

9

Item No.: 23

Date: 10 2024 SEP

FOR: HON. LEONARDO M. JAVIER JR.  
VICE-GOVERNOR  
PROVINCE OF LEYTE

THRU: HON.



MAY WE REQUEST YOUR GOOD OFFICE  
TO RECIEVE OUR AFFIDAVIT AND TO TAICE  
ACTION AND PROPER DISPOSITION, THEREON.

THANK YOU FOR YOUR KIND CONSIDERATION.

BRAIANCE S. TORUENA  
0967 410 6380  
COMPLAINANT

JEFF DYBAR NIÑADA

DAOK  
LUDIGARIO B. POCERIO

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



### AFFIDAVIT

I, **BRAIANCE S. TORREÑA**, of legal age, married, and a resident of Tacloban City, after having been duly sworn in accordance with law, do hereby depose and state that:

1. I would like to bring to your attention the acts of Municipal Councilor **DENNIS BALDERIAN** (MR. BALDERIAN) of the Municipality of Tabontabon, Leyte, which constitute **Unjust Vexation, Oral Defamation, and Grave Threats**;
2. On or about August 18, 2024 at or about 9:30-10:00 o'clock in the evening, MR. BALDERIAN arrived and joined the drinking session of Jeff Niñada (Jeff), Lodegario Poserio, Ronil Pacala and Isidro Florencio in front of the sari-sari store owned by Rodel Pacala. He angrily uttered that Jeff committed a wrongdoing against him because Jeff is living with me and my family in Tacloban City. For context, Jeff is from Tabontabon, Leyte, awaiting the confirmation of his enrolment in TESDA and Asian Development College Foundation, so he lives with my family in Tacloban City.
3. MR. BALDERIAN hurled curse words at Jeff, an impressionable 19-year-old, forcing him to divulge everything that he knows about me and my family. Of course, Jeff did not tell him anything but what MR. BALDERIAN was insinuating is nothing short of an invasion of my privacy and utter neglect and disrespect for Jeff's rights;
4. MR. BALDERIAN continued to make threats against me just because I am unable to speak Waray-waray. This was witnessed by Lodegario Poserio whom MR. BALDERIAN also threatened because he speaks Tagalog when talking to me. Attached hereto as "Annex A" is the Affidavit of Lodegario Poserio supporting these statements;
5. At or about 11:30 in the evening of August 18, 2024 to 12 o'clock midnight of August 19, 2024, MR. BALDERIAN proceeded to the house of Jeff's parents and stated that he will involve Jeff in his grave threats against me and my wife. Attached as "Annex B" is the Affidavit of Jeff Niñada, attesting to the abovementioned facts.

6. In my mind, there is nothing wrong with our living arrangements with Jeff. But if his actions towards Jeff has something to do with the incident wherein I sustained serious physical injuries (fractures) in the head caused by my brother-in-law, JULIUS, who is a police officer and whose wife is the sister of MR. BALDERIAN, then I firmly believe that his unjust actions are misplaced. The filing of the appropriate legal action against JULIUS with the Philippine National Police was well within my rights, but for the sake of family harmony, I did not proceed to do so.
7. Nevertheless, MR. BALDERIAN's threats and intimidation towards the people I care for is quite alarming. This has caused annoyance which I can no longer tolerate. I am worried for the safety of my family and that of Jeff and his family. MR. BALDERIAN has went to Jeff's house several times already and again made threats if Jeff does not speak to him.
8. The Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives.

MR. BALDERIAN, as a public officer, is expected to demonstrate courtesy and civility in all his actuations and dealings with the public, but alas, he has failed to do the same;


9. As such, I am executing this Complaint Affidavit to attest to the truth of the foregoing for whatever legal purpose this may serve.

IN WITNESS WHEREOF, I have hereunto set my hand this 22<sup>nd</sup> day of August 2024 in Tacloban City.

  
**BRAIANCE S. TORREÑA**  
Affiant

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of August 2024 in Tacloban City. Affiant exhibited to me his National ID No. 3703-4710-2318-0793.

Doc. No. 201 ;  
Page No. 42 ;  
Book No. XII ;  
Series of 2024.

  
**ATTY. CHRISTIANNE P. AGUILAR**  
Notary Public For Tacloban City and Leyte  
NC No. 2023-01-09 until December 31, 2024  
Roll of Attorneys No. 63916  
PTR No.: 1140288/1-4-2023 Tacloban City  
IBP Lifetime Member No.: 017864 / 7-6-2017  
MCLE Compliance No.: VII-0002061 / 1-10-2020

## SINUMPAANG SALAYSAY

Ako si **LODEGARIO B. POSERIO**, 55 na taong gulang, binata at residente ng Zone 7 Brgy. San Victor, Tabontabon, Leyte, pagkatapos manumpa nang naayon sa batas ay malaya at kusang-loob na nagsasalaysay na:

1. Noong ika 18 ng Agosto 2024, habang nag-iinuman kami nina Ronil Pacala, Isidro Florendo at Jeff Niñada ay dumating si Dennis Balderian at nakipag-inuman. Nung una, nagulat siya dahil nandoon ako pero nang tumagal ay panay na ang masamang tingin niya sa akin.
2. Minsan ay nagsalita kami ng Tagalog at sinabihan ni Dennis Balderian si Jeff na *kay ano kita nagta-Tagalog kay anhi man la kita, kita la man. Kun adto kita iba, hira man it na-adjust.*
3. Aalis na sana ako dahil nagagalit na si Dennis Balderian. Pagka talikod ko, sabi niya "Tirahon ko adto". Umalis nalang ako.
4. Natatakot na ako dahil elected official siya at may mga kapatid na pulis. Hindi na rin ako mapalagay kakaisip sa mga pangyayari.
5. Dahil hindi ako nakakabasa at nakakapagsulat ay binasa muna sa akin ang nilalaman nitong Sinumpaang Salaysay at naiintindihan ko ang lahat ng nakasulat dito. Nilalagdaan ko ito ngayong ika 22 ng Agosto 2024 upang magpatunay sa katotohanang ng aking mga isinaad.

DAOK

**LODEGARIO B. POSERIO**

Affiant

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of August 2024 in Tacloban City. Affiant exhibited to me his TIN ID No. 716-969-725-000.

Doc. No. 203 ;

Page No. 42 ;

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ATTY. CHRISTIANNE P. AGUILAR  
Notary Public For Tacloban City and Leyte  
NC No. 2023-01-09 until December 31, 2024  
Roll of Attorneys No. 63916  
PTR No.: 1140288/1-4-2023 Tacloban City  
IBP Lifetime Member No.: 017864 / 7-6-2017  
MCLE Compliance No.: VII-0002061 / 1-10-2020

## SINUMPAANG SALAYSAY

Ako si **JEFF B. NIÑADA**, 19 taong gulang, binata at residente ng Brgy. Belisong, Tabontabon, Leyte, pagkatapos manumpa nang naayon sa batas ay malaya at kusang-loob na nagsasalaysay na:

1. Noong ika 18 ng Agosto 2024, habang nag-iinuman kami nina Ronil Pacala, Isidro Florendo, at Lodegario Poserio ng tuba sa harap ng tindahan ni Kuya Rodel Pacala ay dumating at sumali sa inuman namin si Konsehal Dennis Balderian. Nagbigay din siya ng pera pambili ng beer.
2. Panay ang sabi niya sa akin ng *may kasalanan ako* at nagagalit siya sa pakikitira ko kina Kuya Braiance Torreña. Doon ako nakatira sa bahay nila Kuya Braiance dahil mag-aaral sana ako sa Tacloban City.
3. Minumura ako ni Konsehal ng “yawa” at pinipilit niya akong magsalita na parang gusto niyang maki tsismis sa buhay nina Kuya Braiance. Wala akong sinabing kahit ano sa kanya at sinabihan niya ako na huwag daw magsinungaling. Nagpaka-honest lang naman ako dahil wala naman talaga akong gustong ikwento.
4. Nagalit din siya pag nagta-Tagalog kami. Sabi din niya ay “*tirahon ko adto*” dahil galit siya sa mga nagta-Tagalog.
5. Pinuntahan din niya sila papa sa bahay noong halos hatinggabi na ng August 19, 2024 kahit natutulog na sila. Sinabihan niya sila papa na idadamay niya ako kasama nina Kuya Braiance at Ate Juliet Torreña.
6. Dahil sa mga pangyayaring ito, hindi na rin ako makatulog at makakain ng maayos.
7. Nilalagdaan ko ang Sinumpaang Salaysay na ito ngayong ika 22 ng Agosto 2024 upang magpatunay sa katotohanang ng aking mga isinaad.

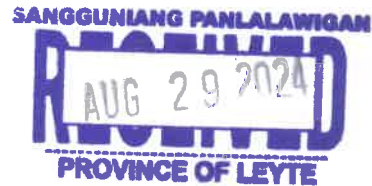
  
**JEFF B. NIÑADA**  
Affiant

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of August 2024 in Tacloban City. Affiant exhibited to me his National ID No. 5961-8470-4360-2864.

Doc. No. 202 ;  
Page No. 42 ;  
Book No. XII ;  
Series of 2024.

  
**ATTY. CHRISTIANNE P. AGUILAR**  
Notary Public For Tacloban City and Leyte  
NC No. 2023-01-09 until December 31, 2024  
Roll of Attorneys No. 63916  
PTR No.: 1140288/1-4-2023 Tacloban City  
IBP Lifetime Member No.: 017864 / 7-6-2017  
MCLE Compliance No.: VII-0002061 / 1-10-2020

REPUBLIC OF THE PHILIPPINES)  
CITY OF TACLOBAN ) S.S.  
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4. MR. BALDERIAN continued to make threats against me just because I am unable to speak Waray-waray. This was witnessed by Lodegario Poserio whom MR. BALDERIAN also threatened because he speaks Tagalog when talking to me. Attached hereto as "Annex A" is the Affidavit of Lodegario Poserio supporting these statements;
5. At or about 11:30 in the evening of August 18, 2024 to 12 o'clock midnight of August 19, 2024, MR. BALDERIAN proceeded to the house of Jeff's parents and stated that he will involve Jeff in his grave threats against me and my wife. Attached as "Annex B" is the Affidavit of Jeff Niñada, attesting to the abovementioned facts.

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Series of 2024.

  
ATTY. CHRISTIANNE P. AGUILAR  
Notary Public for Tacloban City and Leyte  
NC No. 2020-02-29 (not. December 31, 2024)  
Roll of Attorneys No. 53916  
PTR No. 114023241-4-2023 Tacloban City  
IBP Lifetime Member No.: 017864 / 7-6-2017  
MCLE Compliance No.: VII-0002061 / 1-10-2020

## SINUMPAANG SALAYSAY

Ako si **LODEGARIO B. POSERIO**, 55 na taong gulang, binata at residente ng Zone 7 Brgy. San Victor, Tabontabon, Leyte, pagkatapos manumpa nang naayon sa batas ay malaya at kusang-loob na nagsasalaysay na:

1. Noong ika 18 ng Agosto 2024, habang nag-iinuman kami nina Ronil Pacala, Isidro Florendo at Jeff Niñada ay dumating si Dennis Balderian at nakipag-inuman. Nung una, nagulat siya dahil nandoon ako pero nang tumagal ay panay na ang masamang tingin niya sa akin.
2. Minsan ay nagsalita kami ng Tagalog at sinabihan ni Dennis Balderian si Jeff na *kay ano kita nagta-Tagalog kay anhi man la kita, kita la man. Kun adto kita iba, hira man it na-adjust*
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DAOK

**LODEGARIO B. POSERIO**

Affiant

SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of August 2024 in Tacloban City. Affiant exhibited to me his TIN ID No. 716-969-725-000.

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Page No. 42 ;

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Series of 2024.

  
ATTY. RHINA ANNE P. AGUILAR  
Notary Public for Tacloban City, Leyte  
NC No. 2023-1173 dated December 31, 2024  
Roll of Attorneys No. 63818  
PTR No. 1100188214-2023 Tacloban City  
IBP Lifetime Member No. 017869 / 7-6-2017  
MCLE Compliance No. VII-0002061 / 1-10-2020





Aug. 21, 2024

Aug 18, 2024 - Nag-iinom hira Isidro Florendo, Ronel Pacala, Jeff Niñada nga Ludigario Paserio, umulpot hi Dennis Balderian ngan pumalit hin Redhorse ngan tumangka ha ira. Gin sidngan hin Jeff nga mayda sala ha iya about han issue han agaren ni Jeff ngan Julius Tonido. Gin buyayaw ini hi Jeff ni Dennis Balderian, ngan gin sidngan ini nga dire na umiskwela, kay baman hiya waray niya pinag eskwelahan. Ginyaknan pa Dennis Balderian nga titirahan hi hi Ludigario Paserio kay nagtatagalog nga anhi man la ha Belisong. Pagka buwas, Aug. 19, 2024, pasado alas onse (11:00 PM) kumanhi hi Dennis Balderian ha balay nira. Jeff ngan sidngan an iya papa nga hi Judy Niñada ngan nagbanta nga igdadamay hi Jeff hit kaso. Pagka Aug. 20, 2024, nagpa-blotter hi Dennis Balderian bisan waray sayop ni Jeff. Ginsidngan gibap nga driv-an an iya motor ngan iginhabatag kan Jeff an susi hini.

JEFF B. NIÑADA  
Tagreklamo

Certified true copy:  
ROSEMARIA G. FLORENDO  
Brgy. Belisong Sabantalan, Lufu  
Secretary

Aug. 21, 2024

Aug. 18, 2024 - Nag-iinom hira Isidro, Florendo, Ronnel Pacala, Jeff Niñada ngan Ludogario Poserio dida han atubangan han tindahan ni Arlyn Pacala ngan umulpot hi Dennis Balderian. Gin kikinita ini hiya hin malain ni Dennis Balderian, asya nga lumakat nala ini hi Ludogario Poserio ngan paghitalikod hini, ginsidngan hi Jeff Niñada nga titirahan ini niya hi Ludogario Poserio tungod nga nagtitinag-alog man ini.

DAOK

LUDIGARIO POSERIO

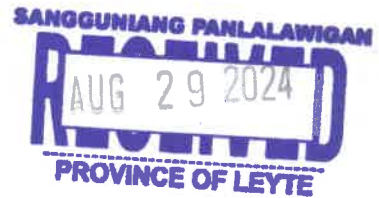
Certified true copy:

~~ROSEMARIE G. FLORENDO~~ 8/21/24

Argy. Secretary

Brgy. Belisong Tabontabon, Lupit

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



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DAOK

**LODEGARIO B. POSERIO**

Affiant


SUBSCRIBED AND SWORN to before me this 22<sup>nd</sup> day of August 2024 in Tacloban City. Affiant exhibited to me his TIN ID No. 716-969-725-000.

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ATTY. ZAID S. P. ADULAR  
Notary Public for Tacloban City and Leyte  
MC No. 2025-0149 Until December 31, 2024  
Roll of Attorneys No. 63916  
PTR No. 1140288/1-4-2023 Tacloban City  
ISP Lifetime Member No. 017384 / 7-8-2017  
MCLE Compliance No. VII-0002061 / 1-10-2020



Aug. 21, 2024

Aug 18, 2024 - Nag-iinom hira Isidro Florendo, Ronel Pacala, Jeff Niñada nga Ludigario Poserio, umulpot hi Dennis Balderian nga pumalit hin Redhorse nga tumangka ha ira. Gin sidngan hin Jeff nga mayda sala ha iya about han issue han agaren ni Jeff nga Julius Tonido. Gin buyayaw ini hi Jeff ni Dennis Balderian, nga gin sidngan ini nga dire na umiskwela, kay baman hiya waray niya pinag eskwelahan. Ginyaknan pa Dennis Balderian nga titirahan hi hi Ludigario Poserio kay nagtatagalog nga anhi man la ha Belisong. Pagka buwas, Aug. 19, 2024, pasado alas onse (11:00 PM) kumanhi hi Dennis Balderian ha balay nira. Jeff nga gin sidngan an iya papa nga hi Judy Niñada nga nagbanta nga igdadamay hi Jeff hit kaso. Pagka Aug. 20, 2024, nagpa-blotter hi Dennis Balderian bisan waray sayop ni Jeff. Ginsidngan ginhap nga driv-an an iya motor nga iginhabatag kan Jeff an susi hini.

JEFF B. NIÑADA  
Tagrekiamo

Certified true copy:  
ROSEMARIE G. FLORENDO  
Prgy. Secretary  
Prgy. Belisong Tabernicon, Lufte



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DAOK

LUDIGARIO POSERIO

Certified true copy:

<sup>duplacado</sup>  
ROSEMARIE G. FLORENDO 8/21/24

Prvy. Secretary

Brgy. Paliang Sabantabm, Lupa