

SPL

MARVIN T. MARTICIO vs. HON. ANGEL ARAS SIA, JR.
Admin. Case No. _____
For: Grave Misconduct and Neglect of Duty

Item No.: 03

Date: 13 2024 NOV

Republic of the Philippines
Department of Interior and Local Government
SANGGUNIANG PANLALAWIGAN OF LEYTE
Office of the Provincial Secretary
Provincial Capitol, Palo, Leyte
-oOo-

3

MARVIN T. MARTICIO,
Complainant,

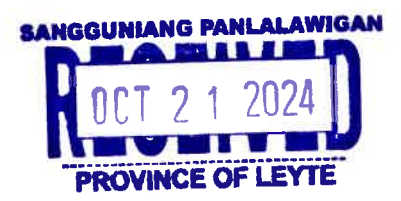
Admins Case No. _____

For: Grave Misconduct
and Neglect of Duty.

-vs.-

HON. ANGEL ARAS SIA, JR.,
Respondent.

X-----X



**REPLY WITH MOTION TO STRIKE OUT
RESPONDENT'S ANSWER**

Respondent through counsel states and alleges that:

PREFATORY STATEMENT:

I.

If there is one thing that the Japanese people is admired of, it is their strong determination to maintain the highest degree of integrity such that mere suspicion on any of their official's anomalous conduct they either hastily vacate their post or commit *hara-kiri* if they fail to live to the highest standard of honor in public service. Unfortunately, the same is otherwise in this country. For many a times in our history, ruthless officials stained by the most notorious scandals affecting their duties and functions not only stick to their post like a leech but also defend their misconduct with gusto despite the public's outcry and disgust.

II.

On October 15, 2024, complainant through counsel received a copy of Hon. Angel A. Sia, Jr.'s responsive pleading boldly labelled as "verified answer" indicating therein his exculpatory defense of absolute innocence. A careful calibration of respondent's judicial discourse etched in his defective answer brings to fore the following notable observations which to the mind of complainant embodies the bulk of respondent's defense, to wit:

- (1) That respondent did not violate R.A. No. 6713 considering that the actions he has taken on the concern raised by complainant against Punong Barangay Eleuterio L. Magayones is tantamount to the response contemplated by Section 5, par. (a) of R.A. No. 6713;
- (2) That complainant has no legal standing to initiate the foregoing administrative complaint against respondent as he does not appear to be duly authorized by his daughter Emy D. Marticio who stands as the real party-in-interest;
- (3) That complainant is guilty of forum shopping making his instant administrative complaint vulnerable to outright dismissal; and
- (4) That as a form of counter-charge, complainant should be prosecuted for the crime of false testimony and incriminating against innocent persons under Article 183 and Art. 363 of the Revised Penal Code respectively.

PRELIMINARY OBJECTIONS:

III.

Without substantially delving into the merits of respondent's flimsy excuse and senseless denials, complainant would like to fully discredit respondent's hullabaloo on account of the following material considerations, to wit:

- a. Respondent's answer is not verified; and

b. There is no showing that respondent filed his answer on time.

BRIEF DISCOURSE ON THE PRELIMINARY OBJECTIONS:

Respondent's answer is not verified.

IV.

Contrary to the false asseveration of respondent that his answer is verified, there is nothing in the entirety of his twelve (12) page answer indicates that the same is truly and genuinely verified. The title boldly claims but the body tells otherwise. Respondent not being truthful from the very outset of his material claims and assertions, we can be rest assured that there is no logical reason to believe in the substance of his narratives. **FALSUS EN UNO, FALSUS EN OMNIBUS!**¹

V.

Understandably, respondent perhaps is oblivion of the technical jargons of the law and the legal complexities that goes along with it. That is exactly the reason why despite his answer boldly indicating that it is "verified", yet the actual verification in the body of his answer is miserably absent. At any rate and for academic purposes, in order for respondent to be educated what verification truly means, complainant is behoved to reproduce the provisions of Rule 7, Section 4 of the Rules of Court which states that:

"A pleading is verified by an affidavit that the affiant has read the pleading and that the allegations therein is true and correct of his personal knowledge or based on authentic records." [Bold letters and underscoring supplied for emphasis.]

VI.

In practice, verification in the form of an affidavit is usually found on the dorsal portion of a party's pleading. Respondent's answer however is wanting of such procedural requirement, thus we quote:

¹ False in one thing, false in everything.

“WHEREFORE, in view of the foregoing, it is respectfully prayed before this Honorable Office to give its utmost appropriate resolution, that the complaint against me be DISMISSED forthwith for UTTER LACK OF MERIT, UNSUBSTANTIATED EVIDENCE, AND FORUM-SHOPPING.

Other relief and remedies as may be equitable in the premises are also prayed for.

OCT 09 2024 at Tacloban City for Palo, Leyte.

ANGEL ARAS SIA JR.
Affiant/Respondent

VII.

From the foregoing, respondent’s affirmation that he has read the pleading and that the allegations therein is true and correct of his personal knowledge or based on authentic records is conspicuously absent. That would essentially mean that respondent violated Sec. 15 in relation to Sec. 8 of Rule XVI of Resolution No. 2020-817 otherwise known as The Revised Internal Rules of the Sangguniang Panlalawigan of Leyte.

VIII.

Section 15 thereof provides that, hence we quote:

*“Section 15. Form of Answer. The answer **“must”** be accompanied by the judicial affidavits of the respondent and his or her witnesses and filed in the Sangguniang Panlalawigan in fifteen (15) copies and an electronic or soft copy for disposition **in the manner provided for in Section 8 hereof**, with proof of service of a copy of such answer to the complainant or his or her counsel. The respondent shall also furnish a copy of the answer to the Provincial Governor’s Office and the Department of Interior and Local Government (DILG) Provincial Office. Failure to file of the required number of copies or to serve a copy thereof to the complainant or his or her counsel shall be considered as if no answer is filed and shall be proceeded accordingly.” [Bold letters and underscoring supplied for emphasis.]*

IX.

Rule XVI, Sec. 8 of Resolution No. 2020-817 on the other hand states and provides that:

*“Section 8. How initiated. The prosecution of administrative disciplinary cases falling within the original jurisdiction of the Sangguniang Panlalawigan **“shall”** be initiated by **filing a verified sworn written** complaint against any elective municipal or city official directly with the Sangguniang Panlalawigan, through the Office of the Secretary to the Sangguninang Panlalawigan. The complaint must be in such number of copies as there are respondents plus fifteen (15) hard copies for the Sangguniang Panlalawigan members and for the Sangguniang Panlalawigan’s files and electronic copies of all materials they are submitting. Moreover, the complainant shall also furnish a copy of the complaint to the Provincial Governor’s Office and the Department of Interior and Local Government (DILG) Provincial Office.”* [Bold letters and underscoring supplied for emphasis.]

X.

On top of that, the jurat portion where the signature of respondent’s counsel is found contains inaccurate and false assertions. It states:

*“SUBSCRIBED AND SWORN to before me this OCT 09 2024 at Tacloban City, affiant exhibiting to me his DL no. H02-71-005469 as competent evidence of identity, personally known to me, who is the same person who personally signed before me the foregoing **VERIFIED ANSWER WITH COUNTER-CHARGE** and acknowledged the he executed the same.”* [Bold letters and underscoring supplied for emphasis.]

XI.

Lamentably, despite the express failure of the body of the answer to contain respondent's verification, the jurat as certified by the latter's counsel persisted in claiming that the same is verified albeit in fact it is not. In this regard, complainant reserves his right to file the appropriate criminal and/or administrative charges in court or in any appropriate body or agency of the government for committing such false and blatant erroneous claims.

XII.

Be that as it may, it is the humble submission of complainant that respondent together with his counsel violated the internal rules of procedure of the Sangguniang Panlalawigan of the Province of Leyte considering that the term used by the rules is "**must**" and "**shall**" which according to its ordinary meaning pursuant to the rules in legal hermeneutics signifies a mandatory command. On that score, complainant prays that respondent's answer be stricken off from the records of this case and the latter be deemed not to have filed any answer.

Respondent failed to prove that his answer was filed on time.

XIII.

Assuming *ex gratia ad argumenti* that respondent's answer is valid and procedurally correct and appropriate, complainant strongly posits however that there is no indicia that the same was filed on time. Respondent's preliminary statement states that:

*"I, ANGEL ARAS SIA JR., Filipino, of legal age, married, a resident of Poblacion District IV, La Paz, Leyte, incumbent Municipal Mayor of LGU-La Paz, Leyte with Salary Grade 27, in compliance with Resolution No. 2024-359 of the Office of the Sangguniang Panlalawigan of Leyte **received on September 28, 2024**, seasonably files his VERIFIED ANSWER, and under oath hereby depose and state: THAT ---" [Bold letters and underscoring supplied for emphasis.]*

XIV.

While respondent indicated in his answer the date on which he received the Resolution issued by this Honorable Office which is September 28, 2024 signifying his supposed compliance claiming that his answer was allegedly filed on time, there is no accompanying evidence however that can indisputably prove that he indeed truly received said Resolution on said date. **EI INCUMBIT PROBATIO QUI DICIT, NON QUI NEGAT.**² It goes without saying that his claim is not supported by evidence. Ergo, it is mere hearsay!

XV.

Nor can respondent validly refute that to him does not belong the duty to prove one's claim simply because he is the answering party. Let it be noted for his proper education that under Rule 131, Section 1 of the Rules of Court the duty to prove one's claim is a shared obligation of the complainant and the respondent. It states:

*"Section 1. Burden of proof. – **Burden of proof is the duty of a party to present evidence** on the facts in issue necessary to establish his **claim** or **defense**" by the amount of evidence required by law." [Bold letters and underscoring supplied for emphasis.]*

**COMPLAINANT'S STRONG REFUTATION
TO RESPONDENT'S UNVERIFIED
AND PROCEDURALLY DEFECTIVE ANSWER:**

Refutation Number 1:

**Contrary to respondent's
flimsy excuse, clearly he
violated Sec. 5, par. (a) of
R.A. No. 6713.**

² He who alleges, not he who denies must prove.

XVI.

In his desperate effort to exculpate himself from sure and inevitable administrative woe, respondent maintains that the actions he has taken on the concerns raised by complainant before his office particularly setting the mediation between complainant and Punong Barangay Eleuterio L. Magayones on several occasions equates to the term “respond” as contemplated under Section 5, par. (a) of R.A. No. 6713. Complainant forcefully opines with strong emphasis.

XVII.

Respondent must have missed the essence of R.A. No. 6713 much less the meaning of its entire provision which traces its roots from Article XI, Section 1 of the 1987 Philippine Constitution. It states:

“Section 1. 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.” [Bold letters and underscoring supplied for emphasis.]

XVIII.

In order thus to sharpen respondent’s lanky understanding of R.A. No. 6713, complainant is constrained to reproduce the entirety of the law in question which to the mind of complainant was clearly violated by respondent. It states, thus we quote:

“In the performance of their duties, all public officials and employees are under obligation to: (a) Act promptly on letters and requests. – All public officials and employees “shall”, within fifteen (15) working days from receipt thereof, respond to letters, telegrams or other means of communications sent by the public. The reply “must” contain the action taken on the request.” [Bold letters and underscoring supplied for emphasis.]

XIX.

That being said, it is clear beyond cavil of doubt that respondent stridently violated Sec. 5, par. (a) of R.A. No. 6713. To reiterate, whenever the word “*shall*” or “*must*” or other words of similar import appears in a statute, it usually implies compulsiveness and urgency. Meaning, the officer or body to whom the law is addressed possesses no choice or discretion whether or not to implement or enforce the directive of the law.

XX.

Respondent’s defense that his actions taken on the issues and concerns raised by complainant against Punong Barangay Eleuterio L. Magayones is a substantial compliance of the law crumbles in the light of the law’s mandate which states that: **The reply “must” contain the action taken on the request.** In other words, respondent being a public officer ought to respond promptly on letters sent to him by the public in general along with the actions he has taken on the matter which must also come in the form of a written communication.

XXI.

This is expressly evident from the wordings of the law which states that **The reply “must” contain the action taken on the request.** The term reply connotes a written correspondence. Even a fifth grade elementary pupil would not have a hard time understanding the basic and fundamental meaning of that word.

XXII.

Even then and despite of the gravity of evidence proffered against him, respondent had the strength to claim that complainant’s motive in initiating this instant complaint is political in nature. Far be it and may it never be. Chiefly, complainant is not running for any position in the LGU of La Paz, Leyte much less to the mayoral position which is currently held by respondent.

XXIII.

Obviously, complainant has no interest in toppling down respondent from his post since they are not a rival in the upcoming mayoralty race. It becomes clear instead that most of respondent’s defense is mainly anchored on alibi and lame excuses which according to jurisprudence is a weak defense.

The Supreme Court in the case of **PEOPLE vs. MONTICALVO**³ has this to say, thus:

“Denial is an inherently weak defense and has always been viewed upon with disfavor by the courts due to the ease with which it can be concocted.” [Bold letters and underscoring supplied for emphasis.]

XXIV.

Logically, if denial is viewed with disfavor in criminal cases in which the quantum of proof is beyond reasonable doubt, all the more that the same be viewed with less significance in this instant case which is merely administrative in nature where the quantum of proof is only substantial evidence.

Refutation Number 2:

Complainant has legal standing to initiate the complaint even sans the authority from his daughter.

XXV.

The tradition held in this jurisdiction as uniformly applied in a catena of cases decided by the Supreme Court pertaining to the concept of *locus standi* or legal standing is not rigid. Regrettably, respondent failed to grasp the true meaning of the ruling of the Supreme Court in the case **ERNESTO L. CHING vs. CARMELITA S. BONACHITA-RICABLANCA**⁴ which was cited by respondent in his answer. In effect, the meat of the Supreme Court’s resolution is framed as follows, to wit:

“The Court rules that Ching has legal standing to file the instant petition before the Court.

In Association of Flood Victims v. Commission on Elections, the Court defined legal standing as follows:

³ 689 SCRA 715.

⁴ G.R. No. 244828, October 12, 2020.

Locus standi or legal standing is defined as a **personal and substantial interest in the case** such that **the party has sustained or will sustain direct injury as a result of the governmental act** that is being challenged. **The term “interest” means a material interest**, an interest in issue affected by the decree, as distinguished from mere interest in the question involved, or a mere incidental interest. The gist of the question of standing is whether a party alleges such personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court depends for illumination of difficult constitutional questions.

Further, in *Ifurung v. Carpio Morales*, the Court cited *Funa v. Chairman Villar* in showing the liberal stance of the Court in interpreting locus standi:

To have legal standing, therefore, a suitor must show that he has sustained or will sustain a “direct injury” as a result of a government action, or have a “material interest” in the issue affected by the challenged official act. However, the Court has time and again acted liberally on the locus standi requirements and has accorded certain individuals, not otherwise directly injured, or with material interest affected, by a Government act, standing to sue provided a constitutional issue of critical significance is at stake. The rule on locus standi is after all a mere procedural technicality in relation to which the Court, in a catena of cases involving a subject of transcendental import, has waived, or relaxed, thus allowing non-traditional plaintiffs, such as concerned citizens, taxpayers, voters or legislators, to sue in the public interest, albeit they may not have been personally injured by the operation of a law or any other government act. [Bold letters and underscoring supplied for emphasis.]

XXVI.

Viewed from this perspective, the argument raised by respondent holds no water. Simply put, the element of *locus standi* as an alleged and supposed defect on complainant's cause of action was purposely raised by respondent in order to mislead this Honorable Office. Evidently, respondent is only seeking a mischievous pretext in order to escape the administrative charge against him in which he fully knows that he will be liable of.

XXVII.

For lack of better term, respondent is wickedly making an ugly "*palusot*" which has no place in our society pursuant to the ruling of the Supreme Court in the case of **VILLAVICENCIO vs. LUKBAN**⁵ which states that:

"Ours is a government of laws and not of men." [Bold letters and underscoring supplied for emphasis.]

Refutation Number 3:

Complainant and his counsel is not guilty of forum shopping and will never be.

XXVIII.

Far from the wicked presupposition of respondent that complainant along with the undersigned counsel committed forum shopping, the instant complaint stems from the original administrative complaint filed before the Office of the Ombudsman. Complainant merely complied with the directive of this Honorable Office to submit its complaint before this Honorable Office per indorsement issued by the Office of the Ombudsman dated June 05, 2024 forwarding the instant case to the disposition of this Honorable Office. Attached herewith is the copy of the Indorsement marked as Annex "A" and made as an integral part hereof.

⁵ G.R. No. L-14639, March 25, 1919.

XXIX.

On the basis of that indorsement and in relation to the Order of this Honorabe Office, complainant was prompted to file the foregoing complaint before this Honorable Office anew. Clearly, there is no intention to seek double or successive invocation or recourse of jurisdiction which is the gravamen of the offense of forum shopping.

XXX.

In order for respondent to be apprised of the principle of forum shopping was clearly elaborated by the Supreme Court in the case of **MICHELLE LANA BROWN-ARANETA vs. JUAN IGNACIO ARANETA**⁶, complainant is behove to reproduce part of the Court's disposition stating among others that:

“A circumstance of forum shopping occurs when, as a result or in anticipation of an adverse decision in one forum, a party seeks a favorable opinion in another forum through means other than appeal or certiorari by raising identical causes of action, subject matter and issues. Stated a bit differently, forum shopping is the institution of two or more actions involving the same parties for the same cause of action, either simultaneously or successively, on the supposition that one or the other court would come out with a favorable disposition.” [Bold letters and underscoring supplied for emphasis.]

XXXI.

In this case, while admittedly complainant lodged another complaint before this Honorable Office, the same cannot be validly interpreted as forum shopping since what compelled complainant to file anew before this Honorable Office is the directive of this Honorable Office itself along with the indorsement which was issued by the Office of the Ombudsman. Had it not for the directive of this Honorable Office, complainant would not have initiated another action before this Honorable Office involving the same set of facts and circumstances.

⁶ G.R. No. 190814, October 09, 2013.

XXXII.

In effect thus, there is no obligation on the part of complainant to inform the Office of the Ombudsman nor this Honorable Office pertaining to the pendency of this action since it is the very same offices which directed complainant to file the appropriate charge before this Honorable Office. Complainant's undertaking then which states:

"If I should thereafter learn that the same or similar action or claim has been filed or is pending in any court, tribunal or quasi-judicial agency, I shall report that fact within five (5) calendar days therefrom to this honorable court where plaintiff's aforesaid complaint or initiatory pleading has been filed or is pending." [Bold letters and underscoring supplied for emphasis.]

does not apply since it would render the information nugatory considering that the Office of the Ombudsman along with this Honorable Office is already apprised of the pendency of complainant's complaint. Respondent should ponder on this!

Refutation Number 4:

There is no legal basis that would warrant criminal charges against respondent for violation of Art. 183 and Art. 363 of the Revised Penal Code.

XXXIII.

In the Holy Scriptures, wicked people appears to be bold and strong. For example, Cain after having murdered his brother Abel retorted to God when inquired "where art thou brother" with "am I my brother's keeper?"⁷ In the same vein, respondent threatens complainant with a criminal counter charge even if it is evidently clear that the former is the one who clearly violated the law. Nevertheless, complainant would welcome whatever criminal charge respondent may wish to initiate as that would mean another opportunity for him to showcase respondent's lies in the scope of judicial scrutiny.

⁷ Genesis 4:9, Holy Bible.

XXXIV.

Anent thereto, it seems fair and proper that since respondent is resorting to parry complainant's legal blows by being too technical that he be treated with such same amount of brute technicality in the disposition of this case. As they say, what goes around, comes around. Besides, isn't it too hypocritical on the part of respondent to raise a technical issue in its answer against complainant alleging that the latter has no *locus standi* to file this complaint when his very own answer suffers an even uglier defect? Preposterous, isn't it?

Defendant's answer is pregnant with implied admission.

XXXV.

On a final note, a careful scrutiny of respondent's answer discloses that by implication, he is indirectly admitting complainant's allegations – particularly that he did not send an answer to the written communication dated January 08, 2023. In **REPUBLIC OF THE PHILIPPINES vs. SANDIGANBAYAN**⁸, the procedural concept of negative pregnant rule was squarely elaborated by this Supreme Court in this manner, to wit:

*“A negative pregnant is a form of **negative expression which carries with it an affirmation or at least an implication of some kind favorable to the adverse party.** It is a **denial pregnant with an admission** of the substantial facts alleged in the pleading.”* [Bold letters and underscoring supplied for emphasis.]

XXXVI.

A fortiori, applying the said ruling to this instant case herein, it is safe to logically deduce that respondent's bare denial is pregnant with implied admission. It is but fair and proper to apply the above cited ruling of the Supreme Court to the instant case herein pursuant to the Latin maxim **STARE DECISIS ET NON QUIETE MOVERE**⁹.

⁸ 453 Phil. 1059, 1107 (2003).

⁹ Follows past precedents and do not disturb what has been settled.

XXXVII.

From the opening salvo of respondent's answer, it can noticeably rationalized that it basically admitted all the allegations of complainant in its initiatory pleading. Its denial being pregnant with implied admissions, the same calls for the application of Rule 34, Section 1 of the Rules of Court which provides that:

*“Where an answer fails to tender an issue, or otherwise **ADMITS THE MATERIAL ALLEGATIONS OF THE ADVERSE PARTY’S PLEADING**, the court may, on motion of that party, direct judgment on such pleading.”* [Bold and capital letters, underscoring supplied for emphasis.]

XXXVIII.

To sum it up, it would not necessarily require a resurrected genius Einstein to decipher the language of respondent's answer that speak so plainly and so unqualifiedly that its repudiation over complainant's cause of action is pregnant with implied admission.

PRAYER

WHEREFORE, in view of the foregoing and premises considered it is most respectfully prayed unto this Honorable Office that an Order be issued in the following manner, to wit:

1. STRIKE OUT respondent's answer from the records of this case for the reason that its answer not being verified which is an open violation of Sec. 15 in relation to Sec. 8 of Rule XVI of Resolution No. 2020-817 otherwise known as The Revised Internal Rules of the Sangguniang Panlalawigan of Leyte,;
2. DECLARE respondent as if he has not filed any answer considering that from his answer, there is no showing that his responsive pleading was filed on time; and
3. TAKE NOTE the foregoing reply of complainant.

MARVIN T. MARTICIO vs. HON. ANGEL ARAS SIA, JR.

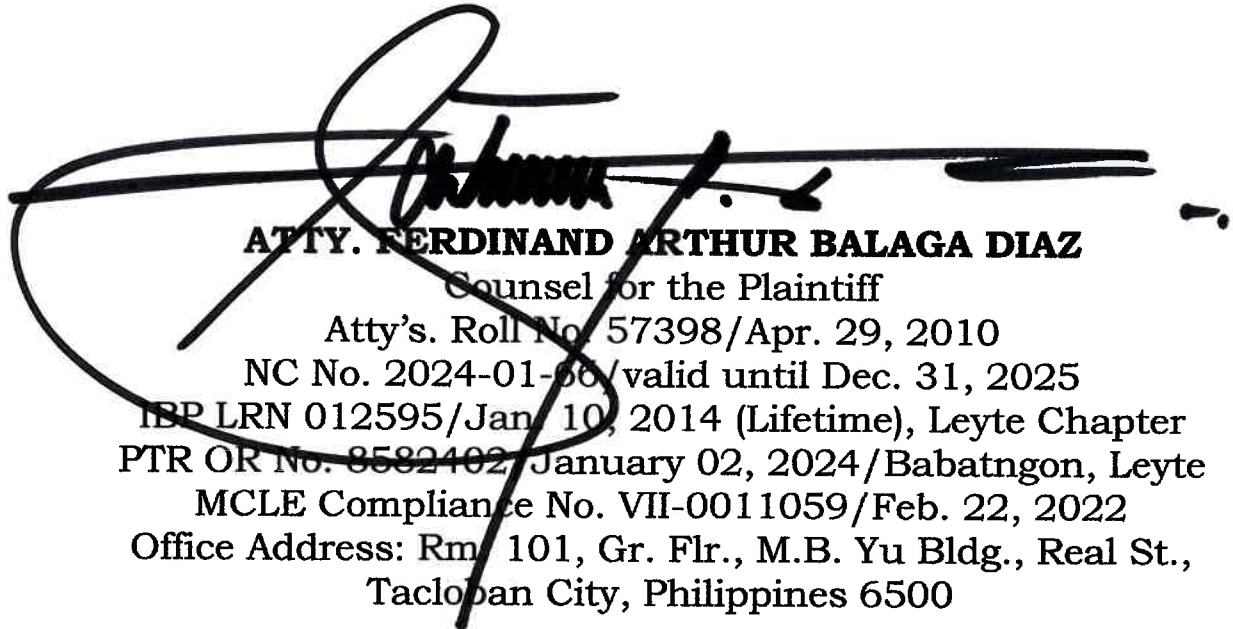
Admin. Case No. _____

For: Grave Misconduct and Neglect of Duty

Other reliefs as are just and equitable under the premises are likewise prayed for.

RESPECTFULLY SUBMITTED, Tacloban City, October 21, 2024.

By:



ATTY. FERDINAND ARTHUR BALAGA DIAZ
Counsel for the Plaintiff
Atty's. Roll No. 57398/Apr. 29, 2010
NC No. 2024-01-66/valid until Dec. 31, 2025
IBP LRN 012595/Jan. 10, 2014 (Lifetime), Leyte Chapter
PTR OR No. 8582402, January 02, 2024/Babatngon, Leyte
MCLE Compliance No. VII-0011059/Feb. 22, 2022
Office Address: Rm. 101, Gr. Flr., M.B. Yu Bldg., Real St.,
Tacloban City, Philippines 6500

Republic of the Philippines)
Tacloban City) S.C.

AFFIDAVIT OF SERVICE WITH EXPLANATION

I, **REGGINA MAY B. MALIBAGO**, single, Filipino Citizen, of legal age and a resident of #18 Fatima Village, Brgy. 76, Tacloban City, Philippines 6500, under oath according to law hereby depose and state that:

1. I am the clerk/messenger of Atty. Ferdinand Arthur B. Diaz of TDCT and Partners Law and Notarial Offices with office address at Rm. 101, Gr. Flr. M.B. Yu Bldg., Real St., Tacloban City, Philippines 6500 who is the counsel of record of petitioner Rachel C. Makabenta;
2. On herein date, October 21, 2024, I have caused the service of the above pleading labelled as Reply with Motion to Strike Out Respondent's Answer by personal service and registered mail to the parties concerned in their respective addresses evidenced by a copy of the signature of the person who received the same along with registry receipt attached herein bearing the following details, to wit:

Copy furnished: (by personal service)

To: **Atty. Leo S. Giron**
Counsel for the Respondent
2/F Wenzhuan Bldg., Abucay
Terminal Road, Tacloban City,
Phils. 6500

Received by: **LEO S. GIRON & ASSOCIATES**
 Date: October 21, 2024 1 OCT 2024
 TIME: _____
 BY: *[Signature]*

For: Grave Misconduct and Neglect of Duty

Copy furnished: (by registered mail)

To: **Hon. Angel Aras Sia, Jr.**
Municipal Hall, La Paz,
Leyte, Philippines

REGISTRY RECEIPT

Post Office RE 811 043 701 ZZ
Letter / Pack
Posted on 20
Preserve this receipt for reference in case of inquiry
Postmaster / Teller 19 10-21-24

Registry Receipt Numbers:
Date: October 21, 2024

- 3. As per instruction of Atty. Ferdinand Arthur B. Diaz, I caused the service of the above pleading to Hon. Angel Aras Sia, Jr. by registered mail considering the distance between our office in Tacloban City and the location of his address; and
- 4. I have executed this affidavit to attest to the veracity and truthfulness of the foregoing statements and declarations.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of October 2024 at Tacloban City, Republic of the Philippines.

Reggina May B. Malibago
REGGINA MAY B. MALIBAGO
Affiant

UMID ID No. CRN-0113-0233232-3

SUBSCRIBED AND SWORN to before me this 21st day of October 2024 at Tacloban City, Republic of the Philippines, the affiant has exhibited to me her identification card as her competent proof of identity as herein above indicated.

Ferdinand Arthur B. Diaz
ATTY. FERDINAND ARTHUR B. DIAZ
Notary Public for and within RTC, Tacloban City
Atty. Roll No. 398/Apr. 29, 2010
NC No. 2010-01-01 valid until Dec. 31, 2025
IBP Lifetime Registration No. 012595/Jan. 10, 2014
PTR OR No. 853402/Jan. 02, 2024/Leyte
TDCT & Partner Law & Notarial Office
Rm. 101 Gr. 1, M.B. Yu Bldg.,
Real St., Tacloban City, Philippines 6500

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Item No.: 11

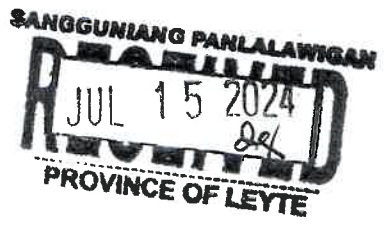
Date: 30 2024 JU

ANNEX "A"



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Area Office for the Visayas
M. Velez Street, Guadalupe, Cebu City 6000

119



INDORSEMENT
IC-OVT-FEB-24-0016
Cebu City

JUN 05 2024

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 **MARVIN T. MARTICIO**, 1145 Guindapunan St., Dist. II, La Paz, Leyte, against **ANGEL ARAS SIA JR.**, Mayor, Municipality of La Paz, 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.

DANTE F. VARGAS
Deputy Ombudsman for Visayas

Cc:
MR. MARVIN T. MARTICIO
1145-Guindapunan St.
Dist. II, La Paz
6508 Leyte