



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CRIMINAL INVESTIGATION AND DETECTION GROUP
Camp Crame, Quezon City



HCIDG/LD
MEMORANDUM

Annex

"J"

FOR : Director, CIDG
FROM : OIC, Legal Division
SUBJECT : Comments, Legal Opinions, and Recommendations
Re: Court Records of the Acopiado Estate

DATE : August 4, 2015

1. References:

- a. Letter Request of Mr. Daniel B. Frianeza addressed to Dir, CIDG dated May 1, 2015 (**Annex A**);
- b. Memo for Dir, CIDG from OIC, LD dated May 18, 2015 (**Annex B**);
- c. Memo for Dir, CIDG re-Executive Summary of Documents, Books submitted by Mr. Daniel B. Frianeza dated July 21, 2015 (**Annex C**); and
- d. Memo for Dir, CIDG re-Summary of Narration of Events and the Issues on the Court Cases from the Documents/Books submitted by Mr. Daniel B. Frianeza (**Annex D**).

2. The issues requiring legal opinion are as follows:

- a. Validity of the Compromise Agreement entered into by and between the then President, Hon. Ferdinand E. Marcos, for and in behalf of the Republic of the Philippines, represented by Hon. Felix Makasiar, the then Solicitor General with Don Anacleto Madrigal Acopiado represented by Atty Cesar Paras, Sr.
- b. Enforceability of the Decision with Compromise Agreement (issued by Hon. Judge Enrique A. Agana of the Court of First Instance-Pasay City, Branch 28) dated February 4, 1972.
- c. Whether or not the Order of the Third Alias Writ of Execution, Possession and Demolition dated May 25, 1989 has prescribed as of this date, which reads:

"Furtherly to augment your function in accordance to law effectively, you and your deputized private Sheriff, PNP, NBI, personnel and or members of the Philippine Army are hereby empowered to arrest and imprison any person either in civilian or official capacity, from the government or any private office including that Barangay Officials who

found in the direct or indirect unlawful detainers and or selling rights over the land and or becomes an obstruction of justice."

- d. Whether or not the PNP-CIDG is clothed with the authority to implement the Order of the Honorable Court, appearing in page 131, No. 21 of the Decision with Compromise Agreement, which reads:

"Ordering all authorities, the member of Integrated National Police, the member of PC, the member of Philippine Army, member of Marine Force and the member of National Bureau of Investigation, and authorities form part of the AFP the Sheriff of the Towns/Cities and officials of Barrio Government Units where the lands are located to respect this Decision and extend assistance to the land owner or their legal counsel toward relocation and recovery and fencing of the subject lands within your localities."

- e. Whether or not the alleged irregularities committed in the reconstruction of the Decisions and Orders in LRC/Civil Case No. 3957-P in RTC-Pasay City Branch 111 in 1997 and 2001 constitute violations of law.

- f. Whether or not these alleged irregularities should be fully investigated.

PETITIONS BEFORE THE LOWER COURTS

3. On the first issue, it appears that two (2) Presidents of the Republic of the Philippines, namely: President Diosdado Macapagal (**December 30, 1961 – December 30, 1965**) represented by the then Hon. Secretary of Justice Salvador Mariño and President Ferdinand Edralin Marcos (**December 30, 1965 – February 25, 1986**) represented by the then Solicitor General Felix Makasiar, had successively represented the state in petitions to declare Original Certificates of Title (OCT) numbered from 01 to 100,000 null and void ab initio **due to their fraudulent characteristics**. Thus:

- a. The first petition filed was denominated as **LRC/Civil Case 997-P** in CFI-Quezon City filed in the year 1962. Particularly mentioned in this case were the holders of OCT 333 by Bonifacio Regalado, **OCT 730** and **735** of **Don Mariano Severino Tuazon**, **OCT 632** of **Eulalio Ragua**, OCT 614 of Piedad Estate and OCT 820 of Patricia Tiongson and by the National Government. Both titles of Eulalio Ragua (OCT 632) and the heirs of Mariano Severo Tuazon (OCT 735) embraced 4,399,322 square meters in Diliman, Quezon City. Eulalio Ragua had filed a similar complaint over the same subject matter under **LRC/Civil Case No. 119**;
- b. To prevent duplicity of court action, the Solicitor General representing the PHHC (now NHA) filed a Motion stopping the Quezon City CFI Judge to hear Civil Case 119 in as much as those plaintiffs, respondents and oppositors are persons of the same nature and interest with the same identities who have the same subject matters

under LRC/Civil Case 997-P. As a consequence, the CFI Court had granted the suspension of the proceedings in Civil Case No. 119 and was consolidated to LRC/Civil Case No. 997-P;

- c. It was shown that the government also filed a petition for Separate Judgement regarding the **reconstitution** of OCT 01-4 (**Annex E** – Certification of the National Archive re existence of TITULO DE PROPIEDAD DE TERRENOS ROYAL DECREE # 01-4 PROTOCOL 1891) with Annulment of OCT 01 up to 100,000 -vs- Hermogenes Rodriguez, from which, the Petitioner Republic of the Philippines acquired its interest and fights over the subject lands under the **principle of public domain**. Alleging also in the petition that Don Gregorio M. Acopiado and Doña Carmella S. Madrigal had **no** surviving heirs and, therefore, under the law, the said big tracts of land, the Hacienda Quebega evidenced by TCT 407, 408, and 498 should be **reverted** to the National Government;
- d. LRC/Civil Case No. 3957-P was brought to the Court of First Instance – Pasay City, Branch 28 on the grounds that this sala had fewer pending case unlike in the sala of CFI, Quezon City that had tremendous backlog.
- e. On July 14, 1964, a decision was rendered by the CFI declaring OCT 01 up to 100,000 **non-bankable** due to their fraudulent characteristics and null and void ab initio by virtue of the petition of the Republic of the Philippines under LRC/Civil Case No. 997-P which was consolidated to Civil Case No. 3957-P for separate judgement on the petition for reconstitution of OCT 01-4 with annulment of OCT 01 to 100,000.
- f. So as not to deprive the constitutional rights of the Acopiados, x x x, judicial proceedings was asserted by Sol. Gen. Felix Makasiar. He sent **summons** and **subpoenas** to the heirs (Don Anacleto and his wife Doña Trinidad) in Hawaii and to the old residence in Brgy Tatalon in Quezon City. This was to confirm if the surviving heirs still exist. If not, the big tracts of land could by then be lawfully reverted to the national government.
- g. However, in 1970, the surviving heirs, Don Anacleto M. Acopiado and his wife Doña Trinidad Pudino Acopiado **arrived back home** from Hawaii upon receiving summons from the court and **filed** an **intervention** utilizing the **same position papers** of the government (Acopiados titles, Tax Declarations, Approved Plan) which have been submitted in court as exhibits.
- h. On **February 4, 1972**, a **Decision with Compromise Agreement** under **LRC/Civil Case No. 3957-P** was rendered by the CFI Judge Enrique A. Agana, Branch 28, Pasay City.

- i. The copy of the said decision with Compromise Agreement was served on the Office of the Solicitor General, and no Motion for Reconsideration or Appeal, within the period allowed by the rules was filed before the Courts (*Annex F – Court of Appeals Negative Certification*; and *Annex G – Supreme Court Negative Certification*). Even the Office of the President had requested and was furnished its certified copy of the Decision on February 9, 1972. (*Annex H*)

OTHER HISTORICAL EVENTS INVOLVING THE PROPRIETARY RIGHTS OF THE ACOPIADOS

Jabidah Massacre

4. In the year 1963, the resource-rich territory of **Sabah**, which had been under British control since the late nineteenth-century, formally became part of the Federation of Malaysia. The Philippines, however, protested this, claiming that the eastern part of Sabah had never been sold to foreign interests, and that it had only been leased (pajak) by the Sulu Sultanate and therefore remained the property of the Sultan and by extension the property of Republic of the Philippines. (*Annex I – Map of PI showing North Borneo as part of its territory*)

- a. Moro attacks on Sabah. This dispute is believed to have led the then-President Diosdado Macapagal, and his successor President Ferdinand Marcos, to **establish** special military units tasked with fomenting dissent amongst Sabah's non-Malay ethnic groups, namely the Tausug and Sama, two groups closely aligned ethnically and culturally with Filipinos.
(Source: https://en.wikipedia.org/wiki/Jabidah_massacre)
- b. The codename for this destabilization programme was "**Operation Merkdeka**" (merdeka meaning "freedom" in Malay), with **Manuel Syquio** as project leader and then Maj. Eduardo Abdul Latif Martelino as operations officer. The object of this program was the annexation of Sabah to the Republic of the Philippines. The plan involved the recruitment of nearly 200 Tausug and Sama Muslims aged 18 to 30 from Sulu Province and Tawi-Tawi and their training in the island town of Simunul in Tawi-Tawi. Simunul is noted for being where the Arab missionary Makhdom built Taluksangay Mosque, the first mosque in the Philippines, in the 13th century.
(Source: https://en.wikipedia.org/wiki/Jabidah_massacre)
- c. The recruits were excited about the promise not only of a monthly allowance, but also over the prospect of eventually becoming a member of an elite unit in the armed forces. From August to December 1967, the young recruits underwent training in Simunul. The name of the commando unit was **Jabidah**.
(Source: https://en.wikipedia.org/wiki/Jabidah_massacre)
- d. The **Jabidah massacre**, also known as the Corregidor massacre, refers to an incident on March 18, 1968 in which members of the

Armed Forces of the Philippines (AFP) are said to have massacred a number of Moro Muslim recruits who were escaping their covert training to reclaim the eastern part of Sabah, which had been under the rule of the Sulu Sultunate before being ceded to the British. Sources differ regarding the details, with the number of victims ranging from 14 to 68, and some sources asserting that the massacre is a myth. The Jabidah Massacre is widely regarded as having been the catalyst behind the modern Moro insurgencies in the Southern Philippines. (Source: https://en.wikipedia.org/wiki/Jabidah_massacre)

Proclamation No. 1081

5. *Proclamation No. 1081* was the declaration of Martial Law in the Philippines by President Ferdinand E. Marcos. It became effective throughout the entire country on 23 September 1972, and was announced to the public two days later.

- a. Under the pretext of an assassination of then-Defence Secretary (now Senator) Juan Ponce Enrile and an ensuing Communist insurgency, President Marcos enacted the Proclamation that he might be able to rule by military power. He initially signed the Proclamation on 17 September 1972, but it was postdated to 21 September because of Marcos' superstitions and numerological beliefs. Marcos formally announced the Proclamation in a live television and radio broadcast from Malacañang Palace a further two days later on the evening of 23 September 1972.
- b. The following year, President Marcos replaced the 1935 Constitution with a new one that changed the system of government from a presidential to a parliamentary one, with himself remaining in power as both head of state (with the title "President") and head of government (titled "Prime Minister"). President Marcos also manipulated elections and had his political coalition—the Kilusang Bagong Lipunan (KBL; English: New Society Movement)—control the unicameral legislature he created, known as the Batasang Pambansa.

Masagana 99

6. On January 19, 1976, President Marcos has sent a letter to Don Anacleto M. Acopiado about the latter's titles; TCT Nos. 407, 408, 409 and 498 as cited in page 47 of the Clarificatory Order in LRC/Civil Case No. 3957-P, to quote:

- a. *"In the later part, a letter from his Excellency President Ferdinand E. Marcos had been sent to inform the land owners Don Gregorio M. Acopiado and Don Anacleto M. Acopiado about subject lands comprising of four (4) parcels of land evidenced by TCT No. 408...together with the lands covered by TCT No. 498, TCT No. 409 and TCT No. 407..."*

- b. On February 23, 1976, PFM acknowledged the receipt of OCT 01-4 from the representatives of Don Hermogenes Rodriguez (*Annex J*)
- c. From the above cited, President Marcos had utilized said land titles for his Land Reform Program and profoundly stated in page 7 of Clarificatory Order, has this to say:

"The Hon. Solicitor further(ly) manifests that although it is true that the subject lands are in the name of the land owners, the same of worst predicament to the said land owners because the subject land is covered by Land Reform Program of the newly elected President of the Republic, his Excellency Ferdinand E. Marcos and has been covered by expropriation proceeding and ready for implementation in the sum of Php 2 billion payable to the heirs of the land owner in the form of Land Bank Bonds for a period of ten (10) years with the interest of seven percent (7%) per annum which took effect on 14th day of August 1968 upon maturity on 1978 to the original owners who can prove the veracity of the claims of ownership over the controversial four (4) adjacent lands" (TCT Nos. 407, 408, 409 and 498)

Note: TCT No. 408 was primarily utilized as back-up for loan purposes.

- d. TCT No. 408 was entrusted by Don Anacleto M. Acopiado (son of Gregorio) to his Excellency President Ferdinand E. Marcos to make it (TCT No. 408) as back-up for loan purposes to patch-up government fund's deficiency. This significant event was cited in page 27 of Clarificatory Decision issued on November 4, 1975, under the original LRC/Civil Case No. 3957-P, to quote:

"And suffice it to state that in the sworn statement of the witnesses, in the person of Ireneo S. Zabala, Presidential Consultant of President Ferdinand E. Marcos, on matters related to private and presidential documents, and that of Gregorio Bilog, LRC Commissioner, and Director Rodolfo A. Paelmo, admitting that said TCT No. 408 duly recorded in the Registry of Deeds of Rizal in the name of intervenor's predecessor's interest was entrusted by Don Anacleto Madrigal Acopiado to his Excellency President Ferdinand E. Marcos, and that same TCT was turned over to said Ireneo S. Zabala for processing of a loan intended to the intervenor's development project..."

- e. The distribution of lots to farmers and the establishment of International Rice Research Institute (IRRI), which created the "Miracle Rice" had tremendously produced more sacks of rice (from 40 sacks to 120 per hectare that even rice to 140) known as the "MASAGANA 99." All-in-all, Marcos' humanitarian endeavor "saving millions of Filipinos from hunger" would not have come into reality without making use of Don Gregorio Madrigal Acopiado's land titles.

7. It also appears in a document provided by Mr. Daniel B. Frianeza called Central Bank of the Philippines CERTIFICATE OF ENTITLEMENT done in the Office of the Governor on September 11, 1985 (*Annex K*) "that Special Trust Deposit for the Back-up of Managerial Papers Currency – AV Metals – OCT # 01-4 ROYAL DECREE and Decree 168 – Proclamation 1081 x x x We certify further x x x and based in the Decision of the Court of Pasay City, Philippines x x x, only the successor heir is authorized to move or remove the asset – commodities in the year 2005-2006: x x x signed Chairman Jose B. Fernandez Jr of the CB, President Ferdinand E. Marcos and Minister of Finance Cesar EA Virata."

CONCERTED EFFORTS TO BECLOUD/INVALIDATE THE JUDICIALLY APPROVED COMPROMISE AGREEMENT

8. On January 19, 1992, a fire of unknown cause and origin gutted the Pasay City Hall building which then housed the Regional Trial Courts and allegedly, all records were burned including the original records of LRC/Civil Case No. 3957-P.

9. Although, on May 26, 1992, Mr. Daniel B. Frianeza furnished the court with photocopies of the following-described documents, (*Annex L*), the Court seemingly had disregarded this fact.

Tallano's Petition in 1997 (thru Robert Del Rio).

10. On July 1, 1997, *thirty three* (33) years after the original Petition for Reconstitution initiated by the government in 1964 docketed as LRC/Civil Case No. 3957-P was filed and decided by CFI-Pasay City Branch 28, a new Petition for Reconstitution of TCT No. 408 utilizing the same case number LRC/Civil Case No. 3957-P (*Annex M*) was filed before the same court of Pasay City by a certain Robert Del Rio alleging that he has a Special Power of Attorney executed by Don Anacleto M. Acopiado.

Apparent Frauds in Del Rio's Court Processes of the Revived LRC/Civil Case No. 3957-P Noted by Mr. Daniel B. Frianeza

The Petition for Reconstitution was allegedly filed on **July 1, 1997 (Friday)** shown by the court's stamp *indicating* the time and date it was received.

a. It was very obvious that there were irregularities in court processes because:

(1) There were already *prior notices* that included the Office of Solicitor General and the *hearing* was to be held on **July 4, 1997 (Monday)**...as stated in the Order of July 7, 1997.

EXCERPT from pages 9-10 of the Decision in CA-G.R. SP Nos. 70017 and 104604 (*Annex N*)

"On July 4, 1997, a hearing was conducted by respondent Court on the Del Rio Petition. Solicitor Dominador G. Cariaso ("Solicitor Cariaso"), who was then

handling the case, appeared for the Republic. The following exchange occurred during said hearing:

"Solicitor Cariaso: Appearing for the government, Your Honor.

Atty. Rivera: For the petitioners, Your Honor. This is petition for reconstitution of the records in Civil Case No. 3957-P which was promulgated way back in... by the then Judge Enrique Agana, presiding over Branch XXVIII which is now Branch 111. The records of this case were burned during the fire which gutted the City Hall including this Court on January 19, 1992. We have attached to the petition certified true copies of the decision which was obtained from the Office of the Solicitor General and also the affidavits of the employees of the court from the year 1975, 1973, respectively, to the present attesting to the fact that they were employees of the court when the decision was promulgated by the then Judge Enrique A. Agana, presiding over said court which is now Regional Trial Court, Branch 111 of this court (sic). We respectfully pray that after this hearing, the attached documents be admitted in lieu of the original which were lost and destroyed and that the records of this case be reconstituted.

Court: From the Office of the Solicitor General?

Solicitor Cariaso: We have **examined** the documents that were **attached** to the petition for reconstitution and we find them to be **accurate copies** of the **documents** that were received by the Office of the Solicitor General. It is (sic) being the case, we offer no objection to the reconstitution of the lost or burned documents.

Court: Okay, Submitted." (Underscoring and editing supplied.)

On July 7, 1997, the respondent Court, through Presiding Judge Ernesto A. Reyes ("Judge Reyes"), issued an Order declaring the copy of the alleged Decision dated November 4, 1975 consisting of 139 pages appended to the Del Rio Petition as a **reconstituted** copy of the decision allegedly rendered in Civil Case No. 3957-P. The dispositive portion of the said Order reads:

"WHEREFORE, in view of the above, the decision appended to the petition is hereby considered and declared as a reconstituted copy of the decision rendered in Civil Case No. 3957-P and shall be accorded the same force, effect, and consequence as the lost/destroyed original.

SO ORDERED. ""

(2) Judge Ernesto Reyes issued a Court Order on July 7, 1997 (Thursday) favoring the reconstitution. (*Annex O*)

b. Looking closely at the time frame of the court processes, it shows that premeditated **manipulations** undoubtedly existed. To elucidate:

(1) July 2 and 3, 1997 fell on a Saturday and Sunday, both non-working days. It was, therefore, impossible for the Petition for Reconstitution to have coped up with the Thursday case's raffle.

(2) And the required **prior notice** and **hearing** could not have been complied with on those days. The court, wherein the raffled case fell should have **first notified** through registered mail **all the parties** involved in the said case.

(3) From the above-cited, the 3-day issuance of the Order dated July 7, 1997 was likewise **not** possible.

How and why the Petition for Reconstitution **straightaway** fell on the same sala RTC, Branch 111, Pasay City, (then CFI, Branch 28, Pasay City) where the **original** LRC/Civil Case No. 3957-P in 1964 emanated was anomalous.

c. Robert Del Rio's Petition for Reconstitution **already bore a typewritten docket number LRC/Civil Case No. 3957-P** (Please see first page of *Annex M*). The assignment of a docket number should be the duty of the court to rubber stamp the same in bold characters and in color blue or violet. The said case number utilized by Del Rio's **duplicated** the long settled and terminated case of the **original LRC/Civil Case No. 3957-P**. Since this is a petition, which means a **new case**; the court **should** have assigned or docketed it with a **new case number**.

d. ANACLETO M. ACOPIADO'S NAME was UNDULY USED in DEL RIO's PETITION FOR RECONSTITUTION:

(1) Anacleto M. Acopiado passed away on November 27, 1994. Del Rio's Petition for Reconstitution was filed in July 1, 1997 with the deceased person named as Intervenor. This fact alone showed that Del Rio's Petition is **fraudulent**.

- (2) Del Rio's authority was automatically **terminated** upon Anacleto M. Acopiado's death. He had no legal personality to perform any legal acts for and in the name of the deceased person.
 - (3) Thus, the *Petition for Reconstitution* dated June 27, 1997 filed on July 1, 1997 by Robert Del Rio should have been dismissed outright.
- e. Apparently, even the copy of the alleged Special Power of Attorney was **not** exhibited in the said petition, thus, making the latter void.
 - f. Anent the just cited irregularity, the said petition had **no "verification"**, thus, should have been treated as an **unsigned** pleading, hence, a mere scrap of paper.
 - g. Further, there was **no** TCT No. 408 (owner's original duplicate copy or certified copy) exhibited, which is the **primary concern** or **issue** of the Petition for Reconstitution.
 - h. Since it was a Petition for Reconstitution, which means a new case: "How could there already be an outright **"inventors"** (sic, should be **"intervenors"**) appearing in the submitted petition?" **Intervenor** means a person who **enters** a lawsuit after it had been filed to advance a personal claim. Intervention is a procedure whereby a person may intervene in litigation though not originally a party in the suit. This means intervention comes later as the proceedings of the case progresses.
 - i. In his Petition for Reconstitution, it should be the name of Robert Del Rio that was supposed to appear as the plaintiff/petitioner, but it was the names of Wilson Orfinada, et. al who were cited as plaintiffs/petitioners in the petition.
 - j. Upon a close scrutiny of the said petition, it showed that it was meant for *Reconveyance of Real Property with Reconstitution of TCT No. 408 in accordance with Rep. Act 26 in the name of Gregorio Madrigal Acopiado*. However, in the alleged **Order of July 7, 1997**, it was the **"Clarificatory Decision"** rendered on November 4, 1975 that was **reconstituted**. Evidently, there was **no** TCT No. 408 being **reconstituted** as called for by the relief in their cause of action.

Tallano's Petition in 2001 (thru Romeo C. Campos).

11. On April 19, 2001, a second *Petition for Reconstitution* of (the) other significant court records was filed by Romeo C. Campos (with the authority of Tallano) again misusing the terminated LRC/Civil Case No. 3957-P. To enumerate the sequence of the reconstituted documents as per **Court Order** dated **July 11, 2001**. (*Annex P* – Clarificatory Decision by Hon. Judge Reyes)

- a. *Decision with Compromise Agreement* dated February 4, 1972 consisting of **139** pages (**Annex Q**);
- b. *Clarificatory Order* dated March 21, 1974 consisting of **30** pages;
- c. **Clarificatory Decision dated January 19, 1976 consisting of 60 pages;**
- d. *Third Alias of Writ of Execution, Possession and Demolition* dated May 23, 1989 consisting of **55** pages (**Annex R**);
- e. *Writ of Execution, Demolition and Possession* dated September 10, 1974 consisting of **14** pages;
- f. *Certification of Sheriff's Return* dated November 17, 1974 consisting of **7** pages;
- g. Certified True Photocopy of TCT No. T-408 consisting of 7 pages;
- h. Certified True Photocopy of TCT No. T-498 consisting of 7 pages;
- i. *Letters of Administration* dated June 14, 1972; and
- j. *Entry of Judgement* dated June 14, 1972 consisting of **7** pages.

Comments by Mr. Frianeza and his Lawyers

12. If the *Clarificatory Decision* (though was not the cause of action cited in the caption of the petition) was **reconstituted** by the Order dated July 7, 1997 (remember, the petition was meant for the reconstitution of TCT No. 408); then why was the same document again **included** in this new Petition for Reconstitution filed by Romeo C. Campos, and was **reconstituted** for the **second** time accurately itemized by **letter (c)** in the Order of July 11, 2001?

13. The Campos Resolution was the **second time**, the same court allowed such irregularities:

- a. Permitting the LRC/Civil Case No. 3957-P to be **utilized again** by the same sala RTC, Branch 111, Pasay City in the Petition for Reconstitution of the other significant court records filed on April 19, 2001 by Romeo C. Campos, **eluding once more** the process of court's **raffle**; a highly questionable proceedings.

Who was behind these two (2) orchestrated Petitions for Reconstitution to fall in the sala of Judge Ernesto Reyes of Branch CXI (111), Pasay City without any raffle?

- b. In the second Petition for Reconstitution filed by Romeo C. Campos, there was **again outright intervenors**, but, by this time, the intervenors were in the names of **Anacleto Madrigal Acop** and **Julian M. Tallano**, and with the same petitioners –Wilson Orfinada, et. al.

*The non-appearance of Don Anacleto M. Acopiado's name in the second Petition for Reconstitution in 2001, who was at that time seven (7) years dead, aside from the first reconstitution in 1997 was another **validation** of his **non-participation** and **involvement** in any manner in the Petitions for Reconstitution.*

Much more to stress: in the second salvo of reconstitution in 2001, the name of Don Anacleto M. Acopiado no longer appears, hence, *not* to be considered a party to the case. The names of Anacleto Madrigal Acop (fabricated name inserted by Tallano) and Julian M. Tallano's appeared as intervenors.

- c. The court *should* have **required** the submission of all the certified true copies of the court orders and decisions as well as of Tallano's TCT in **official form** to be reconstituted as exhibits prescribed in R.A. 26. Why did the court permit such **questionable** copies of court orders and decisions with only the plain **typewritten form** of TCT T-408 (**Annex S**), TCT T-498 (**Annex T**), and OCT T-01-4 (**Annex U**) presented in the said undertaking, hence, paving the way for the reconstitution of dubious documents.

Note: On July 31, 2001, the OSG filed a Motion for Reconsideration seeking *inter alia*, that the Order of July 11, 2001 be set aside. On **October 8, 2001** the court denied the motion of the OSG. (**Annex V**)

- d. The unlawful issuance of Tallano's court orders/decisions, writs and titles had no legal basis at all.

Note: In pages 5 and 6 of the questionable July 11, 2001 Order reconstituting significant records rendered by Judge Ernesto Reyes appeared to be a perfect match to each court orders and decisions having permanent injunction promulgated by Court of Appeals and being precisely identified by their (documents) **number of pages**. The same verdict was imposed on TCT T-408 (**Annex W**), TCT T-498 (**Annex X**), and OCT T-01-4.

- e. That, though Acopiado's court orders and decisions like the Decision with Compromise Agreement rendered by Judge Enrique Agana on February 4, 1972 (**Annex Y**) and Order of Third Alias Writ of Execution, Possession and Demolition rendered by Judge Sofronio Sayo on May 23, 1989 (**Annex Z**) (just to mention few) appear to be the same as those documents utilized by Tallano, however, the latter's manuscripts were specifically and totally different with that Acopiado **by the number of pages**. Acopiado's Decision with Compromise Agreement and Third Alias Writ of Execution had **138** and **36** pages respectively, while that of Tallano consist of **139** and **55** pages.
- f. It is worthy to emphasize that it was the name of **Tallano** and *not* of Acopiado which appeared in the **caption** of the case of each reconstituted court orders and decision favoring Tallano in 1997 and 2001.

PROCEEDINGS IN THE COURT OF APPEALS

14. PETITION FOR ANNULMENT PERTAINS ONLY TO TALLANO. On April 5, 2002, the Office of the Solicitor General (OSG) filed with the Court of Appeals, a "Petition for Annulment of Judgement" (**Annex AA**) of the Court Orders dated July 7, 1997, July 11, 2001, October 8, 2001, all rendered by Judge Ernesto Reyes, Branch 111, Pasay City. These orders pave the way for the reconstitution of Tallano's court orders, decisions, TCT T-408, TCT T-498, and OCT T-01-4. The same were repeatedly cited for relief sought by the OSG in the prefatory and prayer of the said petition; each court order and decision being accurately identified by its number and pages together with Tallano's titles with **prefix letter T**, such as TCT T-408, TCT T-498, OCT T-01-4.

15. The absurd nature of Tallano's claim was assailed by OSG in the prefatory (page 3) of the said petition, which is the Decision with Compromise Agreement that traced the land claim on the alleged grant by the British Government to the alleged royal ancestor (King Luisong Tagean) who assisted the British in conquering the Philippine Islands sometimes in 1700s. The same decision made reference to an alleged redemption of the mortgage of the Philippines to the United States of America in 1764 at a time when the United States had not yet declared its independence (in 1776) from British Empire.

16. On the other hand, Don Anacleto M. Acopiado's Title (**without** the prefix letter T) TCT No. 408 (**Annex BB**), TCT No. 498 (**Annex CC**), and OCT No. 01-4 (**Annex DD**) were **never** cited for such relief. The court orders and decisions of Acopiado, at a glimpse appeared to be almost the same as that of Tallano, particularly on the first page where the title/caption of the case comes into view.

17. The Reply Memorandum to OSG submitted by the Acopiado in CA dated February 6, 2007 compared the Court Orders and Decisions of Acopiado and Tallano. Although, the case number along with its title/caption, the date, as well as the judges who rendered the court orders and decisions were duplicated by Tallano, it could be easily distinguished by the CA as to which court records were being sought for annulment. The OSG identified each highly questionable Court Orders and Decisions by precisely, identifying these thru its **number of pages**. Thus, since court orders and decisions of Acopiado have **different numbers** of **pages** compared to that of Tallano, **conclusively** the issue of injunction was **directed only** to Tallano's court records.

18. The uncontested Rebuttal Memorandum to the former Congressman Homobono Adaza (Tallano's Counsel) Memorandum submitted on February 19, 2008 in CA was very helpful in elucidating the issues that Tallano's OCT T-01-4, TCT T-408, TCT T-498 (made as Annexes "1," "16," and "17" in the Rebuttal Memorandum) as well as its **origin** as cited in Tallano's **fabricated** Decision with Compromise Agreement is far different from Acopiado's OCT 01-4, TCT 407, TCT 408, TCT 409 and TCT 498 (made as Annexes "2," "12," "13," "14," and "15" in the Rebuttal Memorandum).

19. It is very well established that the court proceedings initiated in July 1997 and recurred in April 2001 were **full of irregularities**. The just enumerated verities were the main reasons why the Executive Administrator, Mr. Daniel B. Franieza, had

cited in their submitted Memorandum, subsequent Motions and Rebuttal on the grant of permanent injunction to the three (3) court Orders dated **July 7, 1997, July 11, 2001, and October 8, 2001** because these undertakings had paved the way to the reconstitutions of forged court orders, decision, writs and titles under the unlawful revival of LRC/Civil Case No. 3957-P in the name of Julian Morden Tallano rendered by RTC Judge Ernesto Reyes, Branch CXI, Pasay City.

To Reiterate: THOSE RECONSTITUTED DOCUMENTS IN 1997 AND 2001 BY VIRTUE OF COURT ORDERS DATED JULY 7, 1997 AND JULY 11, 2001 WERE **DISORTED** VERSIONS OF DON ANACLETO M. ACOPIADO'S COURT ORDERS, DECISION, WRITS AND TITLES UNDER THE ORIGINAL LRC/CIVIL CASE NO. 3957-P, WHICH WAS INITIATED IN 1964 AND FINALLY SETTLED ON FEBRUARY 4, 1972.

Visibly, the Dispositive Portion of the Decision Rendered in CA-G.R. SP Nos. 70014 and 104604 pertains only to Tallano (*Annex EE*) – to quote:

"WHEREFORE, premises considered, we render judgement as follows:

1. The reconstitution proceedings in **LRC/Civil Case No. 3957-P** in respondent court are **declared void** for lack of jurisdiction.
2. The following decisions/orders/writ and other documents are **annulled** and **declared void** and of no force and effect:
 - a. *Decision With Compromise Agreement dated February 4, 1972 consisting of 139 pages;*
 - b. *Clarificatory Order dated March 21, 1974 consisting of 30 pages;*
 - c. *Decision dated November 4, 1975 consisting of 44 pages;*
 - d. *Clarificatory Decision dated January 19, 1976 consisting of 60 pages;*
 - e. *Entry of Judgement dated June 14, 1972 consisting of 7/6 pages;*
 - f. *Writ of Execution, Demolition and Possession dated September 10, 1974 consisting of 14 pages;*
 - g. *Certification of Sheriff's Return dated November 17, 1974 consisting of 7 pages;*
 - h. *Letters of Administration dated June 14, 1972;*
 - i. *Certified True Photocopy of Judicial Form No. 140, G.L.R.O. Form No.68, Book No. 34 of TCT No. T-408 consisting of 7 pages (instead of official form only a plain typewritten form of TCT No. T-408 was submitted for reconstitution, which was a violation of the procedure);*
 - j. *Certified True Photocopy of TCT No. T-498 consisting of 7 pages (also, only a form of a plain typewritten*

- form of TCT No. T-498 was submitted for reconstitution instead of official form);
- k. Order of Third Alias of Writ of Execution, Possession and Demolition dated May 28, 1989 consisting of 55 pages;
 - l. Order dated **July 7, 1997**;
 - m. Order dated **July 11, 2001**; and
 - n. Order dated **October 8, 2001**.
3. TCT No. T-408 and TCT No. T-498, which were reconstituted pursuant to the Order date July 11, 2001, are **declared void**. Accordingly, the Register of Deeds of the Province of Bulacan (in Guiguinto, Bulacan) is **directed to cancel TCT No. T-408 and TCT No. 498**.
 4. The Writ of Preliminary Injunction issued by this court on June 25, 2002 is made **permanent**.
 5. The heirs, agents, privies, or anyone acting for and in his behalf of JM Tallano, AM Acopiado and AM Acop are **enjoined** from the representing or exercising any acts of possession/ownership or from disposing in any manner, portion of the land covered by alleged TCT No. 408, TCT No. T-408 and TCT No. T-498.

Comments by Mr. Frianeza and his Lawyers

20. ANACLETO M. ACOPIADO – STRANGER TO THE CASE. The incrimination of Don Anacleto M. Acopiado's name in the decision issued by the CA on December 11, 2009 **cannot** affect Anacleto M. Acopiado for the following reasons:

- a. He was already dead at the time the machinated Petition for Reconstitution was filed in 1997 – **the defense's focal issue in this case**. This was the **root cause** of all the irregularities creating confusions to the OSG and to the Appellate Court.
- b. He can no longer perform any legal act under the sun, and as a consequence, the assertion indicting his involvement to any court proceedings and subsequent tasks upon his death had already been finally terminated.
- c. In lieu, the essential justification for not involving Don Anacleto and his case for the injunction was anchored on the jurisprudence cited by the CA's Second Division itself on the Resolution dated September 12, 2007 in CA-G.R. No. 70014, as quoted:

"Settled is the rule that strangers to a case cannot be affected by any proceeding in said case and are thus not bound by the injunction issued therein." (Mabayo Farms, Inc. vs. Court of Appeals, 386 SCRA 110, 115)

Note: Going back to the Order dated July 11, 2001: The reconstitution of more significant court records that sprang from April 19, 2001 Petition for Reconstitution filed by Romeo Campos **without** the name of Don Anacleto M. Acopiado in the caption of the **case**, only affirms that the latter cannot be considered involved or in any way a party in the said petition. And the person (Anacleto M. Acopiado) being **not** a party in a case cannot be affected by any proceeding like in CA-G.R. No. 70014. Evidently, the significant records that were reconstituted as enumerated void in the dispositive portion of the decision were particularly that of Tallano.

- d. Accordingly, the said Decision for Permanent Injunction precisely pertains only to Julian Morden Tallado, from which the prevalence of irregularities carried out in the said Petitions for Reconstitution were succinctly clarified in the submitted **Motion to Admit Supplementary Memorandum** on March 9, 2009.
- e. The cause of action by the OSG is **predominantly** about the **annulment of TCT T-408, TCT T-498, OCT T-01-4 and the Decision with compromise Agreement.** The deceit and fraud related to Tallano's wicked Petitions for Reconstitution.

21. The name of Don Anacleto M. Acopiado, if ever mentioned in the decision, was just incidental, hence, there was no clear and convincing statement of facts or evidences proving that there were irregularities which occurred as regards to the long settled case of Don Anacleto M. Acopiado under the original LRC/Civil Case No. 3957-P.

"The basic rules of proper pleading and procedure require that every pleading shall contain in a methodical and logical form, a plain concise and direct statement of the ultimate facts on which the party pleading relies for his claim or defense, as the case may be, omitting the statement of mere evidentiary facts. RULES OF COURT, Rule 8, Sec. 1. And all averments of fraud or mistake, the circumstances constituting fraud or mistake must be stated with particularity. Id., Section 5, in which the OSG has failed to do so."

22. The Petitions for Reconstitution submitted by Robert del Rio and Romeo Campos on July 1, 1997 and April 19, 2001, respectively, to Branch 111 (CFI Branch 28 before), Pasay City presided by RTC Judge Ernesto Reyes were highly questionable. The orchestrated petitions and proceedings resulting to Court Orders dated July 7, 1997, July 11, 2001, and Court Order of October 8, 2001 that pave way for the reconstitution of Tallano's fabricated court records (orders and decisions), titles and writs were the exact replica of those enumerated in the dispositive portion of the rendered Permanent Injunction dated December 11, 2009.

Contradicts the Ruling if Applied to Acopiado

23. On the other hand, Don Anacleto M. Acopiado can never be indicted in any of the two (2) petitions constituting intrinsic fraud bound therein by permanent injunction.

24. The misconception pertaining to CA's resolution dated January 20, 2012 by interpreting the submitted **Clarifications/Arguments** to Decision promulgated on December 11, 2009 as a Motion for Reconsideration was again **unfounded** by legal justification. Motion for Reconsideration is asking for some order or relief, while **clarification** as discussed herein **was** but merely an elucidation of vague issues that **were not** actually **raised** in the proceedings, particularly in the Petition for Annulment of Judgment filed by the OSG on April 5, 2002.

25. Assuming that the said Clarifications/Arguments denouncing more of Tallano's documents and court processed wicked undertaking would be treated as among of the six (6) Motions for Reconsideration having been denied by the Court of Appeals, conclusively, the same (CA's Decision Permanent Injunction dated December 11, 2009) is just like upholding or confirming to such irregularities in the highly questionable Petitions for Reconstitution filed in 1997 and 2001 by Robert del Rio and Romeo C. Campos.

26. Without a doubt, the message of our Conclusion in the submitted Clarifications/Arguments clearly suggests: **We were in harmony with the issued Permanent Injunction by the CA.** To recap:

*"It is very well established that the court proceedings initiated in July 1997 and recurred in April 2001 were **full of irregularities**. The just enumerated verities were the main reasons why we have cited in our submitted Memorandum, subsequent Motions and Rebuttal the **granting of permanent injunction to the three (3) court Orders dated July 7, 1997, July 11, 2001, and October 8, 2001** because these undertakings have paved the way to the reconstitutions of **forged** court orders, decisions, writs and titles under the **unlawful revival of LRC/Civil Case No. 3957-P** in the name of Julian Morden Tallano rendered by RTC Judge Ernesto Reyes, Branch CXI, Pasay City."*

27. On the contrary, CA- G.R. SP No. 70014 definitely implicates **only** the premeditated unlawful revival of LRC/Civil Case No. 3957-P. Hence, the Petition for Annulment of Judgment by the OSG, as the law provides; relates **only** to Tallano.

In Conformity with the Rules of Court

28. The acceptance by the CA of the Petition for annulment of Judgment dated April 5, 2002 filed by the OSG that had resulted in the issuance of the Resolution for Preliminary Injunction on **June 25, 2002** against the orders dated **July 7, 1997, July 11, 2001, and October 8, 2001** were just and valid because the *Petition for Annulment of Judgment* still falls within prescriptive period – **only a lapse of six (6) months**.

- a. The issue in the dispositive portion as cited in the Preliminary Injunction dated June 25, 2002 will clarify the concerned and specific court orders bound by injunction, as quoted hereunder:

"WHEREFORE, let a writ preliminary injunction issue enjoining respondents from enforcing the Orders dated July 7, 1997, July 11, 2001 and October 8, 2001 in Civil Case No. 3957-P and from conducting further proceedings in the said case."

- b. Clearly, the injunction pertains SPECIFICALLY to the Orders dated July 7, 1997, July 11, 2001 and October 8, 2001 based on the nullity of the proceedings rendered by RTC Judge Ernesto Reyes favoring the Petitions for Reconstitution of Tallano.

29. However, the said Petition for Annulment of Judgment dated April 5, 2002 filed by the OSG in CA as well as the *Preliminary Injunction* issued on June 25, 2002 have **no force** against the original case of Anacleto M. Acopiado under LRC/Civil Case No. 3957-P, which has been **long settled since 1972 – thirty (30) years resting in peace.**

- a. The Appellate Court is aware of the ruling about the prescription period to annul judgment. In this instant case, the period of **six (6) months** is of no doubt within the time frame, **but, thirty (30) years is more than overdue.** Conclusively, Anacleto M. Acopiado and his original case under the original LRC/Civil Case No. 3957-P **cannot and should not**, in any way, be implicated for annulment.
- c. It is of our humble contention that whether or not the Decision and orders rendered by Hon. Judge Agana were erroneous, these become final after the time frame fixed by law. Otherwise, litigation would be in false hope when endless, yet, no court problems would be finally settled for justice and titles to property would become precarious if the government's authority for baseless reasons, were allowed to re-open the case anytime tomorrow. (Daquis vs. Rusions, et. al., Phil. 913; Maramba vs. Lazano, 64 O.G. 42, Oct. 14, 1968)
- d. In the case of *People vs. Olarte*, G.R. No. 122465, Feb. 28, 1967, 63 O.G. No. 27 p. 6573, July 1, 1968, 19 SCRA, 494, even the Supreme Court **cannot** even change the **doctrine** adapted in the interpretation of the law affecting this subsequent case made by a Justice Tribunal of any category, because under such adversity, it was held that the subsequent reinterpretation could be applied only to a **new case**, but, **definitely not** to one **already settled** for a long time finally and conclusively determined, in as much as judicial doctrines have only prospective operation. Yet, posterior changes in the doctrines of the Supreme Court **cannot retroactively affect nullifying a prior final decision in the same proceeding** where prior court litigation was done whether the case is civil or criminal in nature.

30. In page 3 of the Petition for Annulment of Judgment (*Please see page 3 of Annex Z*), it only SPECIFICALLY pinpointed Tallano's origin as culled from his falsified documents and history having been narrated in the **fabricated Decision with Compromise Agreement**.

31. On the other hand, *Acopiado's history and origin was never raised in the issue. Therefore, predicated to what the ruling provides, the subject matter on the pleading for Annulment of Judgment by the OSG related only to Tallano.* Don Anacleto M. Acopiado's name if ever mentioned, was just incidental due to the utilization of his name by Robert del Rio in the revival of the highly questionable Petition for Reconstitution dated June 27, 1997.

Comment: how can the Decision for Permanent Injunction adhere to Article VIII, Section 14 of the 1986 Constitution if the Petition for Annulment filed by the OSG could not relate with particularity to the circumstances of the events constituting fraud or mistake to a person who had already died and buried in his grave three (3) and seven (7) years ago before that first (1997) and the second (2001) **unlawful** Petitions for Reconstitution, to an extent that even the dead man's origin was not even refuted?

DISCUSSION

The Validity and Enforceability of the Judicial Compromise Agreement

32. By their own representations, the two (2) Presidents of the Republic of the Philippines, succeeded in the following:

- a. Having the Original Certificates of Title 01 to 100,000 **declared null and void ab initio** due to their fraudulent characteristics;
- b. Having the OCT 01-4 **ordered reconstituted** in the name of Don Gregorio M. Acopiado, with the annulment of OCT 01 to 100,000;
- c. Having the Compromise Agreement **approved** by the Court; and
- d. Having the Decision with Compromise Agreement **rendered** on February 4, 1972.

33. The government's utilization of Don Gregorio M. Acopiado's documents in the said petition provided a clear **acknowledgment** of the soundness of the latter's monumental manuscripts. Therefrom, the OSG had no recourse but to enter into a "**compromise agreement**" with Don Anacleto M. Acopiado to preserve and protect the government's interest in the properties, as well as to the structures erected over the subject lands. Thus, a **Motion for the Issuance of Separate Decision with Compromise Agreement** had to be filed and was indeed filed by the government and approved by the court.

LEGAL BASIS: LAW AND JURISPRUDENCE

Law on Estoppel

Article 1431 of the Civil Code of the Philippines applies.

"Art. 1431. Through **estoppel**, an admission or representation is rendered conclusive upon the person making it, and cannot be denied or disproved as against the person relying thereon."

Meanwhile, Sec. 2(a), Rule 131 of the Rules of Court provides:

"Sec 2: *Conclusive Presumptions – the following are conclusive presumptions.*

(a) Whenever a party has, by his own declaration, act or omission, intentionally and deliberately led another to believe a particular thing is true, and to act upon such belief, he cannot, in any litigation arising out of such declaration, act or omission, be permitted to falsify it."

"It is held that Estoppel is based on public policy, fair dealing, good faith and justice. Its purpose is to forbid one to speak against his own act, representations, or commitments to the injury of one who reasonably relied thereon. It springs from equity, and is designed to aid the law in the administration of justice where without its aid injustice might result."

Rule 35, Rules of Court

Rule 35. Judgement and Pleadings

x x x

Judgement upon Compromise – is that which is entered in virtue of a compromise between the parties.

A Judgement upon a compromise is **not appealable** and is **immediately executory**, unless a motion is filed to set aside the compromise on the ground of fraud, mistake or duress, in which event an appeal may be taken from the order denying the motion. (*Reyes vs de Ugarte*, 75 Phil 505; *Enriquez vs Padilla*, 77 Phil 273)

Art 2037, New Civil Code provides – that a compromise shall have, with respect to the parties, the same authority as **res judicata**.

A fortiori, the judgment of the court based upon the compromise agreement has the authority of **res judicata from the moment** it was **rendered**. (*Cf Meneses vs dela Rosa*, 77 Phil 34; *Morales vs Fontanos and Garlitos*, 64 Phil 19, 21.)

34. All the foregoing indicate the existence and genuineness of the documents of the Acopiado clan, more particularly the "TITULO DE PROPIEDAD DE TERRENOS ROYAL DECREE 01-4 PROTOCOL OF 1891" and the government's utilization of the same documents in the various territorial claims (Sabah, Scarborough Shoal, Kalayaan) before the International Tribunals and the country's rice sufficiency and land reform programs for the benefit of the state and its people, respectively. The government, under the principle of Estoppel, cannot now question the existence, genuineness and validity of OCT No. 01-4 and its derivative titles, eg.,

TCT No. 408 (June 7 1932); TCT No. 498 (August 10, 1934); TCT No. 407 (July 5, 1936); and TCT No. 409 (April 10, 1937).

The Issue of Imprescriptibility

35. As discussed in paras 34 to 29 of the attached "Summary of the Narration of Events and the Issues on the Court Cases Culled from the Documents/Books submitted by ~~Mr. Donato B. Acopiado~~, which we quoted hereunder, the issue of imprescriptibility" is well settled, thus:

"34. In conjunction with the covenant pertaining to the issue of "imprescriptibility", it was sustained in the Order of Third Alias Writ of Execution and Possession and Demolition with Dismissal to Motion for Relief of the National Government dated May 23, 1989 rendered by Hon. RTC Judge Sofronio Sayo, Branch 111 (then CFI, Branch 28), Pasay City in the same case, LRC/Civil Case No. 3957-P, to quote:

"That said five (5) years execution of said judgment should take effect immediately upon payment of the Republic of the Philippines for its damage liability of Two (2) Billion Pesos together with its seven percent (7%) per annum interest which was commenced in the year 1968 ending December 1998 to the Acopiado. This is to cover the required Realty Taxes due to the government both local and national." Page 31

"That you are the commanded to require and impose order to concern(ed) Honorable Register of Deeds and his/her implementing staff of the province and city where the lands are located or issue the reconstituted copy of the duplicate and copy of its original OCT 01-4 of the

Hon. Register of Deeds of the City of Manila, TCT No. 408, TCT No. 498, TCT No. 407 and TCT No. 409 of the Hon. Register of Deeds of the Province of Malolos, Bulacan, Tayabas, Quezon and the Province of Rizal in Pasig without delay, in as much as the Rules of Court over five years reglementary period to execute the Decision with Compromise Agreement of February 4, 1972, Order March 21, 1974, and that of Clarificatory Order of January 19, 1976 cannot be enforced and it was barred by Statute of Limitation and imprescriptible beyond the terms and conditions embodied in the said Decision with Compromise Agreement between the Republic of the Philippines and the intervenor, Don Anacleto M. Acopiado. That five (5) years prescription period to execute said Decision and Orders in favor of the intervenor should reckon from the time the national government has fully paid the required fifty percent (50%) of its obligation in the form of damages to the intervenor which will take effect only after thirty (30) years from the year 1968..." Page 32

35. It should be stressed that the Honorable Court, in pages 35 and 36 of the Third Alias Writ of Execution, etc, spells out the **sanctions** to be imposed against those who defies its Orders and the observance of the policy of secrecy in its implementation, thus:

"Otherwise, defiance thereof, said Honorable Register of Deeds, his/her implementing staff should be charged for **obstruction** of

justice and that corresponding penalties should be imposed against the violating party or parties.

Let this Alias Writ of Execution Possession and Demolition be executed accordingly without delay, and the parties should observe the policy of secrecy as enforced by the National Intelligence Coordinating Agency of the Government for National interest embracing Sovereign Issue.

So Ordered.

Pasay City, May 28, 1999"

36. *Take note further that LRC/Civil Case No. 3957-P incorporates "Quieting and Reconveyance of Real Properties". Therefore, in view of the possession cited in Sec. 44 of Act 496, Mateo vs. Diaz, 374 SCRA 33, p. 902, clearly emphasized that:*

"An action to recover possession of a registered land never prescribes."

37. *"Prescinded from the foregoing judicial pronouncements, the instant action for enforcement of judgment is not barred by Statute of Limitation, predominantly because the national government has not yet performed its obligation; the release of payment for the Land Bank Bond Certificates issued by the Central Bank in favor of the lawful owners, thus, allowing the execution of the said orders/decisions imprescriptible."*

38. *As stated in pages 124 and 125 of the Decision with Compromise Agreement, the petition filed by the Republic of the Philippines for Reconveyance, Quieting, and Annulment of all the title from OCTs 01 to 100,000 utilizing Don Gregorio M. Acopiado's title had been granted. Therefrom, the court likewise gave (the) instruction, to quote:*

"Ordering the Hon. Register of Deeds of the place where the said land titles in OCT had been issued to cancel the same, and the subject land covered therein by these Original Certificate of Titles should be reconveyed and transferred to and in favor of Don Anacleto M. Acopiado or to his successor in interest, Roberto Pudino Acopiado."

39. *On June 6, 2011, Retired Judge Sofronio C. Sayo as former Judge of RTC Pasay City Brach 111, was deposed at his house located at No. 21 Pres. Quirino St., Life Homes Subdivision, Pasig City, to prove that on May 23, 1989, he issued the Order of the Third Alias Writ of Execution, Possession and Demolition with Dismissal to the Motion for Relief of the National Government in the instant case, among other things. (Annex JJ – Deposition of Retired Judge Sayo)"*

Irregularities in RTC-Pasay City Br. 111

36. In the July 1, 1997 petition for Reconstitution of Robert Del Rio as well as in the April 19, 2001 petition for Reconstitution of other documents filed by Robert C. Campos, they both violated the rules on actionable documents. Section 7 of Rule 15 of the Rules of Court Provides:

*Sec 7, Rule 15. Actionable Documents – Whenever an action is based upon a written instrument or document, the substance of such instrument or document **shall** be set forth in the pleading and the original copy or a copy thereof shall be attached to the pleading as an exhibit, which shall be deemed to be a part of the pleading, or said copy may with like effect be set forth in the pleading.*

37. Both petitioners failed to present or attach which is mandatory, to their petition their alleged Special Power of Attorney executed by Don Anacleto M. Acopiado. They also presented as exhibits mere typewritten copies of the TCTs and other actionable documents. Worst, they both perjured in their petitions and they presented falsified copies of the Decision with Compromise Agreement and the other Orders of the Courts.

38. It is quite puzzling why the Clerk of Court of RTC Pasay City Br 111 had not been honest and diligent in the performance of his duty. We all know that duplicate originals, if not certified copies of all pleadings and orders issued by all courts, (this includes RTC-Pasay City, Branch 111), as mandated by the rules and court procedures and a matter of right, are sent by registered mail and furnished to all the parties in the case. In the case at bar, it is a fact that the Office of the Solicitor General and the Office of the President, no less, were furnished and should have retained duplicate originals or certified copies of the Decision with Compromise Agreement, consisting of **138** pages. So that even if and/or when "all" the records of the court were **burned** or **lost**, there are a good number of ways and means for the court to reconstruct its records. Therefore, how could the OSG representative, Solicitor Dominador Cariaso had testified in open court and admitted that the copy of the same decision in LRC/Civil Case No. 3957-P being presented by Del Rio and Campos, consisting of **139** pages for reconstruction, be **authentic**? These representations made by Solicitor Cariaso in open court constitute a criminal act and he should and could be charged for Falsification by a public officer and Violation of the provisions of R.A. 3019, committed against the government and the very office which he represented.

CONCLUSION

39. It is respectfully submitted that the Compromise Agreement between the government and the Acopiados which was judicially approved is **valid**. Likewise, the Decision with Compromise Agreement rendered by the Court on February 4, 1972 is **enforceable**.

40. This Division concludes that since the Dispositive portion of the Permanent Injunction issued by the Court of Appeals' Special Former Second Division in CA G.R. SP No. 70014 on December 11, 2009 pertains **only** to Tallano's 1997 and 2001 court records, the "Third Alias Writ of Execution, Possession and Demolition, etc." consisting of 36 pages only rendered by Hon. Judge Sofronio Sayo on May 28, 1989 was not enjoined and, therefore, may be executed accordingly.

41. This Division likewise concludes that orchestrated efforts were executed by dubious **private** individuals in **conspiracy** with the **associate** solicitor from the Office of the Solicitor General and the officers and employees of the Regional Trial

Court – Pasay City, Branch 111 to becloud the Acopiado's ownership of the vast tracts of land covered by OCT 01-4.

42. For these very blatant violations of law as well as the Courts' rules and regulations, Associate Solicitor Dominador G. Cariaso, the still to be identified Clerk of Court as well as Former Judge Ernesto A. Reyes of RTC Pasay City Branch 111, may all be held liable, administratively and criminally, for violations of the provisions of Sec. 3(e) of R.A. 3019 and para 4, Art. 171 of the Revised Penal Code (Falsification by Public Officer, employees, etc).

"R.A. 3019, Section 3(e). Corrupt practices of public officers. In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:

(a) x x x

(b) x x x

(c) x x x

(d) x x x

(e) Causing any undue injury to any party, including the Government, or giving any private party any unwarranted benefits, advantage or preference in the discharge of his official administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions."

"Art. 171, Par. No. 4, RPC – Making untruthful statements in a narration of facts.

Requisites:

(a) That the offender makes in a document statements in a narration of facts;

(b) That he has a legal obligation to disclose the truth of the facts narrated by him;

(c) That the facts narrated by the offender are absolutely false; and

(d) That the perversion of truth in the narration of facts was made with the wrongful intent of injuring a third person."

43. Likewise, Messrs. Robert del Rio, Romeo C. Campos, Benito A. Tallano and Jullian M. Tallano should be charged with Violation of para 2, Art. 172 of the Revised Penal Code for several counts of Falsification of Public/Official Documents and correspondingly be charged for Violation of the provisions of RA 3019 for acting, in conspiracy with the involved government officials, in causing undue injury to any party including the government.

"Art. 172, Par. No. 2, RPC – Falsification by private individuals and use of falsified documents – The penalty of prison correccional in its medium and

maximum periods and a fine of not more than 5,000 pesos shall be imposed upon:

(1) x x x

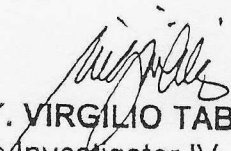
(2) Any person who, to the damage of a third party, or with the intent to cause such damage, shall in any private document commit any of the acts of falsification enumerated in the next proceeding article.

Any person who shall knowingly introduce in evidence in any judicial proceeding or to the damage of another or who, with the intent to cause such damage, shall use any of the foregoing subdivisions of this article, shall be punished by the penalty next lower in degree."

RECOMMENDATION

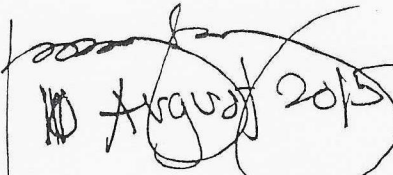
44. Respectfully recommended that:

- ✓ a. The complete records of this case be referred to RC, NCR-CIDU for the conduct of a full blown investigation insofar as the irregularities which occurred in the RTC-Pasay City Br. 111 from 1997 to 2001; and
- ✓ b. Mr. Daniel B. Frianeza, being the Executive Administrator of the Acopido Estate, be requested to execute the Complaint Affidavit.


ATTY. VIRGILIO TABALBA PABLICO
Crime Investigator IV

To: RC, NCR CIDU

I hereby approve the recommendation of chief legal. Pls assign an investigator to this particular case. Confer with chief legal. Thanks.

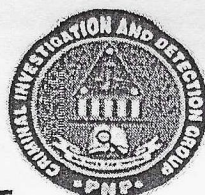

10 August 2015



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE

CRIMINAL INVESTIGATION and DETECTION GROUP
NCR CRIMINAL INVESTIGATION and DETECTION UNIT

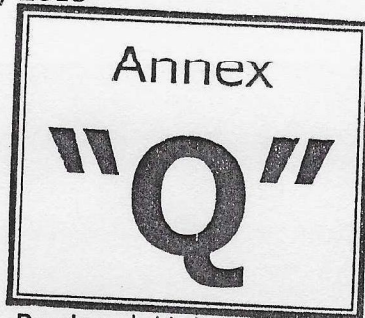
Camp Crame, Quezon City



IIB-NCRCIDU

December 3, 2015

Mr JULIAN M TALLANO
No. 31 BMA Ave., Tatalon,
Quezon City



GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA-G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines, represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

Records show that you were one of the petitioners, if not the authors or beneficiaries, in the Reconstitutions filed in the said RTC relating the **three (3) fake titles**, namely: **OCT No. T-01-4, TCT No. T-408**, and TCT No. T-498 and other spurious or falsified documents.

In this connection, you are hereby requested to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City on **December 8, 2015 at 10:00 o'clock in the morning** for interview/investigation.

We trust that this merit your utmost preferential attention.



126244027165

THIS SERVES AS AN OFFICIAL F
POS Permit No. : PR-122-002
ATN : 120271540
ial No. : LBC-CPU0000
Official Receipt No. : TIM02100001
Customer's Copy

Very truly yours,

ORIGINAL SIGNED
RONALD O LEE

Police Senior Superintendent
Regional Chief

LBC EXPRESS, INC.
Ground Floor, JAU-C Building, Boni Serrano corner 3rd Avenue, Quezon City
Tel. No. (n) : 02 7256727 VAT Reg. TIN #000-782-140-601

CONSIGNEE:
TALLANO, JULIAN M
And or/ Care Of: /
31 BMA AVE
TATALON

QUEZON CITY
METRO MANILA
METRO MANILA
TNPS

LEE, RONALD O
CIDG CAMP CRAME

QUEZON CITY
METRO MANILA
027268632:
Card Number: 2

Courier N-Pouch Regular
Origin : NEMM-TIM02-CAM
Tran. Date : 12/4/2015 12:5
Delivery Date : 12/5/2015
Area Dest : METRO MANILA
Tran. Type : DELIVERY
Cut-Off : 6:00:00 PM

VATable(Freight): 71.43
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
Discount : 0.00
Total Sales : 71.43
12% VAT : 8.57

Amount Due : 80.00
Mode : CASH

Contents: DOCUMENTS

SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH or CHECK INSIDE

Let us hear of your experience. Log in to <http://survey.lbcexpress.com/>

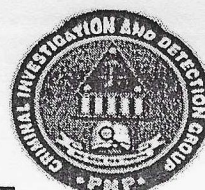
Customer Care: 8585-999

MICHAEL IVANHOE LEYNES
Signature of Associate

Signature of Shipper



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CRIMINAL INVESTIGATION and DETECTION GROUP
NCR CRIMINAL INVESTIGATION and DETECTION UNIT
Camp Crame, Quezon City



IIB-NCRCIDU

December 3, 2015

Mr ROMEO C CAMPOS

No. 3-A John St., Multinational Village,
Paranaque City

GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA-G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines, represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

Records show that you were one of the petitioners, if not the authors or beneficiaries, in the Reconstitutions filed in the said RTC relating the **three (3) fake titles**, namely: **OCT No. T-01-4, TCT No. T-408**, and TCT No. T-498 and other spurious or falsified documents.

In this connection, you are hereby requested to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City on **December 8, 2015 at 10:00 o'clock in the morning** for interview/investigation.

We trust that this merit your utmost preferential attention.



126244027155

THIS SERVES AS AN OFFICIAL RI
POS Permit No. : PR-122-0027
MIN : 120271540
Serial No. : LBC-CPU0000
Official Receipt No : TIM02100001
Customer's Copy

Very truly yours,

ORIGINAL SIGNED
RONALD O LEE

Police Senior Superintendent
Regional Chief

LBC EXPRESS, INC.
Ground Floor, JAJ-C Building, Boni Serrano corner 3rd Avenue, Quezon City
Tel. No.(s) : 02 7256727 VAT Reg. TIN #000-782-140-601

CONSIGNEE:
CAMPOS, ROMEO C
And of Care of :
3-4 JOHN ST
MULTINATIONAL VILLAGE
PARANAQUE CITY
METRO MANILA
METRO MANILA
TNPS

LEE, RONALD O
CIDG CAMP CRAME

QUEZON CITY
METRO MANILA
027268632;
Card Number: 2

Courier N-Pouch Regular
Origin : NEMM-TIM02-CAT
Tran. Date : 12/4/2015 12:00
Delivery Date : 12/5/2015
Area Dest : METRO MANILA
Tran. Type : DELIVERY
Cut-Off : 6:00:00 PM

VATable(Freight) : 71.43
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
Discount : 0.00
Total Sales : 71.43
12% VAT : 8.57

Amount Due : 80.00
Mode : CASH

Contents: DOCUMENTS

SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH or CHECK INSIDE

Let us hear of your experience. Log in to <http://survey.lbcexpress.com/>

Customer Care: 8585-999

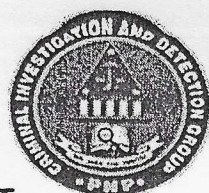
MICHAELIVANHOE LEYNES

Signature of Associate

Signature of Shipper



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE



**CRIMINAL INVESTIGATION and DETECTION GROUP
NCR CRIMINAL INVESTIGATION and DETECTION UNIT**

Camp Crame, Quezon City

IIB-NCRCIDU

December 3, 2015

Mr ROBERT M DEL RIO
No. 23 Ipil St., Project 3,
Quezon City

GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA-G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines; represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

Records show that you were one of the petitioners, if not the authors or beneficiaries, in the Reconstitutions filed in the said RTC relating to the **three (3) fake titles**, namely: **OCT No. T-01-4, TCT No. T-408**, and TCT No. T-498 and other spurious or falsified documents.

In this connection, you are hereby requested to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City on **December 8, 2015 at 10:00 o'clock in the morning** for interview/investigation.

We trust that this merit your utmost preferential attention.



126244027175

THIS SERVES AS AN OFFICIAL RE
POS Permit No. : PR-122-00275
MIN : 120271540
Serial No. : LBC-CPU00000
Official Receipt No : TIM021000010
Customer's Copy

Very truly yours,

**ORIGINAL SIGNED
RONALD O LEE**

Police Senior Superintendent
Regional Chief

Courier N-Pouch Regular

Origin : NEMM-TIM02-CAMP
Tran. Date : 12/4/2015 12:55
Delivery Date : 12/5/2015
Area Dest : METRO MANILA
Tran. Type : DELIVERY
Cut-Off : 6:00:00 PM

VATable(Freight) : 71.43
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
Discount : 0.00
Total Sales : 71.43
12% VAT : 8.57

Amount Due : 80.00
Mode : CASH

LBC EXPRESS, INC.
Ground Floor, JAU-C Building, Boni Serrano corner 3rd Avenue, Quezon City
Tel. No.(s) : 02 7256727 VAT Reg. TIN #000-702-140-601

CONSIGNEE:

DEL RIO, ROBERT .
And/or Care Of :
23 IPIL ST
PROJ 3

QUEZON CITY
METRO MANILA
METRO MANILA
TNPS

LEE, RONALD O
CIDG CAMP CRAME

QUEZON CITY
METRO MANILA
027268632;
Card Number: 2

Contents: DOCUMENTS

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Let us hear of your experience. Log in to <http://survey.lbcexpress.com/>

Customer Care: 8585-999

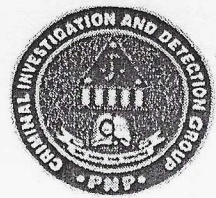
MICHAEL IVANHOE LEYNES

Signature of Associate

Signature of Shipper



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CRIMINAL INVESTIGATION and DETECTION GROUP
NATIONAL CAPITAL REGION
Camp Crame, Quezon City



ITR-NCR/CIDU

December 9, 2015

Mr ROMEO C CAMPOS

No. 3-A John St., Multinational Village,
Paranaque City

Annex

"R"

GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA-G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines, represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

Records show that you were one of the petitioners, if not the authors or beneficiaries, in the Reconstitutions filed in the said RTC relating the **three (3) fake titles**, namely: **OCT No. T-01-4, TCT No. T-408, and TCT No. T-498** and other spurious or falsified documents.

In this connection, may we reiterate our request for you to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City (Attn: SPO2 Jornadal, Investigator-On-Case) on **December 17, 2015 at 10:00 o'clock in the morning** for interview/investigation.



126243894197

THIS SERVES AS AN OFFICIAL RECEIPT
POS Permit No. : PR-122-0027589
MIN : 120271540
Serial No. : LBC-CPU00000601
Official Receipt No : TIM0210000103458
Customer's Copy

LBC EXPRESS, INC.
Ground Floor, JAU-C Building, Boni Serrano corner 3rd Avenue, Quezon City
Tel. No. (a) : 02 7256727 VAT Reg. TIN #000-762-140-601

CONSIGNEE:

CAMPUS, ROMEO C

And or/Care Of: /
NO 3 -A JOHN ST

MULTINATIONAL VILLAGE
PARANAQUE CITY

METRO MANILA

METRO MANILA

TNPS Mobile#: NO NUMBER GIVEN

SENENSE, LEONCIO L

NCR-CIDG

CAMP CRAME

QUEZON CITY

METRO MANILA

TNPS Mobile#: 09092423085;

Card Number:

Courier N-Pouch Regular

Origin : NEMM-TIM02-CAMP CRAME
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Delivery Date : 12/11/2015
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Tran. Type : DELIVERY
Cut-Off : 6:00:00 PM

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VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
Discount : 0.00
Total Sales : 71.43
12% VAT : 8.57

Amount Due : 80.00
Mode : CASH

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ONAL CHIEF:

SENENSE
endent

Contents: DOCUMENTS

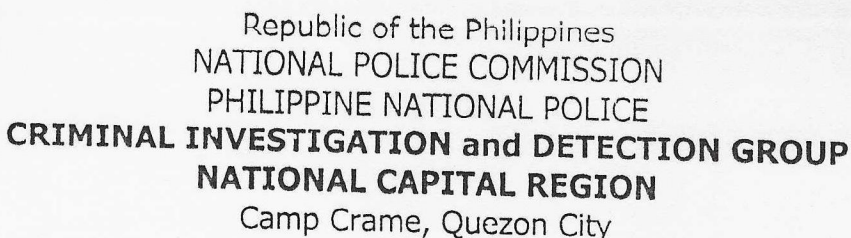
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Customer Care: 8585-999

RICARDO ACASIT
Signature of Associate

Signature of Shipper



December 9, 2015

Mr ROBERT M DEL RIO
No. 23 Ipil St., Project 3,
Quezon City

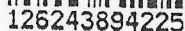
GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA—G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines, represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

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In this connection, may we reiterate our request for you to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City (Attn: SPO2 Jornadal, Investigator-On-Case) on **December 16, 2015 at 10:00 o'clock in the morning** for interview/investigation.

We trust that this merit your utmost preferential attention.



THIS SERVES AS AN OFFICIAL RE
POS Permit No. : PR-122-00275
MIN : 120271540
Serial No. : LBC-CPU000004
Official Receipt No : TIM021000011
Customer's Copy

Very truly yours,

LBC EXPRESS, INC.
Ground Floor, JAJ-C Building, Boni Serrano corner 3rd Avenue, Quezon City
Tel. No.(s) : 02 7256727 VAT Reg. TIN #000-702-140-601

CONSIGNEE:

DEL RIO, ROBERT M

And or/Care Of: /
NO 23 IPIL ST.

PROJECT 3
QUEZON CITY
METRO MANILA
METRO MANILA
TAPS Mobile#: NO NUMBER GIVEN

SENENSE, LEONCIO L
NCR-CIDG

CAMP CRAME
QUEZON CITY
METRO MANILA
TNPS Mobile#: 09092423085;
Card Number:

Contents: DOCUMENTS

SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH OR CHECK INSIDE

Let us hear of your experience. Log in to <http://survey.lbcexpress.com>

Customer Care: 8585-999

RICARDO ACASILI
Signature of Associate

Signature of Associate

Signature of _____

Courier N-Pouch Regular

Origin : NEMM-TIM02-CA
 Tran. Date : 12/10/2015
 Delivery Date : 12/11/2015
 Area Dest : METRO MANILA
 Tran. Type : DELIVERY
 Cut-Off : 6:00:00 PM

VATable(Freight):	71.43
VAT-Exempt	0.00
VAT Zero-Rated	0.00
Discount	0.00
Total Sales	71.43
12% VAT	8.57

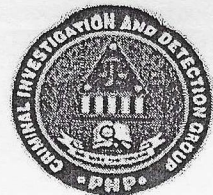
Amount Due : 80.00
Mode CASH

FOR THE REGIONAL CHIEF:

LEONCIO L SENENSE
Police Superintendent
Chief, IIB



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CRIMINAL INVESTIGATION and DETECTION GROUP
NATIONAL CAPITAL REGION
Camp Crame, Quezon City



IIB-NCRCIDU

December 9, 2015

Mr JULIAN M TALLANO
C/O Atty. Teresito Abella
No. 4435 Calatagan St., Palanan,
Makati City

And/or

No. 31 BMA Ave., Tatalon,
Quezon City

GREETINGS:

This has reference to the investigation being conducted by this Regional Unit relative to the Decision in **CA-G.R. SP No. 70014** which has become final and executory on March 19, 2013 and June 7, 2013 and recorded in the Book of Entries and Judgement as ruled by the Supreme Court, First Division in **G.R. Nos. 200366, 200398 and 200399**, copies of the Entries of Judgement are hereto attached. The decision stemmed from the Petition of the Republic of the Philippines, represented by the Office of the Solicitor General, for the nullification of the Orders of the Regional Trial Court, Branch 111, Pasay City dated July 7, 1997 and July 11, 2001, both of which ordered the reconstitution of alleged decisions, orders, writs, and other documents, and the Order dated October 8, 2001, which denied petitioner's motion for reconsideration.

Records show that you were one of the petitioners, if not the authors or beneficiaries, in the Reconstitutions filed in the said RTC relating the **three (3) fake titles**, namely: **OCT No. T-01-4, TCT No. T-408**, and **TCT No. T-498** and other spurious or falsified documents.

In this connection, may we reiterate our request for you to appear before the Office of the Regional Chief, NCR-CIDG, Camp Crame, Quezon City (Attn: SPO2 Jornadal, Investigator-On-Case) on **December 18, 2015 at 10:00 o'clock in the morning** for



126243894205

THIS SERVES AS AN OFFICIAL RE
POS Permit No. : PR-122-0027
MIN : 120271540
Serial No. : LBC-CPU0000
Official Receipt No : TIM02-00001
Customer's Copy

LBC EXPRESS, INC.
Ground Floor, JAL-C Building, Boni Serrano corner 3rd Avenue, Quezon City,
Tel. No.(s) : 02 7256727 VAT Reg. TIN #000-762-140-601

CONSIGNEE:
TALLANO, JULIAN M
And or/ Care Of :
31 BMA AVE
TATALON

QUEZON CITY
METRO MANILA
METRO MANILA
TNPS Mobile#: NIO NUMBER GIVE
SENENSE, LEONCIO L
NCR-CIDG

CAMP CRAME
QUEZON CITY
METRO MANILA
TNPS Mobile#: 09092423085;
Card Number:

Courier N-Pouch Regular
Origin : NEMM-TIM02-CAI
Tran. Date : 12/10/2015 10:00
Delivery Date : 12/11/2015
Area Dest : METRO MANILA
Tran. Type : DELIVERY
Cut-Off : 6:00:00 PM

VATable(Freight): 71.43
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
Discount : 0.00
Total Sales : 71.43
12% VAT : 8.57
Amount Due : 80.00
Mode : CASH

/very truly yours,

OR THE REGIONAL CHIEF:

LEONCIO L SENENSE
Police Superintendent
Chief, IIB

Contents: DOCUMENTS

SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH or CHECK INSIDE

Let us hear of your experience. Log in to <http://survey.lbcexpress.com/>

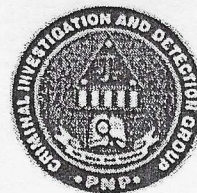
Customer Care: 8585-999

RICARDO ACASILI
Signature of Associate

Signature of ch.



Republic of the Philippines
NATIONAL POLICE COMMISSION
PHILIPPINE NATIONAL POLICE
CRIMINAL INVESTIGATION and DETECTION GROUP
NCR CRIMINAL INVESTIGATION and DETECTION UNIT
Camp Crame, Quezon City



December 2, 2015

Administrator and Civil Registrar General

National Statistics Office
EDSA near corner Quezon Ave.,
Quezon City

(Attn: Chief, Records Division)

Dear Sir/Madame,

This has reference to the investigation being conducted by this Regional Unit. In this connection, request furnish this office a Certified True Copy of Certificate of Death of the following persons:

1. **Ernesto A Reyes**, of No. 410 M. Arenas St., Sampaloc, Manila who died last June 1, 2013; and
2. **Ricardo A Adolfo**, of No. 369 Pearl St., Carpa Village, Baliwag, Bulacan.

Further request furnish this office result thereof for our ready reference.

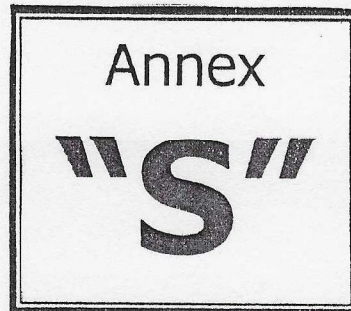
We trust that this request will merit your most favorable consideration.

Very truly yours,

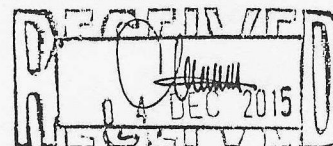
FOR THE REGIONAL CHIEF:

JAIME RAFAEL N NADELA

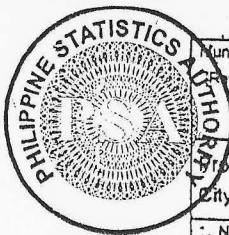
Police Chief/Inspector
Assistant Chief, Intelligence and Investigation Branch



PHILIPPINE STATISTICS AUTHORITY



CIVIL REGISTRATION SERVICES



Municipal Form No. 103
Revised January 2007)

(To be accomplished in quadruplicate using black ink)

Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
CERTIFICATE OF DEATH

Province **BULACAN**

Registry No.

City/Municipality **BALIWAG**

2013-1072

1. NAME (First, Middle, Last) RICARDO REPAJE ADOLFO			2. SEX (Male/Female) MALE
3. DATE OF DEATH (Day, Month, Year) 15 DECEMBER 2013	4. DATE OF BIRTH (Day, Month, Year) 13 AUGUST 1948	5. AGE AT THE TIME OF DEATH (Fill in below space to age category) a. IF 1 YEAR OR ABOVE b. IF UNDER 1 YEAR c. IF UNDER 24 HRS d. Complete year e. Month f. Day g. Hour h. Minute 65	
6. PLACE OF DEATH (Name of Hospital/Clinic/Institution/House No., St., Barangay, City/Municipality, Province) CARPA SUBD. SABANG BALIWAG BULACAN		7. CIVIL STATUS (Single/Married/Widow/Widower/Annulled/Divorced) MARRIED	
8. RELIGION/RELIGIOUS SECT CATHOLIC	9. CITIZENSHIP FILIPINO	10. RESIDENCE (House No., St., Barangay, City/Municipality, Province, Country) SABANG BALIWAG BULACAN	
11. OCCUPATION GOVT. EMPLOYEE	12. NAME OF FATHER (First, Middle, Last) JULIAN R. ADOLFO	13. MOTHER'S NAME OF MOTHER (First, Middle, Last) ANICETA U. REPATE	

MEDICAL CERTIFICATE
(For ages 0 to 7 days, accomplish items 14-19a at the back)

19b. CAUSES OF DEATH (If the deceased is aged 8 days and over)

I. Immediate cause a. Acute myocardial infarction Interval Between Onset and Death 120 hours

Antecedent cause b. None

Underlying cause c. None

II. Other significant conditions contributing to death None

19c. MATERNAL CONDITION (If the deceased is female aged 15-49 years old)

a. pregnant, not in labour b. pregnant, in labour c. less than 42 days after delivery d. 42 days to 1 year after delivery e. None

19d. DEATH BY EXTERNAL CAUSES

a. Manner of death (Homicide, Suicide, Accident, Legal Intervention, etc.) Stroke

b. Place of Occurrence of External Cause (e.g. home, farm, factory, street, sea, etc.) Home

21a. ATTENDANT

1 Private Physician 2 Public Health Officer 3 Hospital Authority 4 None 5 Others (Specify) None

21b. If attended, state duration (From To) 120 hours

22. CERTIFICATION OF DEATH

I hereby certify that the foregoing particulars are correct, as near as same can be ascertained and I further certify that I have attended the deceased and that death occurred at 15/16/2013 am/pm on the date of death specified above.

Signature [Signature] REVIEWED BY [Signature]

Name in Print Dr. [Name] Signature Over Printed Name of Health Officer [Signature]

Title or Position MD Date 15/16/2013

Address [Address] Date 15/16/2013

23. CORPSE DISPOSAL (Burial, Cremation, if others, specify) Burial

24a. BURIAL/CREMATION PERMIT Number 0947941 Date issued 12/16/2013

24b. TRANSFER PERMIT Number 0947941 Date issued 12/16/2013

25. NAME AND ADDRESS OF CEMETERY OR CREMATORY SAN RAFAEL CEMETERY SAN RAFAEL, BULACAN

26. CERTIFICATION OF INFORMANT

I hereby certify that all information supplied are true and correct to my own knowledge and belief.

Signature [Signature] 27. PREPARED BY [Signature]

Name in Print RODELIO C. ADOLFO Name in Print BENITO S. MENDOZA

Relationship to the Deceased SON Title or Position FUN. MGR.

Address SABANG, BALIWAG, BULACAN Date DECEMBER 15, 2013

28. RECEIVED BY

Signature [Signature] 29. REGISTERED BY THE CIVIL REGISTRAR [Signature]

Name in Print EIMA V. MARQUEZ Name in Print DOLORES S. LUMERAS

Title or Position ADMINISTRATIVE AIDE VI Title or Position MUNICIPAL CIVIL REGISTRAR

Date December 16, 2013 Date December 16, 2013

REMARKS/ANNOTATIONS (For LCRO/OCRG Use Only)

TO BE FILLED-UP AT THE OFFICE OF THE CIVIL REGISTRAR

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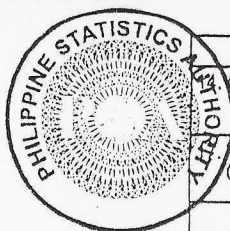
Lisa Grace S. Bersales

LISA GRACE S. BERSALES, Ph.D.

National Statistician and Civil Registrar General

Philippine Statistics Authority





OR CHILDREN AGED 0 TO 7 DAYS		
AGE OF MOTHER	15. METHOD OF DELIVERY (Normal spontaneous vertex, if others, specify)	16. LENGTH OF PREGNANCY (In completed weeks)
17. TYPE OF BIRTH (Single, Twin, Triplet, etc)		18. IF MULTIPLE BIRTH, CHILD WAS (First, Second, Third, etc)

MEDICAL CERTIFICATE	
19a. CAUSES OF DEATH	
a. Main disease/condition of Infant	
b. Other diseases/conditions of Infant	
c. Main maternal disease/condition affecting Infant	
d. Other maternal disease/condition affecting Infant	
e. Other relevant circumstances	
CONTINUE TO FILL UP ITEM 20	

POSTMORTEM CERTIFICATE OF DEATH	
I HEREBY CERTIFY that I have performed an autopsy upon the body of the deceased and that the cause of death was	
Signature _____ Title/Designation _____	
Name in Print _____ Address _____	
Date _____	

CERTIFICATION OF EMBALMER	
I HEREBY CERTIFY that I have embalmed <u>RICARDO R. ADOLFO</u> following all the regulations prescribed by the Department of Health.	
Signature <u>A. Mendoza</u>	Title/Designation <u>LICENSED EMBALMER</u>
Name in Print <u>ALFREDO S. MENDOZA</u>	License No. <u>934</u>
Address <u>BUSTOS, BULACAN</u>	Issued on <u>2013</u> at <u>MANILA CITY</u>
	Expiry Date <u>2016</u>

AFFIDAVIT FOR DELAYED REGISTRATION OF DEATH	
I, _____ of legal age, single/married/divorced/widow/widower, with residence and postal address _____, after being duly sworn in accordance with law, do hereby depose and say:	
1. That _____ died on _____ in _____ and was buried/cremated in _____ on _____	
2. That the deceased at the time of his/her death: ☐ was attended by _____ ☐ was not attended.	
3. That the cause of death of the deceased was _____	
4. That the reason for the delay in registering this death was due to _____	
5. That I am executing this affidavit to attest to the truthfulness of the foregoing statements for all legal intents and purposes.	
In truth whereof, I have affixed my signature below this _____ day of _____ at _____, Philippines.	
(Signature Over Printed Name of Affiant)	
SUBSCRIBED AND SWORN to before me this _____ day of _____ at _____ Philippines, affiant who exhibited to me his Community Tax Cert. issued on _____ at _____	
Signature of the Administering Officer	Position / Title / Designation
Name in Print	Address

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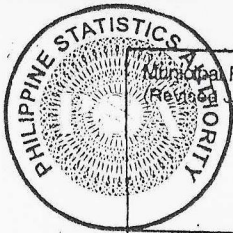


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Lisa Grace S. Bersales
LISA GRACE S. BERSALES, Ph.D.
National Statistician and Civil Registrar General
Philippine Statistics Authority





(COPY FOR OCRG)

Municipal Form No. 103
(Revised January 1993)

(To be accomplished in quadruplicate)

Republic of the Philippines
OFFICE OF THE CIVIL REGISTRAR GENERAL
CERTIFICATE OF DEATH
(Fill out completely, accurately and legibly. Use ink or typewriter.
Place X before the appropriate answer in items 2, 9, 13, 16, 18, 19, 21 and 23.)Province NCR Metro Manila
City/Municipality Quezon CityRegistry No.
013-095051. NAME (First) (Middle) (Last)
ERNESTO ALONSO REYES2. SEX ☒ 1 MALE ☐ 2 FEMALE
3. RELIGION Church of Christ
4. AGE ☒ 1 YEAR OR ABOVE ☐ 2 UNDER 1 YEAR ☐ 3 UNDER 1 DAY
Completed years: 73 Months: 0 Days: 0 Hrs. Min/Sec: 05. PLACE OF DEATH (Name of Hospital/Clinic/Institution) (City/Municipality) (Province)
Philippine Heart Center East Avenue, Quezon City6. DATE OF DEATH (day) (month) (year) 7. CITIZENSHIP
1 June 2013 Filipino8. RESIDENCE (House No., Street, Barangay) (City/Municipality) (Province)
410 M. Arenas St., Sampaloc, Manila9. CIVIL STATUS ☐ 1 Single ☐ 2 Married ☐ 3 Widowed ☐ 4 Others
☒ 5 Unknown
10. OCCUPATION Retired Judge**MEDICAL CERTIFICATE**
(For ages 0 to 7 days, accomplish items 11-17 at the back)17. CAUSES OF DEATH
I. Immediate cause: a. Cardiac Dysrhythmia
Interval Between Onset and Death: 01:08
Antecedent cause: a. Hypertensive Cardiovascular Dse., Coronary Artery Dse., Non ST Elevation Myocardial Infarction
Underlying cause: a. Chronic Obstructive Pulmonary Dse., Chronic Kidney Dse. 5
II. Other significant conditions contributing to death: Obstructive Uropathy

18. DEATH BY NON-NATURAL CAUSES

a. Manner of Death
☐ 1 Homicide ☐ 2 Suicide ☐ 3 Accident ☐ 4 Others (Specify)
b. Place of Occurrence (e.g. home, farm, factory, street, etc.)

19. ATTENDANT

☐ 1 Private Physician ☐ 2 Public Health Officer ☐ 3 Hospital Authority ☐ 4 None ☐ 5 Others (Specify)
If attended, state duration: From To

20. CERTIFICATION OF DEATH

I hereby certify that the foregoing particulars are correct as near as same can be ascertained and I further certify that:
☐ I have not attended the deceased.
☒ I have attended the deceased and that death occurred at 4:20 AM on the date indicated above.Signature [Signature]
Name in Print JAMES FLORES, M.D.
Title or Position Medical Officer II
Address Philippine Heart Center East Avenue, Quezon City
Date June 1, 2013

REVIEWED BY

EMMANUEL AVILES, M.D., M.B.A.
MEDICAL OFFICER III
O.C. HEALTH DEPARTMENT21. CORPSE DISPOSAL
☒ 1 Burial ☐ 2 Cremation ☐ 3 Others (Specify)22. BURIAL/CREMATION PERMIT
Number 013-09505
Date Issued June 1, 201323. AUTOPSY
☐ 1 Yes ☒ 2 No

24. NAME AND ADDRESS OF CEMETERY OR CREMATORY

25. INFORMANT

Signature [Signature]
Name in Print GENALINA J. REYES
Relationship to the deceased wifeAddress 410 M. Arenas St., Sampaloc, Manila City
Date June 1, 2013

21. PREPARED BY

Signature [Signature]
Name in Print MARK S. DEFENSOR
Title or Position Staff Nurse III
Date June 1, 2013

22. RECEIVED AT THE OFFICE OF THE CIVIL REGISTRAR

Signature [Signature]
Name in Print LUCITA B. LACERNA
Title or Position Registration Officer V
Date June 1, 2013

REMARKS/ANNOTATION

FOR OCRG USE ONLY:
Population Reference No.TO BE FILED UP AT THE
OFFICE OF THE CIVIL
REGISTRAROR No. 151211-004-02-140-00020
REYES, MARY ANN

OFFICIAL RECEIPT

Republic of the Philippines
Philippine Statistics Authority

AMOUNT

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0390683
01061

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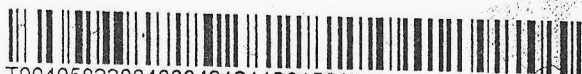
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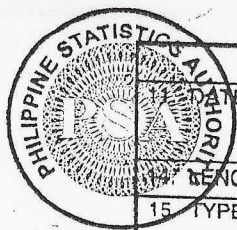
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LISA GRACE S. BERSALES, Ph.D.
National Statistician and Civil Registrar General
Philippine Statistics Authority



FOR AGES 0 TO 7 DAYS		
11. DATE OF BIRTH	12. AGE OF MOTHER	13. METHOD OF DELIVERY 1 Normal; spontaneous vertex 2 Stillborn (Specify) _____ 3 Others (Specify) _____
14. LENGTH OF PREGNANCY: _____ completed weeks		
15. TYPE OF BIRTH 1 Single 2 Twin 3 Triplet, etc.	16. IF MULTIPLE BIRTH, CHILD WAS 1 Single 2 Twin 3 Others (Specify) _____	
17. CAUSES OF DEATH a. Main disease/condition of infant _____ b. Other diseases/conditions of infant _____ c. Main maternal disease/condition affecting infant _____ d. Other maternal disease/condition affecting infant _____ e. Other relevant circumstances _____		
CONTINUE TO FILL-UP ITEM 18		

POSTMORTEM CERTIFICATE OF DEATH

I HEREBY CERTIFY that I have this _____ day of _____ performed an autopsy upon the body of the deceased and that the cause of death was as follows: _____

Signature _____ Title/Designation _____
Name in Print _____ Address _____

CERTIFICATION OF EMBALMER

I HEREBY CERTIFY that I have embalmed ERNESTO A. REYES after having followed all the regulations prescribed by the Department of Health.

Signature _____ Title/Designation LIQ. EMBALMER
Name in Print REYNEL A. VALENCIA License No. 09-11-4666
Address ST. PETER MEM. CHAPELS Issued on SEPT 2011
MLA, EAST RD. MACAMOT BINANGONAN RIZAL Expiry Date DEC, 2014

Republic of the Philippines _____
Province of _____
City/Municipality of _____

AFFIDAVIT FOR DELAYED REGISTRATION OF DEATH

I, _____ of legal age, single/married, after being duly sworn to in accordance with law, do hereby depose and say:

- That _____ died on _____ in _____ and was buried/cremated in _____
- That the deceased was/was not attended to at the time of his death.
- That the reason for the delay in registering this death was due to _____

(Signature of Affiant)

Community Tax No. _____
Date Issued _____
Place Issued _____

SUBSCRIBED AND SWORN to before me this _____ day of _____ at _____ Philippines.

(Signature of Administering Officer) _____ (Title/Designation) _____
(Name in Print) _____ (Address) _____

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Lisa Grace S. Bersales
LISA GRACE S. BERSALES, Ph.D.
National Statistician and Civil Registrar General
Philippine Statistics Authority

