



Republic of the Philippines
Province of Cavite
City of Bacoor



SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
<i>Committee on Ethics, Appointments and Government Reorganization</i>		COMPLAINT OF MR. ARCEBIDO GERVACIO AGAINST BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS 1, BACOR CITY, CAVITE.	POCR-016-2022	
VENUE	Sangguniang Panlungsod Session Hall 2nd Floor, Bacoor Government Center		DATE/TIME	July 14, 2022 10:00 AM

COMMITTEE REPORT No. 004

The hearing was presided over by Councilor Reynaldo D. Palabrica.

On July 14, 2022, The Committee on Ethics, Appointments and Government Reorganization conducted a committee hearing regarding the above subject matter.

FINDINGS:

The case against Punong Barangay George Medina filed by Atty. Arcebido Gervacio was already settled and dismissed last July 13, 2022 at the Barangay Hall of Ligas I.

RECOMMENDATION:

The Presiding officer and council member dismissed the hearing.


WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Signed this 14th of July 2022 at the City of Bacoor, Cavite.



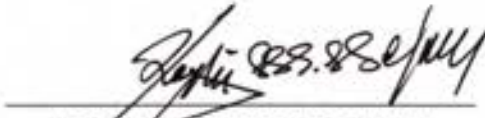
Republic of the Philippines
Province of Cavite
City of Bacoor

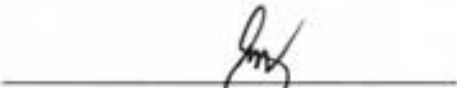

HON. REYNALDO D. PALABRICA
Chairman


HON. ALEJANDRO GUTIERREZ
Vice Chairman


HON. ALDE JOSELITO PAGULAYAN
Member


HON. MICHAEL SOLIS
Member


HON. ROGELIO NOLASCO
City Councilor


HON. LEVY TELA
City Councilor



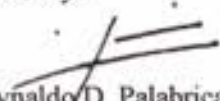
Republic of the Philippines
Province of Cavite
City of Bacoor



MINUTES OF COMMITTEE HEARING

1. The Hearing started at exactly 10:55 a.m.
2. Hon. Rey Palabrica presided the hearing.
3. Opening remarks of the Presiding Officer.
4. Invocation led by Hon. Rogelio Nolasco.
5. The Presiding Officer acknowledged the presence of Council Members and the resource person.
6. The Presiding Officer asked Punong Barangay George Medina explain the complaint against Him.
7. Punong Barangay George Medina said that last July 13, 2022 at their Barangay Hall at Ligas I the complainant Atty. Arcebido Gervacio withdraw and settled the case.
8. The Presiding Officer asks the complainant Atty. Arcebido Gervacio to elaborate what Punong Barangay George Medina have just said.
9. Atty. Arcebido Gervacio explained that He went to the Barangay Hall to settled and withdraw the case He filed against the former.
10. The Presiding Officer and the Council Members dismissed the hearing.
11. Hon. Alejandro Gutierrez move for the adjournment.
12. Hon. Michael Solis seconded the motion for adjournment.
13. Hearing adjourned at exactly 11:03 am.

Noted By:


Reynaldo D. Palabrica
City Councilor

Prepared By:


Ronaldo M. Verona



Republic of the Philippines
Province of Cavite
City of Bacoor



SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Ethics, Appointment and Government Reorganization		COMPLAINT OF MR. ARCEBIDO GERVACIO AGAINST BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS 1, BACOR CITY, CAVITE.	POCR-016-2022	
VENUE	Sangguniang Panlungsod 2 nd Floor, New City Hall, BGC Complex		DATE/TIME	July 14, 2022 10:00 AM

ATTENDANCE

Name/Signature	Office Address	Position/ Designation	Cellphone/ Email Address	Company/ Government Office
<i>[Signature]</i> GEORGE MEDINA	LIGAS I BACOR CITY	Barangay Chairman	09171124472	
<i>[Signature]</i> ARCEBIDO GERVACIO	LIGAS I	<i>[Signature]</i>		
<i>[Signature]</i> MANNY DYMAZI	LIGAS I	LUPON TACAPAYAPA	0950-295-6957	
<i>[Signature]</i> ALEXANDER PLANTERES	LGU BACOR	CITY COUNCILOR	-	SP
<i>[Signature]</i> MICHAEL SOLIS	LGU BACOR	CITY COUNCILOR	-	SP
<i>[Signature]</i> LEVY TELA	LGU BACOR	CITY COUNCILOR	-	SP
<i>[Signature]</i> ROBERTO LUCASCO	LGU BACOR	City Councilor	-	SP



Republic of the Philippines
 Province of Cavite
 City of Bacoor

SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Ethics, Appointment and Government Reorganization		COMPLAINT OF MR. ARCEBIDO CERVACIO AGAINST BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS 1, BACOR CITY, CAVITE.	POCR-016-2022	
VENUE	Sangguniang Panlungsod 2 nd Floor, New City Hall, BGC Complex		DATE/TIME	July 14, 2022 10:00 AM

ATTENDANCE

Name/Signature	Office Address	Position/ Designation	Cellphone/ Email Address	Company/ Government Office
<i>George Medina</i> GEORGE MEDINA	LIGAS I BACOR CITY	Barangay Chairman	09171124472	
<i>Arcebido Cervacio</i> ARCEBIDO CERVACIO	LIGAS I	Barangay Chairman		
<i>Manny Dymala</i> MANNY DYMALA	LIGAS I	CUPON TAGAPANGALAN	0950-2906959	
<i>Alejandro Planchillo</i> ALEXANDRO PLANCHILLO	LGU BACOR	CITY COUNCILOR	-	SP
<i>Walter Solis</i> WALTER SOLIS	LGU BACOR	CITY COUNCILOR	-	SP
<i>Levy Tella</i> LEVY TELLA	LGU BACOR	CITY COUNCILOR	-	SP
<i>Joseph Serrano</i> JOSEPH SERRANO	LGU BACOR	City Councilor	-	SP



Republic of the Philippines
Province of Cavite
City of Bacoor

July 12, 2022

MR. ARCEBIDO GERVACIO
Ligas 1
City of Bacoor, Cavite

Subject: ~~MEMORANDUM~~ COMPLAINT OF MR. ARCEBIDO GERVACIO AGAINST
BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS
1, BACOR CITY, CAVITE.

Dear Sir:

You are hereby requested to attend a committee hearing on the above-mentioned subject matter to be held on July 14, 2022 Thursday 10:00 AM at the **Sanggunian Session Hall 2nd Floor, Bacoor Government Center, Bacoor Boulevard, Brgy. Bayanan, Bacoor City, Cavite.**

Respectfully Yours,


REYNALDO D. PALABRICA
City Councilor

Permitted
7/13/22



Republic of the Philippines
Province of Cavite
City of Bacoor

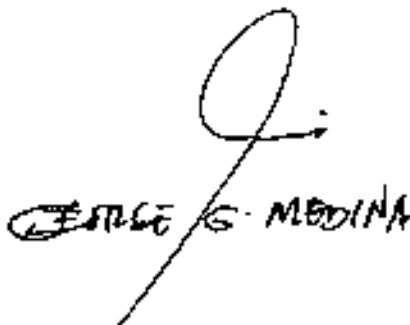
July 12, 2022

PB GEORGE MEDINA
Punong Barangay, Ligas 1
City of Bacoor, Cavite

**Subject: PCK R-016-2022 - COMPLAINT OF MR. ARCEBIDO GERVACIO AGAINST
BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS
1, BACOR CITY, CAVITE.**

Dear Sir:

You are hereby requested to attend a committee hearing on the above-mentioned subject matter to be held on July 14, 2022 Thursday 10:00 AM at the Sanggunian Session Hall 2nd Floor, Bacoor Government Center, Bacoor Boulevard, Brgy. Bayanan, Bacoor City, Cavite.



GEORGE S. MEDINA

Respectfully Yours,



REYNALDO D. PALABRICA
City Councilor

**F.4 For First Reading: POCR-016-2022 – Endorsement from the Office of the Ombudsman:
COMPLAINT OF MR. ARCEBIDO GERVACIO AGAINST BARANGAY CHAIRMAN
GEORGE MEDINA OF BARANGAY LIGAS 1, BACOR CITY, CAVITE.**



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Ombudsman Building, Agham Road
Diliman, Quezon City

FIRST INDORSEMENT

MAR 0 7 2022

Respectfully referred to **THE PRESIDING OFFICER**, Sangguniang Panlungsod, Bacoor City, Office of the Sangguniang Panlungsod, Bacoor Government Center, Bacoor Boulevard, City of Bacoor 4102, Cavite the attached complaint of Arcebido M. Gervacio against Barangay Chairman George Medina of Barangay Ligas 1, Bacoor City 4102, Cavite.¹ Your advice to this Office on the action taken by the Sangguniang Panlungsod of Bacoor City, referencing therein **IC No. OC-20-1384** will be highly appreciated.

Very truly yours,

By authority of the Ombudsman:

CORNELIO L. SOMIDO
Deputy Ombudsman for Luzon

Copy furnished:

Arcebido M. Gervacio
132 Barangay Ligas 1, Bacoor City 4102
Cavite

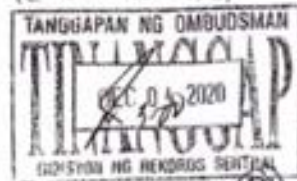
¹ The referral is pursuant to Section 23 of Republic Act No. 6770 (The Ombudsman Act) and Administrative Order 07 (Rules and Procedure of the Office of the Ombudsman).

[BACK](#)



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Agham Road, Diliman, Quezon City 1101

12-00-20-1387



1st INDORSEMENT
24 November 2020

Respectfully forwarded to **MS. CAROLINE A. DE LEON**, *Supervising Administrative Officer*, Central Records Division (CRD), the 3 November 2020 letter of Arechido M. Gervacio received by the OMB-Proper on 17 November 2020, for complaint evaluation.

By authority of the Ombudsman:


ATTY. RONALD BRIANGO EVANGELISTA
Graft Investigation and Prosecution Officer III
OMB-Proper

5679 ✓

0001

[BACK](#)



3 November 2020

HON. SAMUEL MARTIRES
Office of the Ombudsman
60 Agham Rd., Diliman, Quezon City

1c-0-20-1354

THE HONORABLE OMBUDSMAN:

This is a complaint I am filing against our Acting Barangay Chairman of Ligas 1, Bacoor City, Cavite for Ignorance of the Law in discharging his duty while presiding a meeting of Katarungang Pambarangay in the Barangay Hall last 2 September 2020.

The case the Acting Barangay Chairman will preside had an agreement entered into by and between the complainant and the four (4) tenants renting a lot around the house of my deceased sister who died on 8 March 2020 in Ligas 1, Bacoor City, Cavite.

The agreement entered into by and between the complainant Arcebido M. Gervacio and the four (4) tenants of my sister agreed during the incumbency of the Honorable Barangay Chairman Ferdinand Francisco that all monthly rental of the four (4) tenants will deposit to any bank they desired.

In my hand written letter addressed to the Acting Barangay Chairman George Medina, he alone decided to require complainant produce a Temporary Restraining Order (TRO) before requiring the four (4) tenants to comply with the agreement.

The complainant Arcebido M. Gervacio vehemently objected the ruling of Acting Barangay Chairman as the case in barangay need not be the subject of TRO. The agreement of the parties is simple matter to comply by the respondents-tenants.

Despite my verbal objection to the ruling of the Acting Barangay Chairman, he adamantly stuck to his ruling that a TRO be produced before requiring the tenants to make a deposit of their rentals.

On the basis of the action of the Acting Barangay Chairman, I am hereby filing a case against him for ignorance of the law by asking the production of TRO to be issued by the Honorable Secretary of Justice where my appeal to the crime of Estafa against Roberto Pascual Jr. in collecting rental to the houses built around the house of my sister in Doña Alicia Subd., Ligas 1, Bacoor City, Cavite despite the absence of authority and ownership over the lot where the house was built and erected.

NOV 17 2020

0002

Similarly, the Acting Barangay Chairman George Medina is also accused of incompetency for refusing to accept my hand written letter of inquiry cited above for reason of the absence of a TRO issued by the Honorable Secretary of Justice. My letter was dated 2 September 2020 but the same was sent to him thru Registered Mail at the Post Office.

Premises considered, it is respectfully requested that after investigation of the two (2) cases cited above, respondent George Medina be indicted accordingly.

Respectfull yours,


ARCEBIDO M. GERVACIO
132 Ligas 1, Bacoor City, Cavite

Encs:

1. Estafa case appealed to the Hon. Secretary of Justice
2. Hand written Letter

P.S.

"Upon assessment on the matter, it was found out that your complaint cannot be acted accordingly by our level. Please be informed that this Department has no jurisdiction to hear and decide complaints against erring local elective officials. Though the local government units are under the supervision of this department, we exercises no quasi-judicial power to impose administrative sanction against local officials as the same can only be exercised by the Office of the Ombudsman pursuant to Administrative Order No. 17, as amended by Administrative Order No. 17 or the local sanggunians in accordance with Section 61 of the Local Government Code (LGC)." - Ariel O. Iglesia, Regional Director of DILG Region IV-A Calabarzon

0003



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION IV-A CALABARZON



PACC-2020-1022.1(C)
DMS No: 2020-10-20-200

October 22, 2020

*Received
10/24/2020
12:10 PM
Dennis*

ARCEBIDO M. GERVACIO
132 Ligas 1, City of Bacoor, Cavite

Dear Mr. Gervacio,

Greetings!

This has reference to your letter-complaint dated September 28, 2020 addressed to Secretary Eduardo M. Año, against Acting Punong Barangay George Medina of Ligas 1, City of Bacoor, Cavite, with a prayer for the imposition of an administrative sanction.

Your complaint was forwarded to this level by Mr. Dennis D. Villaseñor, OIC-Director of National Barangay Operations Office of this Department, for our appropriate action.

Upon assessment on the matter, it was found out that your complaint cannot be acted accordingly by our level. Please be informed that this Department has no jurisdiction to hear and decide complaints against grring local elective officials. Though the local government units are under the supervision of this department, we exercises no quasi-judicial power to impose administrative sanction against local officials as the same can only be exercised by the Office of the Ombudsman pursuant to Administrative Order No. 17, as amended by Administrative Order No. 17 or the local saaggunians in accordance with Section 61 of the Local Government Code (LGC).

We can only act on complaints against local officials if the relief sought by the complainant can be addressed by our office pursuant to our existing laws, policies, rules and regulations.

We hope that we have enlightened you on the matter. Thank you.

Very truly yours,

ARNEL O. IGLESIA
Regional Director

Cc: **DENNIS D. VILLASEÑOR, MNSA, CESO IV**
OIC-Director, National Barangay Operations Office
DILG Central Office



"Matino, Mahusay at Maaasahan"
31F Anderson Bldg. 1, National Highway, Brgy. Palaran, City of Calamba, Laguna 4027
☎ 827-4750; 827-4560; 827-4567; 827-3143 or 827-4745
Dilgcalabarzon@yahoo.com | www.calabarzon.dilg.gov.ph

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF JUSTICE
OFFICE OF THE CITY PROSECUTOR
CITY OF BACOR, CAVITE

*Filed DOJ
11/29/20
Lacalle*

ARCEBIDO GERVACIO y MAULAPAZ,
Complainant,

- versus -

IS NO. IV-27 INV-19F-0567

ROBERTO PASCUAL JR.,
Respondent.

x-----x

NOTICE OF APPEAL

This is an appeal to the two (2) Resolutions rendered by the Office of the City Prosecutor dated 4 October 2019 and 9 January 2020, dismissing the case of Estafa against the respondent, for lack of probable cause and for no cogent reason to warrant the reversal of the earlier resolution.

THE CASE

On 19, June 2019, a Complaint Affidavit was filed against the respondent Roberto Pascual Jr. for Estafa. Respondent was collecting and pocketing rentals taken from the four (4) tenants of our sister Leticia Gervacio-Pascual from March 2019 up to September 2019 without authority from us, the undersign complainant and her sisters. Despite our formal demand to turn over to us the collected rentals on the houses of our deceased sister Leticia Gervacio-Pascual, no rentals were turn over to us.

Required by the Deputy Prosecutor, respondent Pascual submitted a Sinumpaang Kontra Salaysay dated 15 August 2019 and a copy of his Certificate of Live Birth.

In his Kontra Salaysay, he alleged that the complaint of estafa was without basis by virtue of the fact that he was the son of my sister Leticia Gervacio-Pascual, based on the said certificate of live birth he submitted and he further claimed to have the right to collect rentals on the houses built around the house of our sister in Dofia Alicia Subd., Ligas 1, City of Bacoor, Cavite. Respondent alleged further that I have not submitted any evidence to prove the crime of estafa was committed to indict him in court.

DISCUSSION

The defense presented by respondent Pascual was his Kontra Salaysay and the copy of his Certificate of Live Birth. Nothing else was submitted by respondent to support his claim that he was the son of my sister.

On the other hand, the undersigned had presented two (2) affidavits. One of them is the sworn statement of the alleged midwife Gloria Yepes, who in her affidavit alleged that she could not recall to have attended the delivery of Mrs. Leticia Gervacio-Pascual on 31 May 1984. The other affidavit submitted by the undersigned was the Joint Affidavit of Mesdames Romana Pamaran Landrito, Lucea R. Pamaran and Chenita Ocampo Gonce, all residents of Doña Alicia Subd., Ligas 1, City of Bacoor, Cavite and they were neighbors of my deceased sister, who attested and claimed that my sister never gave birth to respondent Pascual and/or delivered any one in her lifetime.

Respondent relied much to his birth certificate as his only defense to parry the charge of estafa. He claimed that by virtue of his birth certificate showing that he was the son of my sister is impregnable and cannot be assailed as a false or fictitious document.

The two (2) affidavits submitted in this case by the undersigned will definitely show that the Certificate of Live Birth was tainted by fictitious information and false data. The affidavit of the midwife Gloria Yepes which have no signature above her type written name and the joint affidavit of Mesdames Romana Pamaran Landrito, Lucea R. Pamaran and Chenita Ocampo Gonce were evidences disputing the birth certificate of respondent. Also the signature of my sister above her type written name in the birth certificate is a false signature. My deceased sister did not study in school and therefore cannot write or read. She was an illiterate mother.

The two (2) Resolutions cited above were silent on who collected and kept the rentals. All the four (4) tenants of the houses constructed and built around the house of my sister uniformly stated that they pay their monthly rentals to respondent Pascual.

ISSUES

Who is the rightful or legitimate heirs of the deceased Leticia Gervacio-Pascual, house and property owner of 145 square meters of lot. The brother Arcebido M. Gervacio and two (2) sisters Laureana Gervacio-Leuterio and Julia Gervacio-Olarte are claiming to be the rightful heirs of Leticia Gervacio-Pascual.

Premises considered, it is respectfully requested that judgment indicting respondent Pascual of estafa be rendered and that the undersigned Arcebido M. Gervacio, Laurena Gervacio-Leuterio and Julia Gervacio-Olarte be declared the rightful heirs of the deceased Leticia Gervacio-Pascual.

It is also requested that the Certificate of Live Birth of respondent Roberto Pascual Jr. be amended accordingly.

27 January 2020, City of Bacoor, Cavite.


ARCEBIDO M. GERVACIO
Complainant
132 Ligas 1, Bacoor City, Cavite

0006



Republic of the Philippines
Province of Cavite
City of Bacoor

July 12, 2022

HON. MICHAEL SOLIS
City Councilor
City of Bacoor, Cavite


Subject: POC R-016-2022 - COMPLAINT OF MR. ARCEBIDO GERVAPIO AGAINST
BARANGAY CHAIRMAN GEORGE MEDINA OF BARANGAY LIGAS I,
BACOR CITY, CAVITE.

Dear Sir:

You are hereby requested to attend a committee hearing on the above-mentioned subject matter to be held on July 14, 2022 Thursday 10:00 AM at the **Sanggunian Session Hall 2nd Floor, Bacoor Government Center, Bacoor Boulevard, Brgy. Bayanan, Bacoor City, Cavite.**

Respectfully Yours,


REYNALDO D. PALABRICA
City Councilor

RECEIVED BY 
11/12/22