



Republic of the Philippines  
Province of Davao Oriental  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
SP Complex, Government Center, Dahican  
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 5<sup>TH</sup> REGULAR SESSION OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL, HELD ON WEDNESDAY, AUGUST 3, 2022 AT THE CITY OF MATI, THIS PROVINCE.

**PRESENT:**

Hon. Niño Sotero L. Uy, Jr.

Vice Governor – Presiding Officer

**Regular Members:**

**District I**

Hon. Nelson R. Dayanghirang, Jr.  
Hon. Anna Cheryl N. Castro  
Hon. Marietta D. Palmera  
Hon. Andy A. Monday

**District II**

Hon. Shella Marie S. Go  
Hon. Harold A. Montes  
Hon. Daud V. Linsag  
Hon. Stephen Paul L. Uy

**Ex-Officio Members:**

Hon. Manuel M. Lepardo, Jr.

Interim-President, Philippine Councilors League (PCL) - Davao Oriental Chapter  
Indigenous Peoples' Mandatory Representative (IPMR)

Hon. Eleuterio C. Manaytay

**ABSENT:**

Hon. Rotchie M. Ravelo  
Hon. Art Benjie C. Bulaong  
Hon. Rustan R. Castillones

SP Member, District II – OB Digos City  
SP Member, District I  
President, Liga Ng Mga Barangay (LNB - Davao Oriental Chapter – OB Boston Sangguniang Kabataan Provincial Federation President (SKPPF)

Hon. Ronald T. Lara, Jr.

**RESOLUTION NO. 17-45-08-2022**

Author : Hon. Manuel M. Lepardo, Jr.

Sponsor : Hon. Manuel M. Lepardo, Jr.

**A RESOLUTION INFORMING THE OFFICE OF THE DEPUTY OMBUDSMAN FOR MINDANAO, THROUGH ITS OFFICER-IN-CHARGE/ASSISTANT OMBUDSMAN, MS. MARIA ILUMINADA S. LAPID-VIVA, RELATIVE TO THE FIRST INDORSEMENT, DATED FEBRUARY 24, 2022, WITH REFERENCE CODE IC-OM-20-0567 "ROWENA MAGBASA VS. EDWIN GARCIA", THAT THIS SANGGUNIANG PANLALAWIGAN CANNOT ASSUME OR EXERCISE JURISDICTION OVER THE ALLEGED COMPLAINT FOR NOT HAVING COMPLIED WITH THE PROCEDURAL REQUIREMENTS MANDATED UNDER REPUBLIC ACT NO. 7160 AND SP RESOLUTION NO. 33-2001, RESPECTIVELY.**

**WHEREAS**, upon careful scrutiny of the documents from the Office of the Deputy Ombudsman for Mindanao, forwarded to the Office of Hon. Niño Sotero L. Uy, Jr., Vice

*gilaal*

*Amplaza*



Governor, relative to the alleged complaint of certain *Ms. Rowena Magbasa against Kag. Edwin Garcia*, all from the Municipality of Baganga, Davao Oriental, the same considered unverified complaint, therefore, is not compliant to the procedural requirements provided under Section 61 of RA 7160, which states that:

*Section 61. Form and Filing of Administrative Complaints. - A verified complaint against any erring local elective official shall be prepared as follows:*

*x x x*

*(b) a complaint against any elective official of a municipality shall be filed before the sangguniang panlalawigan whose decision may be appealed to the Office of the President.*

**WHEREAS**, SP Resolution No. 33-2001, likewise provides specific procedural requirements to any administrative complaint filed or under the jurisdiction of the Sangguniang Panlalawigan. The complaint must contain or provide the following basic information:

- a) Full name and address of the complaint;
- b) A narration of the relevant and material facts which shows the acts or omissions allegedly committed by the civil servant;
- c) Certified true copies of documentary, evidence and affidavits of this witnesses, if any; and
- d) Certification or statement of non-forum shopping.

**WHEREFORE**, on motion of SP Member Manuel M. Lepardo, Jr., duly and jointly seconded by SP Members Eleuterio C. Manaytay and Harold A. Montes, it was;

**RESOLVED**, as it is hereby resolved, **INFORMING THE OFFICE OF THE DEPUTY OMBUDSMAN FOR MINDANAO, THROUGH ITS OFFICER-IN-CHARGE/ASSISTANT OMBUDSMAN, MS. MARIA ILUMINADA S. LAPID-VIVA, RELATIVE TO THE FIRST INDORSEMENT, DATED FEBRUARY 24, 2022, WITH REFERENCE CODE IC-OM-20-0567 "ROWENA MAGBASA VS. EDWIN GARCIA", THAT THIS SANGGUNIANG PANLALAWIGAN CANNOT ASSUME OR EXERCISE JURISDICTION OVER THE ALLEGED COMPLAINT FOR NOT HAVING COMPLIED WITH THE PROCEDURAL REQUIREMENTS MANDATED UNDER REPUBLIC ACT NO. 7160 AND SP RESOLUTION NO. 33-2001, RESPECTIVELY;**

**RESOLVED, FINALLY**, That copies of this resolution be furnished: Ms. Maria Iluminada S. Lapid-Viva, Officer-in-Charge/Assistant Ombudsman, Office of the Deputy Ombudsman for Mindanao, Earth corner Libra Street, GSIS Heights Subdivision, Matina, Davao City; Ms. Rowena Magbasa and Barangay Kagawad Edwin Garcia, both in Baganga, this Province, for their information and guidance.

**CARRIED AND APPROVED.**

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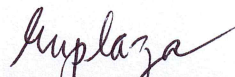
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*Kuyplaza*

*J. Garcia*

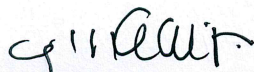
**I hereby Certify to the Correctness  
of the foregoing Resolution.**



**EVANGELINE UY-PLAZA**

*Assistant Secretary to the Sangguniang Panlalawigan  
Acting Secretary*

**Attested and Certified  
to be duly Adopted:**



**NIÑO SOTERO L. UY, JR.**

*Vice Governor and Presiding Officer*