reporting for work, as stated above, the Sangguniang Barangay passed Resolution No. 01, Series of 2022.

23. It is to our surprise that Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the complaint when in fact they are still working in our barangay until this day.

24. A copy of the logbook/payroll wherein it would show that these people are still working in the barangay are attached as **Annex "4 and series"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte).

25. One of the complainants, Juanita Epe, even made a statement dated April 6, 2022 that she was not terminated but she voluntarily resigned. A copy of the same is attached as **Annex "5"** to the Joint Affidavit of Witnesses of Rolly R. Lerio et. al. (Barangay Kagawads of Barangay Manlaw-an, Tabango, Leyte).

Statements common to all Complainants

26. In conclusion, there is no truth that complainants were illegally terminated.

27. The other barangay workers of Barangay Manlaw-an have executed their respective affidavits corroborating my testimony that the complainants were not

terminated but voluntarily resigned or stopped reporting to work.

28. If what Complainants are claiming is true, that there was mass termination, then the other barangay workers would also have been terminated.

29. It was the complainants in this case who refused to report to work, and that is a valid cause or ground for their removal. There is a need to establish a vacancy in order for me, as the Punong Barangay, to be able to appoint new appointees, thus, Resolution No. 01, Series of 2022 was passed. Otherwise, the function of the barangay would be greatly hampered and impeded.

30. The subject resolutions were issued by the Sangguniang Barangay in its official capacity, which for all intents and purposes, are presumed valid and regular. The resolutions enjoys the presumption of regularity, which should be upheld by this Honorable Sanggunian.

31. Based on the foregoing, I respectfully ask the Honorable Sangguniang Bayan that the instant case be dismissed as this case is not only baseless and unmeritorious, but is also clearly politically motivated and harassment.

32. Lastly, these declarations were made by me voluntarily and of my free will and that the same were translated to me in the vernacular.

IN WITNESS WHEREOF, we have hereunto affixed our respective signatures this 27th day of June 2022 in Ormoc City, Leyte, Philippines.



ALBERT C. MORILLA

Respondent/Affiant

b/l: 103-10-00039 / 8-25-2023

SUBSCRIBED AND SWORN TO before me this 27th day of June 2022 in Ormoc City, Leyte, Philippines, with the affiant having exhibited to me a competent proof of his true identity indicated below his name.

ALEXANDER G. SALAS, JR.

Notary Public

Ormoc City, Kananga, Matag-ob

Merida and Isabel, Leyte

Until December 31, 2021 (Extended until June 30, 2022

As per B.M. No. 3795 dated 9-28-21)

Commission No. ORM-19-12-023

Real cor. Aviles Sts., Ormoc City

Attorney's Roll No. 65086

PTR No. 7053400

Ormoc City, January 3, 2022

IBP O.R. No. 183020, 1/3/2022

MCLE Compliance No. VII-0017823

Valid until April 14, 2025

TIN 263-562-019

Doc. No. 313;
Page No. 63;
Book No. IX;
Series of 2022.

VERIFICATION

I, ALBERT C. MORILLA, Filipino citizen, married, of legal age and a resident of Brgy. Manlaw-a-an, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, hereby depose and say, THAT:

1. I am the Respondent in the above-captioned case;
2. I have caused the preparation and filing of the foregoing Counter-Affidavit;
3. I have read the contents of the foregoing Counter-Affidavit and that the same are true and correct of our own personal knowledge and/or based on authentic documents;
4. The Counter-Affidavit is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
5. The factual allegations therein have evidentiary support or, if specifically so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
6. The documents attached to the Counter-Affidavit are genuine and authentic and/or true and faithful reproductions of its originals;

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of June 2022 Ormoc City, Philippines.



ALBERT C. MORILLA

Affiant/Respondent

LTO Driver's License No. H03-10-000139

Valid until August 25, 2023

SUBSCRIBED AND SWORN TO before me this this 27th day of June 2022 in Ormoc City, Philippines, with the affiant exhibiting to me a competent proof of her true identity pertinent details of which are indicated below her name.

ALEXANDER G. SALAS, JR.

Notary Public

Ormoc City, Kananga, Matag-ob

Marida and Isabel, Leyte

Until December 31, 2021 (Extended until June 30, 2022

As per B.M. No. 3795 dated 9-28-21)

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Doc. No. 316;
Page No. 64;
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Series of 2022.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

JOINT AFFIDAVIT OF WITNESSES

(of ROLLY R. LERIO, TEOTIMO G. JORDAN, WILFREDO
L. CALESA, MONSOHITO D. BACAY, ERNESTO O.
CAPUYAN AND GERALDINE ROSE P. MORILLA)

Purposes:

1. To prove that there was no mass termination done by Punong Barangay Albert C. Morilla.
2. To prove that the complainants either resigned or stopped reporting for work.
3. To prove that in order not to impede the operations of the barangay, the Punong Barangay, with the concurrence of the Sangguniang Barangay, concurred the appointments of the new appointed officials.

4. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.
5. To prove that Punong Barangay Morilla is not liable for abuse of authority or oppression.
6. To testify on other relevant matters and to testify on other relevant documents.

WE, ROLLY R. LERIO (married), **TEOTIMO G. JORDAN** (married), **WILFREDO L. CALESA** (married), **MONSOHITO D. BACAY** (married), **ERNESTO O. CAPUYAN** (married) and **GERALDINE ROSE P. MORILLA** (married), after having duly sworn to in accordance with law, do hereby depose and state, THAT:

1. We are all Filipino citizens and residents of Barangay Manlawan, Municipality of Tabango, Leyte, and are **members of the Sangguniang Barangay (Barangay Kagawad)** of Barangay Manlawan, Tabango, Leyte.

2. We are executing this Joint Affidavit of Witnesses in order to refute the accusations against Punong Barangay Albert C. Morilla.

3. The complaints against Punong Barangay Albert C. Morilla are composed of the following Complainants, viz:

- i. Erit M. Aringoy, a former Barangay Worker of Barangay Manlawan, Tabango, Leyte;
- ii. Lydia Baronda, the former Barangay Treasurer of Barangay Manlawan, Tabango, Leyte;
- iii. Erlinda C. Quanem et. al., composed of former barangay workers, barangay tanods and barangay health workers of Barangay Manlawan, Tabango, Leyte; and
- iv. Gilda M. Pepito, the former Barangay Secretary of Barangay Manlawan, Tabango, Leyte

4. The Complainants have alleged that they were illegally terminated as workers of the barangay government of Barangay Manlawan, Tabango, Leyte.

For Complainant Lydia Baronda

5. Insofar as **Complainant Lydia Baronda** is concerned, the former barangay treasurer of our barangay,

the truth of the matter is that as early as December 2021, she told the council that she will only be working until December 31, 2021 and intends to resign on the said date.

6. However, the council asked her to resign not on December 31, 2021 but on January 31, 2022 instead, so that she will still be able to process the important papers of the barangay such as the payroll, vouchers, among others. Lydia Baronda agreed and even asked us to find her replacement already so that she will be able to train him/her.

7. On our January 10, 2022 session, she even gave the council One Thousand Pesos (P1,000.00) for her despedida, which we used to buy snacks, as she said that would be her last day to work.

8. However, Lydia Baronda refused to give her resignation letter. Thus, the council was in quandary how to appoint a new treasurer since there is no vacancy yet because even if she already stopped working, she refused to file her resignation letter.

9. The case of Lydia Baronda is the same as that of the other barangay appointment officials and employees, as will be further discussed hereunder.

10. We then asked the DILG officer assigned in Tabango, Leyte for her opinion, to which she answered that since they refused to submit her resignation letter even if they already stopped working, then it would be better if they would be terminated by the Punong Barangay and concurred by the Sangguniang Barangay members.

11. Thus, the Sangguniang Barangay, through Resolution No. 01, Series of 2022, issued a resolution confirming the removal of the barangay appointed officials and employees. A copy of the same is herein attached as **Annex "1"**.

12. On February 7, 2022, the Sangguniang Barangay concurred the appointment of Crislyn R. Lerio as the new Barangay Treasurer of Barangay Manlaw-an, Tabango, Leyte, thru Resolution No. 03, Series of 2022, a copy of which is herein attached as **Annex "2"**.

13. We reiterate that Lydia Baronda was not illegally terminated nor prevented to work, it was her personal decision to stop working as Barangay Treasurer.

For Complainant Gilda M. Pepito

14. Insofar as Complainant Gilda M. Pepito is concerned, after the January 10, 2022 barangay session, she intimated to us that she will no longer work as a barangay secretary. True enough, she no longer reported for work.

15. Her refusal to go to work created a vacuum, thus, the need to appoint a new secretary. The same was likewise one of the reasons why Resolution No. 01, Series of 2022 (see **Annex "1"**) was passed by the Sangguniang Barangay.

16. Without Resolution No. 01, Series of 2022 (see **Annex "1"**), the barangay could not appoint a new secretary.

17. On January 17, 2022, the Sangguniang Barangay concurred the appointment of Donna Jean A. Bacay as the new Barangay Secretary of Barangay Manlawa-an, Tabango, Leyte thru Resolution No. 02, Series of 2022, a copy of which is herein attached as **Annex "3"**.

For Complainant Erit Aringoy

18. Insofar as Complainant Erit Aringoy is concerned, she was not terminated by the Punong Barangay but she voluntarily resigned.

19. I (Geraldine Rose P. Morilla), was able to talk personally with Erit Aringoy. She told me that she will just resign since she will be supporting the incumbent mayoralty candidate since the owner of the lot where their house is erected is a supporter of the incumbent mayor and they were asked to support the same candidate.

20. Erit Aringoy was not terminated by Punong Barangay Morilla nor of the barangay council. She voluntarily resigned for reasons stated above.

For Complainants Erlinda C. Quanem et. al.

21. Insofar as Complainants Erlinda C. Quanem et. al. are concerned, they were not pressured by Punong Barangay Morilla nor of the barangay council to resign.

22. It was their own volition to stop working for a promise of the same salary with another employer. Considering that many of the barangay workers stopped reporting for work, as stated above, the Sangguniang Barangay passed Resolution No. 01, Series of 2022 (see **Annex "1"**).

23. It is to our surprise that Eda S. Balleno, Rosalinda M. Halikhik, Myrna B. Balleno, and Arlyn Salondro signed the complaint when in fact they are still working in our barangay until this day.

24. A copy of the logbook/payroll wherein it would show that these people are still working in the barangay are herein attached as **Annex "4 and series"**.

25. One of the complainants, Juanita Epe, even made a statement dated April 6, 2022 that she was not terminated but she voluntarily resigned. A copy of the same is herein attached as **Annex "5"**.

26. In conclusion, there is no truth that complainants were illegally terminated by Punong Barangay Morilla, nor Punong Barangay Morilla abused his authority nor oppressed them.

27. It was the complainants in this case who refused to report to work, and that is a valid cause or ground for their removal. There is a need to establish a vacancy in order for the Punong Barangay to be able to appoint new appointees, thus, Resolution No. 01, Series of 2022 was passed. Otherwise, the function of the barangay would be greatly hampered and impeded.

28. The subject resolutions were issued by the Sangguniang Baranga in its official capacity, which for all intents and purposes, are presumed valid and regular. The resolutions enjoys the presumption of regularity, which should be upheld by this Honorable Sanggunian.

29. It is unfortunate that the Punong Barangay is being implicated in the instant case. If there is somebody to file a case, it should be the Punong Barangay or the Sangguniang Barangay of Manlaw-an as the Sangguniang Barangay, including all its workers, has not been able to receive our honorarium since February 2022 because the Municipal Mayor has not yet signed the fidelity bond of the barangay.

30. Based on the foregoing, we respectfully ask the Honorable Sangguniang Bayan that the instant case be dismissed as this case is not only baseless and unmeritorious, but is also clearly politically motivated and harassment.

31. Lastly, these declaration were made by us voluntarily and of our free will and that the same were translated to us in the vernacular.

IN WITNESS WHEREOF, WE have hereunto affixed our respective signatures this 22nd day of June 2022 in Ormoc City, Leyte, Philippines.



ROLLY R. LERIO
National ID No.
4908-4298-0756-2035



TEOTIMO G. JORDAN
BIR TIN Card with No.
101-564-659-00000



WILFREDO L. CALESA
BIR TIN Card with No.
219-952-702-00000



MONSORITO D. BACAY
BARANGAY ID with No.
083745006104



ERNESTO O. CAPUYAN
BIR TIN Card with No.
901-117-755-00000



GERALDINE ROSE P. MORILLA
BIR TIN Card with No.
605-100-675-00000

SUBSCRIBED AND SWORN TO before me this 22nd day of June 2022 in Ormoc City, Leyte, Philippines, affiants exhibited their respective identifications indicated below their names.

Doc. No. 304 ;
Page No. 61 ;
Book No. IX ;
Series of 2022.

ALEXANDER G. SALAS, JR.

Notary Public

Ormoc City, Kananga, Matag-ob

Merida and Isabel, Leyte

Until December 31, 2021 (Extended until June 30, 2022

As per B.M. No. 3795 dated 9-28-21)

Commission No. ORM-19-12-023

Real cor. Aviles Sts., Ormoc City

Attorney's Roll No. 65086

PTR No. 7053400

Ormoc City, January 3, 2022

IBP O.R. No. 183020, 1/3/2022

MCLE Compliance No. VII-0017823

Valid until April 14, 2025

TIN 263-562-019

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

JOINT AFFIDAVIT OF WITNESSES

(of JAIME C. SALUDAGA, JEREMIAS C. TORLAO,
EDGAR M. JUMAO-AS, DARIO C. CUERVO, JOSEPH A.
ARCEGA, SR., HOSPICIO D. ROSA, ERIC C. CORPIN
and ARTEMO M. COMPUESTO)

Purposes:

1. To prove that there was no mass termination done by Punong Barangay Albert C. Morilla.
2. To prove that the complainants voluntarily stopped reporting for work.
3. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.

4. To prove that Punong Barangay Morilla is not liable for abuse of authority or oppression.
5. To testify on other relevant matters and to testify on other relevant documents.

WE, EDGAR M. JUMAO-AS (married), **JEREMIAS C. TORLAO** (married), **JAIME C. SALUDAGA** (widowed), **DARIO C. CUERVO** (married), **JOSEPH A. ARCEGA, SR.** (married), **HOSPICIO D. ROSA** (married) and **ERIC C. CORPIN** (married), **ARTEMO M. COMPUESTO** (married), after having duly sworn to in accordance with law, do hereby depose and state, THAT:

1. We are all of legal age, Filipino citizens and residents of Barangay Manlawa-an, Municipality of Tabango, Leyte, and are **Barangay Tanods** of Barangay Manlawa-an, Tabango, Leyte.

2. We are executing this Joint Affidavit of Witnesses in order to refute the accusations against Punong Barangay Albert C. Morilla.

3. We started working as Barangay Tanods in Brgy. Manlawa-an, Tabango from the year 2013.

4. Sometime last year, some barangay tanods and workers, including barangay health workers, stopped working on their own volition from the barangay because they said they will be receiving an '*honorarium*', of the same amount as our barangay honorarium, and a sack of rice from the Mayor.

5. That sometime in December 2021, Milma Ma. Condes, Maria M. Delantar, Erminigilda Dacalos, Erlinda C. Quanem, Merlita C. Condes, and other barangay workers, told us that should we stop working in the barangay, we will be receiving an honorarium equivalent to our barangay honorarium and a sack of rice from the Mayor every month.

6. The barangay secretary and the barangay treasurer stopped working on their own volition sometime this year for the same reason.


7. We refused to follow their suggestion and continued working in the barangay as barangay tanods.


8. That there is no truth that other barangay tanods and other barangay workers, including the Barangay Health Workers, the Barangay Secretary, and the Barangay Treasurer were illegally terminated by Punong Barangay Morilla, nor Punong Barangay Morilla abused his authority nor oppressed them. It was them who refused to report to work.


9. We have been receiving an honorarium of P850 every month, but from February 2022 onwards we have not been able to receive our honorarium since the fidelity bond of the barangay treasurer has not been signed by the Municipal Treasurer/Municipal Mayor.

10. Lastly, these declarations were made by us voluntarily and of our free will and that the same were translated to us in the vernacular.


IN WITNESS WHEREOF, WE have hereunto affixed our respective signatures this 23rd day of June 2022 in Ormoc City, Leyte, Philippines.


EDGAR M. JUMAO-AS
National ID No.
2859-3294-2710-6912


JEREMIAS C. TORLAO
National ID No.
5827-5074-1652-6098


JAIME C. SALUDAGA
National ID No.
4865-2183-4953-9714


JOSEPH A. ARCEGA, SR
National ID No.
2750-1594-3896-8065


DARIO C. CUERVO
National ID No.
4701-9382-0971-6741


ERIC C. CORPIN
Driver's License No.
H10-17-000598



HOSPICIO D. ROSA
Tax Identification No.
603-085-887-00000



ARTEMO M. COMPUESTO
Voters Identification No.
37450045CK2566AMC100000-4

SUBSCRIBED AND SWORN TO before me this 23rd day of June 2022 in Ormoc City, Leyte, Philippines, affiants exhibited their respective identifications indicated below their names.

ALEXANDER G. SALAS, JR.

Notary Public

Ormoc City, Kananga, Matag-ob
Marida and Isabel, Leyte

Until December 31, 2021 (Extended until June 30, 2022

As per B.M. No. 3795 dated 9-28-21)

Commission No. ORM-19-12-023

Real cor. Aviles Sts., Ormoc City

Attorney's Roll No. 65086

PTR No. 7053400

Ormoc City, January 3, 2022

IBP O.R. No. 183020, 1/3/2022

MCLE Compliance No. VII-0017823

Valid until April 14, 2025

TIN 263-562-019

Doc. No. 306 ;
Page No. 62 ;
Book No. IX ;
Series of 2022.

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF TABANGO

OFFICE OF THE SANGGUNIANG BAYAN

**ERIT M. ARINGOY, LYDIA
BARONDA, GILDA M.
PEPITO, ERLINDA C.
QUANEM ET. AL.,**
Complainants,

-versus-

**Administrative Case No.
SB-2022-03-01**

For:

**Abuse of Authority,
Oppression and possible
violation of the Omnibus
Election Code**

HON. ALBERT C. MORILLA,
Punong Barangay, Barangay
Manlawaan, Tabango, Leyte,
Respondent.

X-----X

JOINT AFFIDAVIT OF WITNESSES

(of CONCHITA A. JORDAN, ROWENA C. JORDAN,
GENELYN M. ARPON, FE R. SALINO, JENEVIE S.
COMPUESTO, CARLINDA A. MAMETES, and NENA G.
BAYRON)

Purposes:

1. To prove that there was no mass termination done by Punong Barangay Albert C. Morilla.
2. To prove that the complainants voluntarily stopped reporting for work.
3. To prove that the actions of Punong Barangay and the Sangguniang Barangay are valid and within the ambit of the law.

4. To prove that Punong Barangay Morilla is not liable for abuse of authority or oppression.
5. To testify on other relevant matters and to testify on other relevant documents.

WE, CONCHITA A. JORDAN (married), ROWENA C. JORDAN (married), GENELYN M. ARPON (single), FE R. SALINO (widow), JENEVIE S. COMPUESTO (married), CARLINDA A. MAMETES (married) and NENA G. BAYRON (married) after having duly sworn to in accordance with law, do hereby depose and state, THAT:

1. We are all of legal age, Filipino citizens and residents of Barangay Manlawa-an, Municipality of Tabango, Leyte, and are **Barangay Workers** of Barangay Manlawa-an, Tabango, Leyte.

2. We are executing this Joint Affidavit of Witnesses in order to refute the accusations against Punong Barangay Albert C. Morilla.

3. We, FE R. SALINO, NENA G. BYRON, JENEVIE S. COMPUESTO, GENELYN M. ARPON, CONCHITA A. JORDAN, and CARLINDA A. MAMETES, started working and have been working as Barangay Workers in Brgy. Manlawa-an, Tabango from the year 2013 until the present.

4. I, ROWENA C. JORDAN, started working for the barangay as a Child Development Worker (CDW) in October 2021 after the previous CDW stopped working in September 2021.

5. It is not true that other workers stopped working for the barangay because they were terminated by our barangay captain. They stopped working out of their own volition because according to them they will be receiving an honorarium, of the same amount as the honorarium they are receiving from the barangay, from the Municipal Mayor.

6. Other barangay workers stopped working for the barangay without filing the proper resignation or notice to the barangay and barangay captain.

7. We, Genelyn M. Arpon and Jenevie S. Compuesto, were offered a monthly honorarium by our fellow barangay

workers if we refuse to work in the barangay, sometime late in 2021. But we refused their offer and continued working for the barangay until the present.

8. From February of this year, we have not been able to receive our honorarium because the fidelity bond of our barangay treasurer was not signed by the Municipal Treasurer/Municipal Mayor.

9. Likewise, the barangay secretary and the barangay treasurer stopped working on their own volition sometime this year for the same reason.

10. That there is no truth that other barangay workers, including the Barangay Health Workers, the Barangay Secretary, and the Barangay Treasurer were illegally terminated by Punong Barangay Morilla, nor Punong Barangay Morilla abused his authority nor oppressed them. It was them who refused to report to work.

9. Lastly, these declarations were made by us voluntarily and of our free will and that the same were translated to us in the vernacular.

IN WITNESS WHEREOF, WE have hereunto affixed our respective signatures this 23rd day of June 2022 in Ormoc City, Leyte, Philippines.

CA Jordan
CONCHITA A. JORDAN
National ID No.
4613-9702-4835-0652

Genelyn M. Arpon
GENELYN M. ARPON
National ID No.
5396-3249-2146-9571

Jenevie S. Compuesto
JENEVIE S. COMPUESTO
National ID No.
2413-8749-3614-2568

Nena G. Bayron
NENA G. BAYRON
4Ps ID No.
083745009-2936-00026



FE R. SALINO

4Ps ID No.

0837-25009-2955-00030



CARLINDA A. MAMETES

Voter's Identification No.

3745-0048C-A2284CAM20000-4

Rowena

ROWENA C. JORDAN

Voter's Identification No.

3745-0049A-J2080RCJ20000

SUBSCRIBED AND SWORN TO before me this 23rd day of June 2022 in Ormoc City, Leyte, Philippines, affiants exhibited their respective identifications indicated below their names.

ALEXANDER G. SALAS, JR.

Notary Public

Ormoc City, Kananga, Matag-ob

Merida and Isabel, Leyte

Until December 31, 2021 (Extended until June 30, 2022

As per B.M. No. 3795 dated 9-28-21)

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Ormoc City, January 3, 2022

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Valid until April 14, 2025

TIN 263-562-019

Doc. No. **307**;

Page No. **62**;

Book No. **IX**;

Series of **2022**.

Republic of the Philippines
Province of Leyte
Municipality of Tabango
Barangay Manlawan-an
OFFICE OF THE SANGGUNIANG BARANGAY

Resolution No. 01
Series of 2022

A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE BARANGAY MANLAWAAN, TABANGO, LEYTE

WHEREAS, the republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 389, Paragraph (b) (5) states that the Punong Barangay, as the Chief Executive of the barangay government, shall appoint or replace the Secretary upon approval by a majority of all the members of the Sangguniang Barangay.

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 394, Paragraph (a) states that the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;


WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 395, Paragraph (a) states that the Barangay Treasurer shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;


NOW THEREFORE On motion of Kagawad ROLLY LERIO with the unanimous accord of the members of the Sangguniang Barangay present;


BE IT RESOLVED, AS IT IS HEREBY RESOLVED confirming the removal of all the Barangay Appointed Officials and Employee Barangay Manlawaan, Tabango, Leyte

UNANIMOUSLY APPROVED adopted on January 17, 2022 at Barangay Manlawaan.


Certified Correct:



GERALDINE ROSE MORILLA
In-charge as Secretary

Conforms

ROLLY LERIO
Sangguniang Barangay Member



MONSOHITO BACAY
Sangguniang Barangay Member

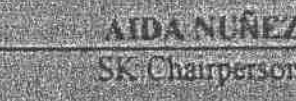

TEOTIMO JORDAN
Sangguniang Barangay Member


ERNESTO CAPUYAN
Sangguniang Barangay Member


WILFREDO CALESA
Sangguniang Barangay Member


GERALDINE ROSE MORILLA
Sangguniang Barangay Member


ANTONIO PEPITO SR.
Sangguniang Barangay Member


AIDA NUÑEZ
SK Chairperson

Approved:

ALBERT C. MORILLA

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGUNIANG BARANGAY OF BARANGAY MANLAWAN, TABANGO, LEYTE HELD ON FEBRUARY 07, 2022 AT THE BARANGAY SESSION HALL:

PRESENT:

- HON. ALBERT C. MORILLA..... Punong Barangay
- HON. ROLLY LERIO..... Brgy. Kagawad
- HON. TEOTIMO JORDAN..... Brgy. Kagawad
- HON. WILFREDO CALESA..... Brgy. Kagawad
- HON. MONSOHITO BACAY..... Brgy. Kagawad
- HON. ERNESTO CAPUYAN..... Brgy. Kagawad
- HON. GERALDINE ROSE MORILLA..... Brgy. Kagawad
- Ms. DONNA JEAN A. BACAY..... Brgy. Secretary
- HON. ANTONIO PEPITO SR..... Brgy. Kagawad
- HON. AIDA NUNEZ..... SK Chairperson

-0000-

**Resolution No. 03
Series of 2022**

A RESOLUTION CONCURING THE APPOINTMENT OF CRISLYN R. LERIO AS BARANGAY TREASURER OF BARANGAY MANLAWAN, TABANGO, LEYTE

WHEREAS, LYDIA BARONDA was terminated as Barangay Treasurer effective January 28, 2022

WHEREAS, such termination created a vacancy in the position of Barangay Treasurer;

WHEREAS, in the exigency of public service, CRISLYN R. LERIO was appointed as Barangay Treasurer effective February 07, 2022

WHEREAS, CRISLYN R. LERIO meets all the qualifications required as Barangay Treasurer pursuant to Section 395 of the Local Government Code of 1991;

WHEREAS, it is the function of the Sangguniang Barangay to concur the appointment of CRISLYN LERIO as Barangay Treasurer;

NOW THEREFORE, on motion of Kagawad Wilfredo Caleza and duly seconded by Kagawad Teotimo Jordan;


BE IT RESOLVED, AS IT IS RESOLVED BY THE SANGGUNIANG BARANGAY OF BARANGAY MANLAWAN, TABANGO, LEYTE, by virtue of the powers vested in it by law, do hereby concur the appointment of CRISLYN LERIO as Barangay Treasurer effective February 07, 2022

RESOLVED FINALLY that a copy of this resolution be furnished to the office of the Municipal Local Government Operations Office, Department of Interior and Local Government and to all offices concerned for information and appropriate action.

ADOPTED this February 07, 2022 at Barangay Manlawan, Tabango, Leyte.

Certified true and correct:


DONNA JEAN A. BACAY
Brgy. Secretary


MONSONITO BACAY
Barangay Kagawad


ERNESTO CAPUYAN
Barangay Kagawad


GERMAINE ROSE MORILLA
Barangay Kagawad

AIDA NUÑEZ
SK Chairperson

Approved: 
ALBERT C. MORILLA
Punong Barangay

-oOo-

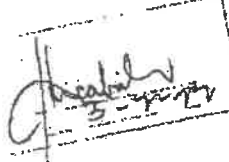
EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGUNIANG BARANGAY OF BARANGAY MANLAWAAN, TABANGO, LEYTE HELD ON JANUARY 17, 2022 AT THE BARANGAY SESSION HALL:

PRESENT:

HON. ALBERT C. MORILLA.....	Punong Barangay
HON. ROLLY LERIO.....	Brgy. Kagawad
HON. TEOTIMO JORDAN.....	Brgy. Kagawad
HON. WILFREDO CALESA.....	Brgy. Kagawad
HON. MONSOHITO BACAY.....	Brgy. Kagawad
HON. ERNESTO CAPUYAN.....	Brgy. Kagawad
HON. GERALDINE ROSE MORILLA.....	Brgy. Kagawad

-oOo-

Resolution No. 02
Series of 2022



A RESOLUTION CONCURING THE APPOINTMENT OF DONNA JEAN A. BACAY AS BARANGAY SECRETARY OF BARANGAY MANLAWAAN, TABANGO, LEYTE

WHEREAS, pursuant to Section 394 of R.A. 7160, the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the Sangguniang Barangay;

WHEREAS, the Barangay Secretary GILDA REPITO is found by the barangay council as incapable to carry on her duties as such an inevitably impeding the normal flow of work and restraining giving off services to the Barangay;

WHEREAS, MS. DONNA JEAN A. BACAY is appointed by the Punong Barangay ALBERT MORILLA as the Barangay Secretary subject for the concurrence of this body;

WHEREAS, DONNA JEAN A. BACAY possesses all the qualifications and none of the disqualifications to the possession as the new Barangay Secretary of this Barangay;


NOW THEREFORE, on motion of Kagawad ERNESTO CAPUYAN and duly seconded by Kagawad ROLLY LERIO;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the above appointed Barangay Secretary of Barangay Manlawaan is hereby CONCURED

RESOLVED FINALLY, that a copy of this resolution be furnished to the office of the Municipal Local Government Operations Office, Department of Interior and Local Government and to all offices concerned for information and appropriate action.

ADOPTED this January 17, 2022 at Barangay Manlawaan, Tabango, Leyte

Certified true and correct:



GERALDINE ROSE MORILLA
In-charge as Secretary


KOLLY LERIO
Barangay Kagawad


TEOTIMO JORDAN
Barangay Kagawad


WILFREDO GALEA
Barangay Kagawad

ANTONIO PEPITO SR.
Barangay Kagawad


MONSORITO BACAY
Barangay Kagawad


ERNESTO CAPUYAN
Barangay Kagawad


GERALDINE ROSE MORILLA
Barangay Kagawad

AIDANUÑEZ
SK Chairperson

Approved:


ALBERT C. MORILLA
Punong Barangay

ANNEX: 4 Series

Date	Name	Position	Signature
10-12	Luanco S. Vela	BHW	[Signature]
11-22	1. Eda Balleno	BHW	[Signature]
	2. Peraldo Haldhal		
19-21	EPI		
	1. Ballao Eda	BHW	[Signature]
	2. Benito MYNA	BHW	[Signature]
	3. Haldhal Rosalinda	BHW	[Signature]
	4. Haldhal O. Centon	BHW	[Signature]
	5. Luanco S. Vela	BHW	[Signature]
	Josephine O. Epe	BHW	[Signature]
23-23	MYNA B. BALLENO	BHW/BNS	[Signature]
24-22	Kati Haldhal		
	MYNA BALLENO		
	EDA S. BALLENO	BHW	[Signature]
	MYNA B. BALLENO	BHW/BNS	[Signature]
03-22	BALLENO EDA S.	BHW	[Signature]
2-22	MYNA B. BALLENO	BNS/BHW	[Signature]
	ADLYN B. SALONDRO	BHW	[Signature]
3-09-22	EDA BALLENO	BHW	[Signature]
	MYNA BALLENO	BNS/BHW	[Signature]
	ADLYN SALONDRO	BHW	[Signature]
08-22	Renilda M. Bayo	BHW	[Signature]
	Josephine A. Epe	BHW	[Signature]

Date	Name	Position	Sign
3-17-22	MARIA P. BALLENO Rosalinda, W. de V. ✓	BHW	[Signature]
3-19-22	MARIA P. BALLENO	BHW	[Signature]
3-21-22	MARIA P. BALLENO ✓	BHW	[Signature]
3-28-22	Luzmila C. Cortes Olivia D. Cortes Rosalinda A. Cortes Josephine A. Epe	BHW BHW BHW	[Signatures]
4-4-22	Rosalinda A. Cortes Rosalinda D. Cortes Olivia D. Cortes Josephine A. Epe Olivia D. Cortes	BHW BHW BHW BHW BHW	[Signatures]
4-18-22	Rosalinda M. Abayan Olivia D. Cortes Luzmila C. Cortes Josephine A. Epe	BHW BHW BHW BHW	[Signatures]
4-19-22	MARIA P. BALLENO ✓ Olivia D. Cortes Luzmila C. Cortes Josephine A. Epe	BHW BHW BHW BHW	[Signatures]

Date	Name	Position	Signature
15-2-2022	1. Lucrecia Cortes	BHW	[Signature]
	2. Josephine A. Epe	BHW	[Signature]
	3. Alicia O. Cortes	BHW	[Signature]
2-2-2022	1. Lucrecia Cortes	BHW	[Signature]
	2. Alicia O. Cortes	BHW	[Signature]
	3. Josephine A. Epe	BHW	[Signature]
	4. Rerilda M. Abayan	BHW	[Signature]
16-2-2022	1. Josephine A. Epe	BHW	[Signature]
	2. Alicia Cortes	BHW	[Signature]
	3. Lucrecia Cortes	BHW	[Signature]
	4. Rerilda M. Abayan	BHW	[Signature]
22-2-2022	1. Rerilda M. Abayan	BHW	[Signature]
	2. Alicia O. Cortes	BHW	[Signature]
	3. Josephine A. Epe	BHW	[Signature]
	4. Lucrecia Cortes	BHW	[Signature]
30-2-2022	1. Lucrecia Cortes	BHW	[Signature]
	2. Josephine A. Epe	BHW	[Signature]
6-3-2022	1. Lucrecia Cortes	BHW	[Signature]
	2. Josephine A. Epe	BHW	[Signature]
	3. Alicia Cortes	BHW	[Signature]
	4. Rerilda M. Abayan	BHW	[Signature]
6-3-2022	1. Lucrecia Cortes	BHW	[Signature]
	2. Rerilda M. Abayan	BHW	[Signature]

City : Manlawaan
 Mayor : Lydia R. Baronda

Period Covered : January 2022
 City / Municipality : Tabango
 Province : Leyte

Payroll : _____

Name	Monthly Incentive Position	Compensation								Total	Net amount Due	Signature of Recipient
		Salaries & Wages	Incentive & Allowances	Honoraria	Other Benefits	Total	BIT w/holding Tax	Differential for the Month of	Total			
MORILLA LERIO	Brgy. Chairman	11,500.00								11,500.00		[Signature]
G. JORDAN	Brgy. Councilor	10,000.00								10,000.00		[Signature]
J. L. CALESA		10,000.00								10,000.00		[Signature]
C. PEPITO SR.		10,000.00								10,000.00		[Signature]
TO D. BACAY		10,000.00								10,000.00		[Signature]
D. CAPIYAN		10,000.00								10,000.00		[Signature]
E. ROSE P. MORILLA		10,000.00								10,000.00		[Signature]
I. N. PEPITO	Brgy. Secretary	10,000.00								10,000.00		[Signature]
ARONDA	Brgy. Treasurer	10,000.00								10,000.00		[Signature]
J. NEZ	Brgy. SK Chairman	10,000.00								10,000.00		[Signature]
A. REGIR	Brgy. Record Keeper	7,000.00								7,000.00		[Signature]
J. JORDAN	DCW	2,550.00								2,550.00		[Signature]
BALLENO	BNS	1,200.00								1,200.00		[Signature]
NO	BHW	800.00								800.00		[Signature]
LONDRO	BHW	800.00								800.00		[Signature]
I. HALIK HIK	BHW	800.00								800.00		[Signature]
DE	BHW	800.00								800.00		[Signature]
OSA	OWS TANDU	1,000.00								1,000.00		[Signature]
DDAGA	TANDU	850.00								850.00		[Signature]
RVO		850.00								850.00		[Signature]
IAC-AS		850.00								850.00		[Signature]
		Pho. 102,00.00								Pho. 1,297,000.00		

Liability of _____ in the amount of **ONE HUNDRED PESOS ONLY (P1,100)**

[Signature]
 DO L. CALESA
 City Accountant

I certify as to validity, propriety and legality of claim and approved payment.
 Signature: [Signature]
 Printed Name: **ALEXY C. MORILLA**
 Position: **Barangay Treasurer**
 Date: _____

I certify that each officer / employee appears on the above copy of list being paid.
 Signature: [Signature]
 Printed Name: **LYDIA R. BARONDA**
 Position: **Barangay Treasurer**
 Date: _____

Account Code	Debit	Credit	Prepared by	Date
			ALEXY C. MORILLA Barangay Treasurer	
			LYDIA R. BARONDA City / Municipality Accountant	

APRIL 6, 2022

Ako si JUANITA EPE usa ka Barangay Worker sa Manlawaan ako
voluntaryo nga ni-undang sa pagtarbaho sa Barangay niadtong bulan sa
Septembre 2021 og wala ako tang-tanga sa Kapitan og sa mga konsehal.

Aron sapagmatood sa naasoy sa ibabaw ako kining permihan niing
adlaw Mirkules April 6, 2022 uban sa akong bana og testigos.


JUANITA EPE

Brgy. Worker


SERGIO EPE

Bana

Testigos:


ROLLY LERIO

Barangay Kagawad


TEOTIMO JORDAN

Barangay Kagawad


WILFREDO CALESA

Barangay Kagawad


ERNESTO CAPUYAN

Barangay Kagawad


CRISLYN LERIO

Brgy. Treasurer



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

ERIT M. ARINGOY
LYDIA BARONDA
GILDA M. PEPITO
ERLINDA C. QUANEM, ET. AL.
Barangay Manlawaan, Tabango, Leyte

~versus~

Complainants,

Adm. Case No. SB-2022-03-01
FOR: Alleged Abuse of Authority, Oppression
And possible violation of the Omnibus
Election Code

HON. ALBERT C. MORILLA,
Barangay Chairman
Barangay Manlawaan, Tabango, Leyte

Respondent.

X-----X

ORDER

This has reference to the administrative complaints filed against HON. ALBERT C. MORILLA, Barangay Captain of Barangay Manlawaan, Tabango, Leyte by ERIT M. ARINGOY, LYDIA BARONDA, GILDA M. PEPITO AND ERLINDA C. QUANEM, ET. AL. of Barangay Manlawaan, Tabango, Leyte.

In view thereof, you are hereby directed to submit your verified answer together with the affidavits of your witnesses and pieces of evidence, if any, in support of your defense to the Office of the Sangguniang Bayan, Tabango, Leyte within fifteen (15) days from receipt hereof.

Enclosed is a copy of the complaint received by this office for your reference.

Failure to submit your verified answer within the prescribed period shall be considered a waiver of your rights to present evidence on your behalf.

ISSUED this 30th day of May 2022 at Tabango, Leyte.

SO ORDERED.

RECIEN TO HT:

ALBERT C MORILLA

11:50 AM

6/14/22

ROSLIE E. OMEGA, M.D.

Municipal Vice Mayor
Presiding Officer



SB-2022-07-01

March 16, 2022

Hon. Roslie E. Omega, M. D.
Municipal Vice Mayor
Presiding Officer
Sangguniang Bayan
Tabango, Leyte

RECEIVED

17 MAR 2022

VALENTINO A. CODERA
Secretary to the Sanggunian

THROUGH: Mr. Valentino A. Codera
Sangguniang Bayan Secretary
Tabango, Leyte

Sir:

Pursuant to Section 60 and in relation to Section 61 of the Local Government Code of the Philippines and in behalf of Erit M. Aringoy and Erlinda C. Quanem, et. al. of Brgy. Manlaw-an, Tabango, Leyte, we are filing in your good office an administrative complaint against Hon. Albert C. Morilla, Barangay Captain of Brgy. Manlaw-an, Tabango, Leyte. The pertinent facts leading to the filing of the complaint are narrated in the following:

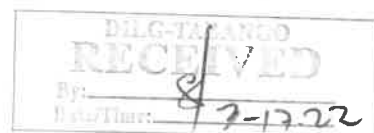
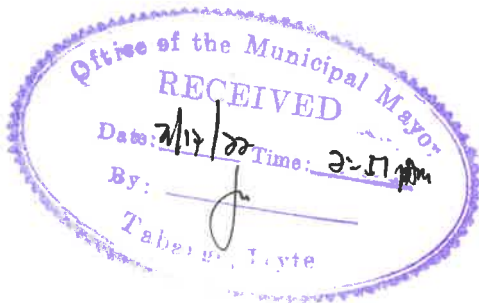
1. Affidavit-Complaint of Erit M. Aringoy;
2. Affidavit of Lydia Baronda;
3. Joint Affidavit-Complaint of Erlinda C. Quanem, et. al; and
4. Affidavit of Ma. Gilda M. Pepito;.

In view of the foregoing, it is respectfully requested that an administrative investigation shall be conducted against Hon. Albert C. Morilla, pursuant to Section 62 to 68, inclusive of the Local Government Code of the Philippines.

Hoping that this request will be accorded due and favorable action. Thank you.

Very truly yours,

ATTY. OCTAVIUS L. LABTIC
Counsel for the Complainants



2:55 PM

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)S.S.
MUNICIPALITY OF SAN ISIDRO)

AFFIDAVIT-COMPLAINT

I, ERIT M. ARINGOY, of legal age, Filipino, married, and residing at Brgy. Manlawan-an, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That I am a Barangay Worker (BW) of Brgy. Manlawan-an, Tabango, Leyte;
2. That I started to work as Barangay Worker (BW) of Brgy. Manlawan-an, Tabango, Leyte way back November 2013. I was appointed by Barangay Captain Albert C. Morilla;
3. That I am receiving a monthly honorarium of P 450.00 a month then was increased to P750.00 a month;
4. That I, as Barangay Worker (BW), my work is to clean the surroundings of the barangay, assist on all activities of the barangay as directed by the Barangay Captain. I am required to report for duty one day for every week. My schedule of reporting is every Sunday;
5. That sometime on July 2021, I was called by our Barangay Captain, and he asked me to whom I will support this coming May 09, 2022 local elections for the position of Municipal Mayor in Tabango, Leyte. I told the Barangay Captain that as usual, I will support the incumbent Mayor, Hon. Bernard Jonathan M. Remandaban;
6. That Barangay Captain Albert C. Morilla told me "Ako ra ba kung dili mouyon sa ako motangtang ra ba ko!" (I will terminate barangay workers if will not go with me!). Our Barangay Captain is known in our barangay who shifted political support, because formerly, in the 2019 local elections, he was supporting Mayor Bernard Jonathan M. Remandaban, but now he is supporting the opponent of the latter this coming May 09, 2022 local elections;
7. That when I reported for duty the following Sunday, there was already somebody who work for me as my replacement. I was terminated by our Barangay Captain without cause and without properly notifying me. I know the reason why I was terminated, it was because I will not go with him in supporting his candidate for Mayor this coming May 09, 2022 local elections;
8. That I am voluntarily executing this affidavit-Complaint to attest the foregoing facts to be true and correct, and to support my complaint against Barangay Captain Albert C. Morilla.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of 16 MAR 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.

Erit M. Aringoy
ERIT M. ARINGOY
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public for and in the Municipality of San Isidro, Province of Leyte, Philippines, this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. I hereby certify that I have personally examined the affiant and I am satisfied that she voluntarily executed and understood the contents of her Affidavit Complaint.

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Page No. 93
Book No. LXVI
Series of 2022

[Signature]
ATTY. OCTAVIUS L. LABTIC
Notary Public
Until Dec. 31, 2023
PTR No. 5143296 1/04/21
San Isidro, Leyte
Roll No. 44,913
IBP No. 408908 -01/06/21
Leyte Chapter
MCLE Compliance Cert. No. VI
0011138-08/03/18
NC No. ADM. 20-081

**VERIFICATION AND CERTIFICATION OF NON-FORUM
SHOPPING**

I, ERIT M. ARINGOY, of legal age, Filipino, married and residing at Brgy. Manlawa-an, Tabango, Leyte, Philippines, after being duly sworn hereby depose and states that:

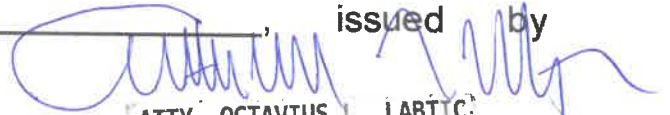
She is the complainant in the above-entitled complaint; she cause the preparation of the same; the allegations in the affidavit-complaint are true and correct on her personal knowledge, or based on authentic documents; the pleading is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation and the factual allegations therein have evidentiary support or, if specifically so identified will likewise have evidentiary support after a reasonable opportunity for discovery;

She further states that she have not heretofore commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency and to the best of her knowledge, no such other action or claim is pending therein; If she could thereafter learn that the same or similar action or claim has been filed or pending, she shall report that fact within five (5) days therefrom to the court wherein her aforesaid complaint or initiatory pleading has been filed.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.

Erit M. Aringoy
ERIT M. ARINGOY
Affiant

SUBSCRIBED AND SWORN to before me this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me her Competent Proof of Identity using her _____, issued by _____



ATTY. OCTAVIUS L. LABTIC
Notary Public
Until Dec. 31, 2023
PTR No. 5143296 1/04/21
San Isidro, Leyte
Roll No. 44,913
IBP No. 408908 01/06/21
Leyte Chapter
MCLE Compliance Cert. No. VI-
0011138-08/03/18
NC No. ADM. 20-081

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REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)S.S.
MUNICIPALITY OF SAN ISIDRO)

AFFIDAVIT

I, LYDIA BARONDA, of legal age, Filipino, widow, and residing at Brgy. Manlawan, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That I am the former Barangay Treasurer of Brgy. Manlawan, Tabango, Leyte;
2. That sometime on September 2021, there was a mass termination of barangay employees, such as, Barangay Workers (BW) and Barangay Tanods. The reason for their termination is because the Barangay Captain don't like them to remain those workers who will not support the candidate for Mayor he is supporting this coming May 09, 2022 local elections;
3. That I am the one disbursing the honorarium of the terminated workers of the barangay;
4. That even me, I was told by Barangay Captain Albert C. Morilla to file a resignation, because he knew that I will not support his candidate for Mayor in the coming May 09, 2022 local elections;
5. That I stopped working as Barangay treasurer last January 30, 2022;
6. That I am voluntarily executing this Affidavit to attest the foregoing facts to be true and correct, and for whatever legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hand this 16 MAR 2022 day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.


LYDIA BARONDA
Affiant

SUBSCRIBED AND SWORN to before me, a Notary Public for and in the Municipality of San Isidro, Province of Leyte, Philippines, this 16 MAR 2022 day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited his Competent Proof of Identity using her _____, issued by _____. I hereby certify that I have personally examined the affiant and I am satisfied that she voluntarily executed and understood the contents of her affidavit.


ATTY. OCTAVIUS L. LABTIC

Notary Public

Until Dec. 31, 2023

PTR No. 6131609 1/03/22

San Isidro, Leyte

Roll No. 44,913

IBP No. 408908 -01/06/21

Leyte Chapter

MCLE Compliance Cert. No. VI

0011138-08/03/18

NC No. ADM. 20-081

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REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)S.S.
MUNICIPALITY OF SAN ISIDRO)

JOINT AFFIDAVIT - COMPLAINT

We, ERLINDA C. QUANEM, OPHELIA C. RAMO, NORMA BOHOL, RIZA D. SARIO, MARIA M. DELANTAR, LIEZEL D. VALEMOMA, JOVELIN P. SIMBAJON, JUANITA D. EPE, EDA S. BALLENO, ROSALINDA M. HALIKHIK, MARCELINO PAGADORA, MERLITA C. CONDES, MARICEL R. MAPULA, VISITACION B. MAPULA, EUMENIGELDA M. DACALOS, JOSEPHINE E. SEÑAR, EDWIN D. MANRIQUEZ, DANILO E. BATICOLON, NORMA R. BOHOL, ELMA T. AYADE, MYRNA B. BALLENO, ARLYN SALONDRO, LELIA RAMO, HERMELA E. EPE and WILMA MA. CONDES, of legal ages, Filipinos, and all residing at Brgy. Manlaw-an, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That we are all (either Barangay Worker, Barangay Tanod and Barangay Health Worker) of Brgy. Manlaw-an, Tabango, Leyte;
2. That we are all appointed by our incumbent Barangay Captain, Hon. Albert C. Morilla;
3. That in the past local elections, particularly, on the 2019 local elections, our Barangay Captain and all of us were die hard supporters of our incumbent Municipal Mayor, Hon. Bernard Jonathan M. Remandaban;
4. That sometime in the middle of last year 2021, when the filing of certificate of candidacy of different elective positions were approaching, we came to know that our Barangay Captain, Hon. Albert C. Morilla, shifted his support to Mayor Bernard Jonathan M. Remandaban, because he is now supporting mayoralty aspirant Romel Aropo. The latter was the opponent of Mayor Remandaban in the last 2019 elections and he was defeated, and now he is seeking a rematch with our incumbent Municipal Mayor, Hon. Bernard Jonathan M. Remandaban;
5. That because of this change of support by our Barangay Captain, a trouble arose in our barangay, because Barangay Captain Albert C. Morilla is pressuring each of us to shift also political support. He wants us to go with him in supporting Romel Aropo, which all of us did not heed the pressure of Hon. Albert C. Morilla;
6. That since we did not heed with his pressure to support Mayoralty aspirant, Romel Aropo, because we cannot leave Mayor Bernard Jonathan M. Remandaban, Hon. Albert C. Morilla terminated all of us (either as Barangay Worker, Barangay Tanod and Barangay Health Worker). In fact, he even managed to let the Sangguniang Barangay pass Resolution No. 19 on December 04, 2021, a Resolution Confirming the Removal of all Barangay Appointed Officials and Employees of Barangay Manlaw-an, Tabango, Leyte, in order to give semblance of authority of the illegal act of our Barangay Captain, copy of Resolution No. 19 is hereto attached as Annex "A" of this Joint Complaint-Affidavit;
7. That we are voluntarily executing this Joint Complaint-Affidavit to attest the foregoing facts to be true and correct, and to support the investigation of Hon. Albert C. Morilla for abuse of authority, oppression and for possible violation of the Omnibus Election Code;

IN WITNESS WHEREOF, We have hereunto set our hands this _____ day of
16 MAR 2022, 2022, in the Municipality of San Isidro, Province, Province of Leyte,
Philippines.


ERLINDA C. QUANEM
Affiant


NORMA BOHOL
Affiant


MARIA M. DELANTAR
Affiant


JOVELIN C. SIMBAJON
Affiant


EDA S. BALLENO
Affiant



MARCELINO PAGADORA
Affiant


MARICEL R. MAPULA
Affiant


EUMENIGELDA M. DACALOS
Affiant


EDWIN D. MANRIQUEZ
Affiant

NORMA R. BOHOL
Affiant


MYRNA B. BALLENO
Affiant


LELIA RAMO
Affiant



WILMA MA. CONDES
Affiant


OPHELIA C. RAMO
Affiant



RIZA D. SARIO
Affiant



LIEZEL D. VALEMOMA
Affiant


JUANITA D. EPE
Affiant


ROSALINDA M. HALIKHIK
Affiant


MERLITA C. CONDES
Affiant


VISITACION B. MAPULA
Affiant


JOSEPHINE E. SEÑAR
Affiant


DANILO E. BATICOLON
Affiant


ELMA T. AYADE
Affiant


ARLYN SALONDRO
Affiant


HERMELA E. EPE
Affiant

SUBSCRIBED AND SWORN to before me, this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. I hereby certify that I have personally examined the affiants and I am satisfied that they voluntarily executed and understood the contents of their Joint Complaint-Affidavit.



ATTY. OCTAVIUS L. LABTIC

Notary Public

Until Dec. 31, 2023

PTR No. 6131609 1/03/22

San Isidro, Leyte

Roll No. 44,913

IBP No. 408908 -01/06/21

Leyte Chapter

MCLE Compliance Cert. No. VI

0011138 -08/03/18

NC No. ADM. 20-081

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Erinda Querson
Jose
Victor B. Napula
arey
si maria Juavita
Ateneo
William
Ateneo
Ateneo
Ateneo

ptr
Chamange

maria
MARIA M. DELANTAR
Affiant

LIEZEL D. VALENZONA
Affiant

JAR
JOVELIN P. SIMABAJON
Affiant

Juanita Epe
JUANITA D. EPE
Affiant

Balleo
EDA S. BALLENO
Affiant

MAR
ROSALINDA M. HALIKHIK
Affiant

[Signature]
MARCELINO PAGADORA
Affiant

[Signature]
MERLITA C. CONDES
Affiant

[Signature]
MARICEL R. MAPULA
Affiant

Visitacion B Mapula
VISITACION B. MAPULA
Affiant

E Daa
ERMENIGELDA M. DACALOS
Affiant

[Signature]
JOSEPHINE E. SEÑAR
Affiant

[Signature]
EDWIN D. MANRIQUEZ
Affiant

[Signature]
DANILO E. BATICOLON
Affiant

[Signature]
MYRNA B. BALLENO
Affiant

[Signature]
ELMA T. AYADE
Affiant

[Signature]
ARLYN SALONDRO
Affiant

[Signature]
LELIA RAMO
Affiant

[Signature]
HERMELA E. EPE
Affiant

[Signature]
MILMA MA. CONDES
Affiant

SUBSCRIBED AND SWORN to before me this 16 MAR 2022 day of 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.

[Signature]

ATTY. OCTAVIUS L. LABTIC
Notary Public
Until Dec. 31, 2023
PTR No. 5143296 1/04/21
San Isidro, Leyte
Rol No. 44,913
IBP No. 408908 -01/06/21
Leyte Chapter
MCLE Compliance Cert. No. VI-0011138-08/03/18
NC No. ADM. 20-081

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and
[Signature]
3 6
[Signature]

Republic of the Philippines
Province of Leyte
Municipality of Tabango
Barangay Manlawaan

-0-

Resolution No. 19

A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE BARANGAY MANLAWAAN, TABANGO, LEYTE,

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 389, Paragraph (b)(5) states that the Punong Barangay, as the Chief Executive of the barangay government, shall appoint or replace the Secretary upon approval by a majority of all the members of the Sangguniang Barangay

WHEREAS, the Republic Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 394, Paragraph (a) states that the Barangay Secretary shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;

WHEREAS, the Act No. 7160 also known as the 1991 Local Government Code of the Philippines provides Book III, Title One, Chapter 3, Section 395, Paragraph (a) states that the Barangay Treasurer shall be appointed by the Punong Barangay with the concurrence of the majority of all the Sangguniang Barangay Members;

NOW THEREFORE: on motion of Kagawad ROLLY LERIO with the unanimous accord of the members of the Sangguniang Barangay present; BE IT

RESOLVED: be it resolved and it is hereby resolved confirming the removal of all Barangay appointed officials and employee Barangay Manlawaan, Tabango, Leyte.

RESOLVED FURTHERE, that copy of this resolution be furnished all offices concerned


UNANIMOUSLY APPROVED adopted on December 04, 2021 at Barangay Manlawaan.

Conforme:



ROLLY LERIO
Sangguniang Barangays Member


WILFREDO CALESA
Sangguniang Barangays Member


MONSCHITO BACAY
Sangguniang Barangays Member


GERALDINE ROSE MORILLA
Sangguniang Barangays Member

CERTIFIED CORRECT:


ALBERT C. MORILLA
Punong Barangay


TEOTIMO JORDAN
Sangguniang Barangays Member

ANTONIO PEPITO, SR.
Sangguniang Barangays Member


ERNESTO CAPUYAN
Sangguniang Barangays Member

AIDA NUÑEZ
SK chairperson

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF LEYTE)S.S.
MUNICIPALITY OF SAN ISIDRO)

AFFIDAVIT

I MA. GILDA M. PEPITO, of legal age, Filipino, married, and residing at Brgy. Manlawan, Tabango, Leyte, Philippines, after having been duly sworn to in accordance with law, depose and say:

1. That I am the former Barangay Secretary of Brgy. Manlawan, Tabango, Leyte;
2. That I was appointed on November 2013 by Barangay Captain Albert C. Morilla;
3. That on the 2016 and 2019 local elections, I and Barangay Captain Albert C. Morilla were supporting Mayor Bernard Jonathan M. Remandaban;
4. That lately, sometime July 2021, I have known that Barangay Captain Albert C. Morilla shifted his political support, because he is now supporting Romel Aropo, the opponent of Mayor Bernard Jonathan M. Remandaban this coming May 09, 2022 local elections. This Romel Aropo is the opponent of Mayor Remandaban in the last 2019 elections, he was defeated by the latter;
5. That Barangay Captain Albert C. Morilla told me that he is supporting already Romel Aropo;
6. That on January 10, 2022, I got hold of a Resolution No. 19 and the same was put in the door of our office, and when I read it, it turns out that the title of it is "A RESOLUTION CONFIRMING THE REMOVAL OF ALL BARANGAY APPOINTED OFFICIALS AND EMPLOYEE OF BARANGAY MANLAWAN, TABANGO, LEYTE." it was unusual because I was still the Barangay Secretary, but I did not know its passage. It seems that I was removed without cause and without proper notice to me;
7. That one of the indication that I was terminated as Barangay Secretary and is included in Resolution No. 19 is that the key of my office in the barangay hall was no longer in the place where it used to be placed;
8. That I remember that I have heard once from the Barangay Captain that he told me "Ang dili mokuyog nako motangtang ra ba ko." (Those who will not go with me, I will terminate.). He was referring to those who will not support him in supporting the mayoralty candidate he is supporting;
9. That I am voluntarily executing this Affidavit to attest the foregoing facts to be true and correct, and for whatever legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines.


MA. GILDA M. PEPITO
Affiant

SUBSCRIBED AND SWORN, to before me a Notary Public, for and in the Municipality San Isidro, Province of Leyte, Philippines, this _____ day of 16 MAR 2022, 2022, in the Municipality of San Isidro, Province of Leyte, Philippines. Affiant exhibited to me her _____, issued by _____. I hereby certify that I have personally examined the affiant and I am satisfied that she voluntarily executed and understood the contents of her affidavit.



ATTY. OCTAVIUS L. LABTIC

Notary Public

Until Dec. 31, 2023

PTR No. 6131609 1/03/22

San Isidro, Leyte

Roll No. 44,913

IBP No. 408908 -01/06/21

Leyte Chapter

MCLE Compliance Cert. No. VI

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