

SP, Title

Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 9TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 08 MARCH 2000, 9:30 A. M. AT THE SANGGUNIANG SESSION HALL.

Present:

Vice Mayor Gonzalo C. Siñol, Jr.
Councillor Jesus S. Dela Cruz
Councillor Cesar T. Balicos
Councillor Ramil O. Dimapilis
Councillor Juanito A. Bacay, Jr.
Councillor Eduardo K. Soriano
Councillor Juan S. Advincula
Councillor Angeles D. Nautista
Councillor Mae Arlene M. Talens
Councillor Eduardo G. Villamin
Councillor Randy P. Valencia

- Presiding Officer
- Member
- Member
- Member
- Member
- Member
- Member
- Member
- Member, ABC President
- Member, SK Chairman

Absent:

NONE

RESOLUTION NO. 021
Series of 2000

RESOLUTION CONFIRMING AS VACANT THE POSITION
OF PUNONG BARANGAY IN BARANGAY SAN JOSE,
ROXAS, ORIENTAL MINDORO.

WHEREAS, elective local officials of the government in the provincial, municipal and barangay levels serve for a term as provided by law, vacancies in their positions and filling of such stipulated in RA 7160;

WHEREAS, the Punong Barangay of Barangay San Jose of this municipality has been tried in the proper court for a crime committed, has appealed the sentence to the Court of Appeals, the final decision of which was to affirm the judgment to "an indeterminate prison term of eight (8) years and one (1) day of prison mayor as minimum to seventeen (17) years of reclusion temporal as maximum ..." per CA-G.R. CR No. 17199 Decision,

WHEREAS, Art. 41 of the Revised Penal Code entitled Reclusion perpetua and reclusion temporal - their accessory penalties states that the penalties of reclusion perpetua and reclusion temporal shall carry with them that of civil interdiction for life or during the period of the sentence as the case may be and that of perpetual absolute disqualification which the offender shall suffer even though pardoned as to the principal penalty, unless the same shall have been expressly remitted in the pardon;

WHEREAS, one of the effects of the penalties of perpetual or temporary absolute disqualification for public office shall produce "the deprivation of the public offices

Kanalis

and employments which the offender may have held, even if conferred by popular election" (Art. 30, Revised Penal Code);

WHEREAS, it follows therefore that in the implementation of the decision of the Court of Appeals on the case of Punong Barangay Raul Dizon, the provisions of Article 30 of the Revised Penal Code applies so that in effect, the position of Punong Barangay Raul Dizon of Barangay San Jose, this municipality automatically becomes vacant;

WHEREAS, so that services to the people of the barangay would not be hampered by lack of a legal basis/authority to discharge the functions of a punong barangay, this august body hereby confirms the existence of a vacancy in the position of Punong Barangay in Barangay San Jose of Roxas, Oriental Mindoro so that actions relative to the filling up of said vacancy by proper authorities would be immediately undertaken.

NOW THEREFORE on motion of Councilor Ramil O. Dimapilis and unanimously seconded by all -

BE IT RESOLVED to confirm as it hereby confirms as vacant the position of Punong Barangay of Barangay San Jose, Roxas, Oriental Mindoro.

RESOLVED FURTHER to send copies of this resolution Hon. Mayor Jesus M. Dimapilis, the Sangguniang Barangay of Barangay San Jose and Mr. Rico Antonico, LGOO IV, DILG, all of Roxas, Oriental Mindoro for their information and necessary action.

RESOLVED FINALLY to furnish a copy of this resolution the Honorable Sangguniang Panlalawigan of Oriental Mindoro, Calapan City for their information and reference.

Unanimously approved.

Adopted: 06 March 2000

CERTIFIED CORRECT:

Violeta P. Fuentes
VIOLETA P. FUENTES
Secretary to the Sanggunian

ATTESTED:

Gonzalo C. Sinel, Jr.
GONZALO C. SINEL, JR.
Municipal Vice Mayor/
Presiding Officer

APPROVED:

Jesus M. Dimapilis
JESUS M. DIMAPILIS
Municipal Mayor

Recd.:

pilz/

bu. Dimapilis 3/20/00
[Signature] 3/20/00