

Item No.: 17

Date: 15 2024 OCT

September 20, 2024

FOR: HON. LEONARDO M. JAVIER
Vice Governor
Province of Leyte

THRU: OFFICE OF THE SANGGUNIANG PANLALAWIGAN

May we request your good office to receive our affidavit and to take action and proper disposition thereon.

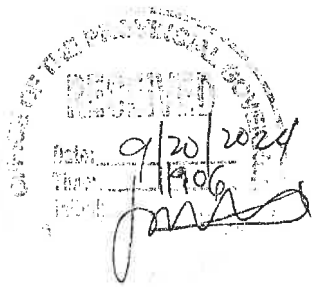
Thank you for your kind consideration.


BRAIANCÉ S. TORREÑA
09674106380
Complainant


JEFF BIAR NIÑADA


LODEGARIO B. POCERIO

Received by: H.A. SYBIALA
9/20/2024
11:49 A.M.



Received by:
Jamirah B. Robora
9/20/24 11:53 am
DILG Province

Copy furnished:

Provincial Governor's office

Department of Interior and Local Government (DILG) Provincial Office

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 22nd day of August 2024 in Tacloban City.


BRAIANCE S. TORREÑA
Affiant

SUBSCRIBED AND SWORN to before me this 22nd 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 **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 22nd 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

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 22nd 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 ;

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

DATE: Aug. 21, 2024

Aug. 18, 2024 - Nag-iinom hira Isidro Florendo, Ronel Pacala, Jeff Niñada nga Ludigario Poserio, 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 dice na umiskwela, kay baman hiya waray nya 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) kumanti hi Dennis Balderian ha balay nira Jeff ngan gin 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. Gincidngan gihap nga driv-an an iya motor ngan iginhabatag kan Jeff an susi hini.

JEFF B. NIÑADA
Tagreklamo

Certified true copy:
ROSEMARY C. FLORENDO 8/21/24
Prog. Secretary
Prog. Belisong Sabantabm, Lupa

DATE: Aug. 21, 2024

Aug. 18, 2024 - Nag-iinom hira Isidro, Florendo, Ronnel Pacala, Jeff Ninada ngan Ludigario 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 Ludigario Poserio ngan paghitalikod hini, ginsidngan hi Jeff Ninada nga titirahan ini niya hi Ludigario Poserio tungod nga nagtitinag-alog man ini.

DAOK

LUDIGARIO POSERIO

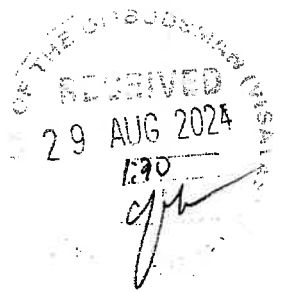
Certified true copy:

^{aplacado}
ROSEMARIE G. FLORENDO 8/21/24

Prvy. Secretary

Prvy. Paliang Sabantaban, Lilete

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**;
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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.

SINUMPAANG SALAYSAY

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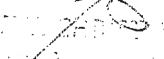
1. Noong ika 18 ng Agosto 2024, habang nag-iinuman kami nina Ronil Pacala, Isidro Florendo at Jeff Niñada ay dumating si Dennis Balderian at nakipag-inuman. Nung una, nagulat siya dahil nandoon ako pero nang tumagal ay panay na ang masamang tingin niya sa akin.
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DAOK

LODEGARIO B. POSERIO
Affiant

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

Doc. No. 303 ;
Page No. 42 ;
Book No. XI ;
Series of 2024.


ATTY. R. AGUILAN
Atty. R. Aguilan, Atty. R. Aguilan, Atty. R. Aguilan
MC No. 2023-01-001-001 Tacloban, TC, 2024
Roll of Attorneys No. 68116
PTR No. 1140330244-103F Tacloban, CL,
LSP License No. 017001 / 7-6-2017
MCLC Compliance No. VII-002051 / 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 Rodei Pacala ay dumating at sumali sa inuman namin si Konsehal Dennis Balderian. Nagbigay din siya ng pera pambili ng beer.
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3. Minumura ako ni Konsehal ng "yawa" at pinipiliit 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 taiaga akong gustong ikwento.
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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 22nd 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. 101 ;
Series of 2024.


ATTY. CHRISTIAN E. P. AGUILAR
Notary Public for Tacloban City and Justice
MOBILE No. 0917-888-1234 (December 20, 2024)
Residence: Belisong, Tabontabon, Leyte
PTR No. 101-1010101-1-1-10000 Tacloban City
BSP License Member No. 017864 / 7-8-2017
ICOLE Compliance No. VI-0002061 / 11-10-2020



Republic of the Philippines
PROVINCE OF LEYTE
Palo City

-oOo-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

BLUE RIBBON COMMITTEE

BRAIANCE S. TORREÑA

Complainant,

-versus-

ADMIN CASE No. _____

For: Unjust Vexation, Oral
Defamation and Grave Threats

HON. COUNCILOR DENNIS BALDERIAN

Respondents,

X-----X


ORDER

Referred to Blue Ribbon Committee is an administrative complaint filed by Braince S. Torreña against the Hon. SB Member Dennis Balderan of the Sangguninang Bayan of Tabon Tabon, Leyte.

Pursuant to Rule XVI, Sections 8 and 10 of the Procedure in Administrative Disciplinary Proceedings of the Sangguniang Panlalawigan, the secretariat is hereby directed to examine the COMPLAINT submitted together with its attachments, and check whether the same is compliant to the conditions set forth in the aforementioned sections. If found to be deficient, the secretariat is thereby directed to contact the complainant and inform the same of their findings and require for his compliance. On the other hand, if the requirements in Sections 8 and 10 have already been complied with, the secretariat is directed to docket and assign a case number to the said case and calendar the same in next regular session for the issuance of the proper resolution requiring the respondent to submit his verified complaint.

So ordered.

Issued this October 8, 2024, SP Session Hall, New Provincial Capitol Complex, Palo, Leyte.


ATTY. RONNAN CHRISTIAN M. REPOSAR
Board Member
Chairman, Blue Ribbon Committee