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Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Office of the Ombudsman (Visayas)
M. Velez Street, Guadalupe, Cebu City 6000




Item No.: 21
Date: 12 SEP 2023

INDORSEMENT
IC-OVT-JUN-23-0139
Cebu City

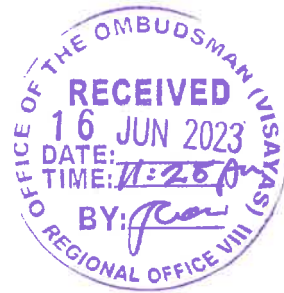
SANGGUNIANG PANLALAWIGAN
RECEIVED
SEP 05 2023
PROVINCE OF LEYTE

AUG 15 2023

Respectfully forwarded to **HONORABLE LEONARDO M. JAVIER JR.**, Provincial Vice Governor/Presiding Officer, Office of the Sangguniang Panlalawigan, Province of Leyte, Tacloban City, **for appropriate action**, the attached complaint of **ROLANDO D. ANZALE**, Barangay Cansamada East, Dagami, Leyte, against **HOMOBONO U. BARDILLON**, Vice Mayor, Municipality of Dagami, Leyte, with the request that the Honorable Provincial Vice Governor/Presiding Officer or an authorized representative please acknowledge receipt hereof and promptly notify this Office and the concerned parties of the action taken on the matter.

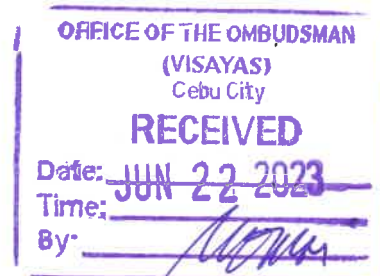

DANIE F. VARGAS
Deputy Ombudsman for Visayas
 

Cc:
MR. ROLANDO D. ANZALE
Barangay Cansamada East
6515 Dagami, Leyte



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE OMBUDSMAN (VISAYAS)
OMBUDSMAN REGIONAL OFFICE 08
MARASBARAS/FATIMA VILLAGE, TACLOBAN CITY

THE DEPUTY OMBUDSMAN (VISAYAS)
Ombudsman Regional Office 08
Tacloban City



S I R:

I am herewith initiating an administrative complaint against the Municipal Vice Mayor/ Presiding Officer of Dagami, Leyte, in the person of Homobono U. Bardillon for Violation of Sec. 5 of Republic Act No. 6713 otherwise known as An Act Establishing A Code of Conduct And Ethical Standards For Public Officials and Employees.

For the details of the commission of the offense charged, attached is my Complaint – Affidavit with Annexes.

With the submission of the same, it is most respectfully prayed that the same be given merit thereby an appropriate penalty be imposed.

Thank you very much.

June 18, 2023, Tacloban City, Philippines.


ROLANDO D. ANZALE
Complainant
Brgy. Cansamada East, Dagami, Leyte

REPUBLIC OF THE PHILIPPINES)
CITY OF TACLOBAN) s. s.
X - - - - - X

COMPLAINT – AFFIDAVIT

I, ROLANDO D. ANZALE, of legal age, married, Filipino and presently residing at Brgy. Cansamada East, Dagami, Leyte, Philippines, after first being duly sworn to, depose and state:

1. That I am the same Rolando D. Anzale who is the owner – proprietor of Dagami Recreational Center (cockpit), located at Brgy. Cansamada East, Dagami, Leyte;
2. That I became the owner of the said property when I bought the same late last year from the previous owner and upon my purchase, I continued the operation of the said cockpit;
3. Since I was required to secure a legislative franchise, I temporarily stopped operation of the said cockpit pending submission of all necessary documents in compliance for the issuance of the franchise;
4. Nevertheless, sometime on May 10, 2023, I wrote a letter to the Municipal Mayor of Dagami, Leyte, requesting for a Special Permit for Cock Fighting in Commemoration of the Town Fiesta of Dagami, Leyte on May 27, 2023, copy of the said letter is hereto attached and made integral part hereof as Annex “A”;
5. Acting on my letter – request, Hon. Angelita M. Delusa, the Municipal Mayor of Dagami, Leyte, officially forwarded the said request to the Municipal Council of Dagami, Leyte, thru the Municipal Vice – Mayor/Presiding Officer Hon. Homobono U. Bardillon, which was duly received on May 17, 2023, copy of the endorsement-letter from the Municipal Mayor of Dagami, Leyte, is hereto attached and made integral part hereof as Annex “B”;
6. Since my request for Special Permit for cockfight was for May 24 – 26, 2023, I made several representations with the Office of the Sangguniang Bayan of Dagami, Leyte and I was hoping that the same will be calendared in a Regular Session or set the same for a Special Session;



7. That despite of the receipt of my letter, together with the endorsement letter from the Municipal Mayor of Dagami, Leyte, the Municipal Vice Mayor/Presiding Officer did not act on the matter and when the date sought for Special Permit on May 24 – 26 arrived, we were not able to hold the cock fighting sans the absence of the said Special Permit;
8. Even after fifteen (15) working days has lapsed, still the Municipal Council, thru the Municipal Vice Mayor/Presiding Officer did not bother to respond and/or answer my letter. Thus, under Section 5 of Republic Act No. 6713, it provides, to wit:

“Section 5. – All public officials and employees shall, within, fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means or other means of communications sent by the public. The reply must contain taken on the request.”

9. That being so, I am initiating the filing of this Administrative Complaint against the Municipal Vice Mayor/Presiding Officer of Dagami, Leyte, for his failure to respond and/or reply of my letter request which his office duly received by virtue of the endorsement letter coming from the Municipal Mayor of Dagami, Leyte;
10. That I am executing this Affidavit purposely to initiate the filing of an Administrative Complaint for Violation of Sec. 5 of Rep. Act. No. 6713 otherwise known as An Act Establishing A Code of Conduct And Ethical Standards For Public Officials and Employees against the Municipal Vice Mayor/Presiding Officer HOMOONO U. BARDILLON, of Dagami, Leyte and to affirm and confirm the truth and veracity of the foregoing statements.

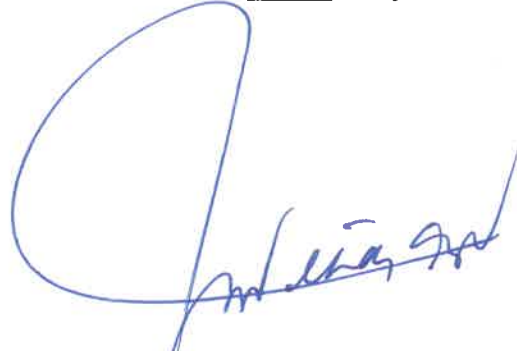
15 JUN 2023

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of June, 2023, at Tacloban City, Philippines.


ROLANDO D. ANZALE
Affiant – Complainant

AFPICS No. OTAG-EP=520214-95814

SUBSCRIBED AND SWORN TO before me this **15 JUN 2023** day of June,
2023, at Tacloban City, Philippines.


RHYNA M. PEÑARANDA-ALBESA
Prosecutor II
Office of the Provincial Prosecution-Leyte

REPUBLIC OF THE PHILIPPINES)
CITY OF TACLOBAN) S. S.
X - - - - - X

VERIFICATION and CERTIFICATION OF NON-FORUM SHOPPING

I, ROLANDO D. ANZALE, of legal age, married, Filipino and presently residing at Brgy. Cansamada East, Dagami, Leyte, Philippines, after first being duly sworn to, depose and state:

- A. That I caused the preparation of the foregoing Complaint - Affidavit;
- B. That the allegations therein contained are true and correct based on my personal knowledge and/ or authentic documents;
- C. That it was not filed to harass, cause unnecessary delay or needlessly increase the cost of litigation and that the factual allegations therein have evidentiary support or, if specifically, so identified, will likewise have evidentiary support after a reasonable opportunity for discovery;
- D. That I have not theretofore commenced any action or filed any claim involving the same issues in any court, tribunal or quasi-judicial agency and, to the best of my knowledge, no such other action or claim is pending therein;
- E. If there is such other pending action or claim, a complete statement of the present status thereof will be given;
- F. That if I should thereafter learn that the same or similar action or claim has been filed or is pending, I shall report that the fact within five (5) calendar days therefrom to the court or office wherein my aforesaid complaint or initiatory pleading has been filed.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of June, 2023, at Tacloban City, Philippines.

15 JUN 2023


ROLANDO D. ANZALE
Affiant- Complainant

AFPICS No. OTAG-EP=520214-95814

SUBSCRIBED AND SWORN TO before me this ___ day of June, 2023, at Tacloban City, Philippines.

15 JUN 2023


RHYNAL PENABANDA ALBESA
Prosecutor
Office of the Provincial Prosecutor - Leyte

ANNEX A^{11 21}

May 10, 2023

Hon. Angelita M. Delusa
Municipal Mayor
Dagami, Leyte

Dear Hon. Delusa:

Greetings!

The undersigned respectfully requesting for a Special Permit on Cock Fighting at Barangay Cansamada East, Dagami, Leyte in connection with the upcoming Town Fiesta Celebration this 27 May 2023.

We Filipino, with customary and traditional practice in honor of our patron saint Sr. San Jose, adhere this as form of recreational and entertainment activity for cockfighting aficionados in return additional revenue for the municipality of Dagami, Leyte. Per Resolution No. 83 series of 2017: "A RESOLUTION TO ENACT MUNICIPAL ORDINANCE NO. 02 SERIES OF 2017", AN ORDINANCE RESOLUTION THE ESTABLISHMENT, OPERATIVE AND MAINTENANCE OF COCKPIT, COCKFIGHTING, AND COMMERCIAL OF GAMECOCKS IN DAGAMI, LEYTE.


Section 4 paragraph (p) refer to Special Cockfighting Permit states " A Permit issued by the Municipal Mayor for the holding of cockfight in a place other than in a Licensed Cockpit for a limited duration and for a special occasion only, and with the concurrence of the Sangguniang Bayan.

Anent to this, herein applicant respectfully requesting for a Special Permit starting May 24-26, 2023 from this Honorable Members of the Sangguniang Bayan of Dagami.

Hoping that this request meritorious to grant Special Permit.

Respectfully yours,

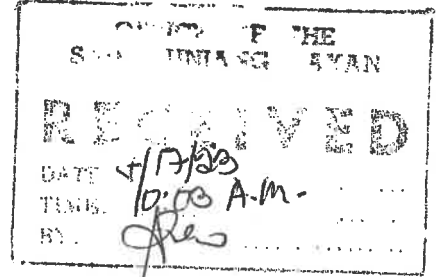

ROLANDO D. ANZALE
Applicant

 06-11-23
01:10 pm
**CERTIFIED TRUE COPY
FROM THE ORIGINAL**

ANNEX 'B'



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF DAGAMI
-oOo-



OFFICE OF THE MAYOR

May 17, 2023

THE HONORABLE MEMBERS OF THE SANGGUNIANG BAYAN
This Municipality

Thru: **HON. HOMOBONO U. BARDILLON**
Municipal Vice-Mayor / Presiding Officer

Sirs / Madams:


Respectfully submitted Letter Request of Mr. Rolando D. Anzale to grant Special Permit for Cockfighting.

In view of this, it is requested of the honorable members of the Sangguniang Bayan to hold a regular / special session for the purpose.


ANGELITA M. DELUSA ✓
Mayor

Encl:

Letter Request of Mr. Rolando D. Anzale


CERTIFIED TRUE COPY
FROM THE ORIGINAL
CG-15-22
01:07 PM