



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 124<sup>TH</sup> REGULAR SESSION OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, NOVEMBER 13, 2024, AT THE CITY OF MATI, THIS PROVINCE.

**PRESENT:**

Hon. Nelson R. Dayanghirang, Jr. Vice Governor – Presiding Officer

**Regular Members:**

**District I**

Hon. Anna Cheryl N. Castro  
Hon. Marietta D. Palmera  
Hon. Andy A. Monday  
Hon. Michelle M. Centeno

**District II**

Hon. Shella Marie S. Go  
Hon. Harold A. Montes  
Hon. Rotchie M. Ravelo

**Ex-Officio Members:**

Hon. Joselito B. Villademoso	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Jossone Michael G. Dayanghirang	President, Liga Ng Mga Barangay (LNB) Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Shanine C. Lintogonan	Sangguniang Kabataan Provincial Federation President (SKFPF)

**ABSENT:**

Hon. Art Benjie C. Bulaong	SP Member, District I
Hon. Daud V. Linsag	SP Member, District II – Sick Leave
Hon. Stephen Paul L. Uy	SP Member, District II – OIC – Governor

**RESOLUTION NO. 17-1112-11-2024**

Author : Hon. Harold A. Montes  
Sponsor : Hon. Harold A. Montes

**A RESOLUTION RECOMMENDING TO THE HONORABLE SANGGUNIANG PANLALAWIGAN SITTING AS QUASI-JUDICIAL BODY TO FORGO THE CONDUCT OF THE HEARING AND REQUIRE ALL PARTIES INVOLVED TO SUBMIT THEIR RESPECTIVE MEMORANDUM FOR RESOLUTION ON THE SUBJECT APPEAL.**

**WHEREAS**, Section 67(a) of RA 7160, provides that the *decisions in administrative cases of the sangguniang panlungsod of component cities and sangguniang bayan may be appealed to the sangguniang panlalawigan*, in connection with Section 61(c) of RA 7160, which states that: "A complaint against any elective barangay official shall be filed before the sangguniang panlungsod or bayan concerned xxx";

**WHEREAS**, a Notice of Appeal filed by Punong Barangay, Hon. Virgilio A. Benaning, Respondent-Appellant of Administrative Case No. 01-2024 of the Sangguniang Bayan of Caraga, Davao Oriental, For: *Violation of Section 127 of P.D. 1445, Serious Dishonesty, Conduct Prejudicial To The Interest Of The Service*, was

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received by the SP Support Services Office on May 16, 2024; the Appeal Memorandum on June 6, 2024, and the same were referred to the Committee on Good Government, Ethics, Accountabilities, & Human Rights on May 22, 2024 and June 13, 2024 Regular Sessions, respectively;

**WHEREAS**, the Appellant-Respondent averred that the decision of the Sangguniang Bayan of Caraga, Davao Oriental, through SB Resolution No. 42, series of 2024, is not in accordance with evidence adduced and jurisprudence applied, hence, exercising his right to appeal to this Sangguniang Panlalawigan pursuant to Section 67(a) of RA 7160;

**WHEREAS**, in order to fully exercise its powers to review decision of the sangguniang bayan considering its jurisdictions over the subject Appeal, through the recommendation of the Committee on Good Government, Ethics, Accountabilities and Human Rights, this honorable august body has approved SP Resolution No. 17-995-06-2024, on June 13, 2024, "A RESOLUTION ADOPTING THE RULES OF PROCEDURES GOVERNING APPEALS TO THE SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL PURSUANT TO SECTION 67(A) OF RA 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991";

**WHEREAS**, the subject Appeal was docketed as **SP Administrative Appeal No. 17-01-2024**, pursuant to Section 8 of the foregoing Rules of Procedures on Appeals;

**WHEREAS**, pursuant to Section 5 of the Rules, the Honorable Vice Governor has directed the Sangguniang Bayan of Caraga to transmit to the Sangguniang Panlalawigan the complete original record of the Administrative Case No. 01-2024 being appealed to;

**WHEREAS**, pursuant to Section 6 of the Rules, the Appellant was required to reproduce and submit copies of the records of the case, and further requested to perfect his Appeal Memorandum in view of Section 7, thereof;

**WHEREAS**, all submitted documents which forms part of the Records of the Case and Appeal Memorandum from the Appellant were duly referred to the Committee on Good Government, Ethics, Accountabilities, & Human Rights, for its review and recommendations;

**WHEREAS**, the Respondent-Appellant submitted before this Sangguniang Panlalawigan a Motion for a Speedy Trial or Disposition of Cases of an Appeal, requesting thereof the speedy disposition of the decision of the Sangguniang Bayan of Caraga, dated May 2, 2024 and the same be reversed and that the Appellant be exonerated;

**WHEREAS**, Section 10 of the Rules of Procedures on Appeals provides that the Sangguniang Panlalawigan, convened as En Banc, may require the appellee to file a comment to the appeal memorandum within fifteen (15) days;

**WHEREAS**, Section 12 of the Rules, states that: "If necessary, the Sangguniang Panlalawigan, through the Committee on Good Government, may conduct hearings to receive additional evidence or to allow the parties to present their arguments". This honorable August Body sitting as quasi-judicial, upon the recommendation of this Committee, shall render a decision in a form of a resolution, among other things as provided under Section 13, thereof;

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**WHEREAS**, all premises considered, and upon the recommendation of the Committee-of-the-Whole convened as En Banc;

**WHEREFORE**, on motion of SP Member Harold A. Montes, duly and jointly seconded by SP Members Andy A. Monday, Jossone Michael G. Dayanghirang, and Rotchie M. Ravelo, it was

**RESOLVED**, as it is hereby resolved, to **RECOMMEND TO THE HONORABLE SANGGUNIANG PANLALAWIGAN SITTING AS QUASI-JUDICIAL BODY TO FORGO THE CONDUCT OF THE HEARING AND REQUIRE ALL PARTIES INVOLVED TO SUBMIT THEIR RESPECTIVE MEMORANDUM FOR RESOLUTION ON THE SUBJECT APPEAL;**

**RESOLVED FINALLY**, that copies of this resolution be furnished: Provincial Legal Officer, for her information; and other relevant offices for their information and reference.

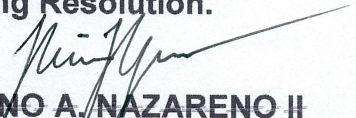
**CARRIED AND APPROVED.**

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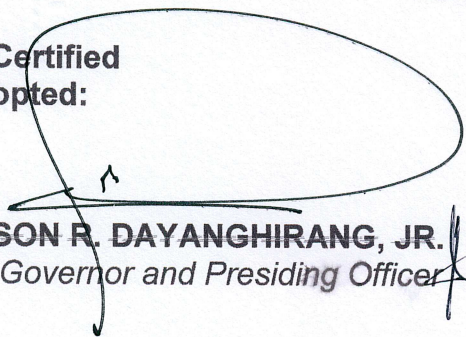
\*

I hereby Certify to the Correctness  
of the foregoing Resolution.



**MAXIMINO A. NAZARENO II**  
Secretary to the Sangguniang Panlalawigan

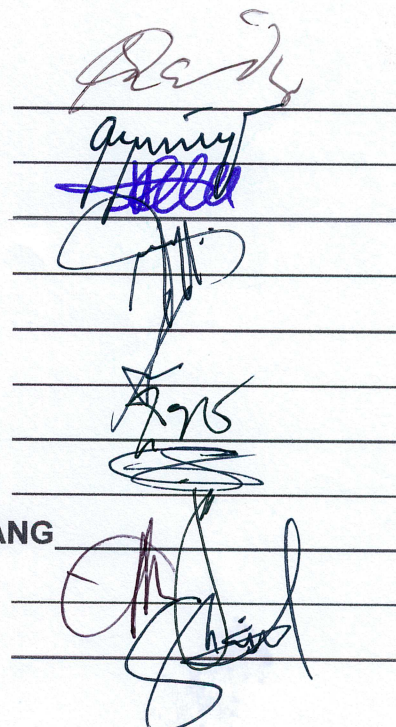
Attested and Certified  
to be duly Adopted:



**NELSON R. DAYANGHIRANG, JR.**  
Vice Governor and Presiding Officer

Conformed:

HON. SHELLA MARIE S. GO  
HON. ANNA CHERYL N. CASTRO  
HON. HAROLD A. MONTES  
HON. ROTCHIE M. RAVELO  
HON. MARIETTA D. PALMERA  
HON. ANDY A. MONDAY  
HON. MICHELLE M. CENTENO  
HON. JOSELITO B. VILLADEMOSA  
HON. JOSSONE MICHAEL G. DAYANGHIRANG  
HON. ELEUTERIO C. MANAYTAY  
HON. SHANINE C. LINTOGONAN



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