



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN OF PINAMALAYAN HELD ON MAY 15, 2023 AT THE SANGGUNIANG BAYAN SESSION HALL, THIS MUNICIPALITY.

PRESENT:

HON. RODOLFO M. MAGSINO,
HON. DUNHILL MARCELO M. DELMO V,
HON. ANGELO MARLO D. MADRID,
HON. MAURO P. HELERA,
HON. ANJUNE A. ZAMORA,
HON. EDWIN G. HERNANDEZ,
HON. JEOFFREY PAUL A. UMBAO,
HON. NAPOLEON M. MANGARING,
HON. JOVEN S. VELASCO,
Vice Mayor, Presiding Officer
SB member
SB member
SB member
SB member
SB member
SB member
SB member
SKMF Pres./SB Member

ABSENT:

HON. RIO S. MERCENE,
HON. ANTONIO VICTOR R. OLYMPIA,
SB Member
ABC Pres./SB Member

RESOLUTION NO. 126-2023
RESOLUTION ADOPTING THE COMMITTEE REPORT OF THE AD HOC COMMITTEE PERTAINING TO THE RECOMMENDATION ON THE ADMINISTRATIVE CASE FILED BY MS. JOICE O. SORIANO AGAINST BARANGAY CAPTAIN JUDITH DE BELEN OF BARANGAY MANINGCOL, PINAMALAYAN, ORIENTAL MINDORO DOCKETED AS ADMINISTRATIVE CASE NO. SB 23-01.

WHEREAS, a verified complaint was filed by Ms. Joice O. Soriano on January 6, 2023 against Barangay Captain Judith De Belen of Barangay Maningcol, this municipality allegedly for Abuse of Authority docketed as Administrative Case No. SB 23-01;
WHEREAS, the respondent Barangay Captain Judith De Belen submitted her verified answer on February 6, 2023;
WHEREAS, upon evaluation of the evidence presented by both parties, the Committee as contained in the Committee Report No. 23-33 found out hereunder findings:

1. That, Respondent de Belen was performing her duty as barangay captain when she initiated a meeting as a response to the sentiment aired by the workers of ARAGO Builders and accordingly summoned Complainant Soriano to resolve the issue;
2. That, it was not clearly established that Respondent De Belen deliberately uttered the alleged phrase, "*letche ka, sinungaling ka, anong pinagmamalak! mo*" to the complainant during the dialogue at Barangay Hall to wrongfully inflict any injury or demean the complainant;
3. That Respondent De Belen expressed some words during the dialogue as she was prompted by the hostile behavior of Soriano against her as she was only trying to resolve the conflict between Soriano and the workers of ARAGO Builders as part of her duty to maintain peace and order in her jurisdiction;

4. That, no prima facie evidence was adduced that would establish that the alleged belittling phrase was purposely articulated by Barangay Captain De Belen to inflict any injury or demean the complainant during a meeting consequently negating any act of abuse of authority.



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF PINAMALAYAN

OFFICE OF THE SANGGUNIAN BAYAN

Office of the Vice Mayor/Sangguniang Bayan, 2nd Flr. Municipal Bldg. Madro Blvd. Zone III, Pinamalayan, Oriental Mindoro
Email Address: info@sangguniangbayanpinamalayan.gov.ph Tel. Nos. (043) 7738-1432

WHEREAS, the body affirmed and concurred with the recommendation submitted by the aforementioned Committee to DISMISS the case absence of prima facie evidence that the act committed by the respondent constitutes Abuse of Authority;

WHEREAS, Barangay Captain Judith De Belen is hereby given a WARNING to refrain from exchanging/throwing mean words against Ms. Joice O. Soriano and to consistently observe proper decorum in the performance of duty;

NOW THEREFORE, BE IT RESOLVED by the 1st Sangguniang Bayan of Pinamalayan, Oriental Mindoro to adopt the Committee Report of the Ad Hoc Committee pertaining to the recommendation on the Administrative Case filed by Ms. Joice O. Soriano against Barangay Captain Judith De Belen of Barangay Maningcol, Pinamalayan, Oriental Mindoro docketed as Administrative Case No. SB 23-01.

RESOLVED FURTHER that a certified copy of this Resolution be given to the parties involved in the case herein, Office of the Municipal Mayor and MLGOO.

UNANIMOUSLY ADOPTED this 15th day of May 2023 on motion of Hon. Edwin G. Hernandez seconded by all Sangguniang Bayan Members present.

Certified Correct:

ATTY. MIRASOL J. SANTOS
Secretary to the Sangguniang Bayan

Attested:

HON. RODOLFO M. MAGSINO
Mun. Vice Mayor, Presiding Officer

Approved:

HON. ARISTEO APASAN BALDOS, JR.
Municipal Mayor
MAY 19 2023