

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
(033) 511-8532 sbtigbauan@yahoo.com

RTC BR 29, Ilo-Ilo City, Ilo-Ilo
RECEIVED
MAR 07 2019

BY: *[Signature]*
TIME: 11:00 A.M.

OFFICE OF THE MUNICIPAL CLERK
TIGBAUAN, ILOILO
RECEIVED
BY: *[Signature]*
DATE: 2-13-19



EXCERPT FROM THE MINUTES OF THE 10TH REGULAR SESSION OF THE HONORABLE
SANGGUNIAN BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL,
TIGBAUAN MUNICIPAL BUILDING ON MARCH 6, 2019 AT 2:40 IN THE AFTERNOON

PRESENT:

HON. VIRGILIO T. TERUEL,	- Vice Mayor & Presiding Officer
HON. JOHN GERSHWIN C. TUERES	- S.B. Member & Temp. Presiding Officer
HON. DENNIS T. VALENCIA	- S.B. Member
HON. ARIEL I. BERNARDO	- S.B. Member
HON. SUZETTE MARIE HILADO-BANNO	- S.B. Member
HON. JULIUS T. LEDESMA	- S.B. Member
HON. NERI T. CAMIÑA	- S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO	- S.B. Member
HON. RICKY NULADA	- S.B. Member
HON. JERRY T. TUARES	- Liga President
HON. DYOSSA MARIE TERUÑEZ	- SKMF President

ABSENT: NONE

Resolution No. 2019-029

RESOLUTION FAVORABLY RECOMMENDING THE APPROVAL OF THE APPLICATION
FOR RELEASE ON RECOGNIZANCE OF EUGENE VILLANUEVA TENDERO OF BARANGAY
TAN PAEL, THIS MUNICIPALITY, PENDING APPROVAL OF HIS APPLICATION FOR
PROBATION IN CRIMINAL CASES NOS. 17-80422 AND 17-80423, REGIONAL TRIAL
COURT, BRANCH 29, ILOILO CITY.

WHEREAS, the 1987 Philippine Constitution guarantees to every person the right to bail,
except those charged with crimes punishable by death, *reclusion perpetua*, or life imprisonment
when the evidence of guilt is strong;

WHEREAS, in furtherance of said constitutional guarantee, R.A. No. 10389 was passed
on July 23, 2012 to institutionalize recognizance as a mode of granting the release of an
indigent person in custody as an accused in a criminal case, except those charged with crimes
punishable by death, *reclusion perpetua*, or life imprisonment, before conviction by the Regional
Trial Court, irrespective of whether the case was originally filed in or appealed to it, upon
compliance with the requirements of the Act;

WHEREAS, R.A. No. 10389 provides that the Sangguniang Bayan shall act on the
application for recognizance transmitted to it by the Courts in the form of a Resolution and
approved by the Municipal Mayor;

WHEREAS, on March 1, 2019 a family member (Florice Tendero) of Eugene Villanueva
Tendero, a resident of Barangay Tan Pael, this Municipality and an accused in Criminal Cases
Nos. 17-80422 and 17-80423 for Violations of Sections 5 and 11, R.A. 9165 before the Regional
Trial Court, Branch 29, Iloilo City personally delivered to this Office a copy of the Order in said
cases which directs the Sangguniang Bayan of Tigbauan, Iloilo "to submit its comment with a
corresponding action in the form of a Resolution" on Tendero's Motion to be released on
recognizance pending approval of his application for probation;

WHEREAS, the Certificate of Detention dated January 8, 2019 issued by the Bureau of
Jail Management and Penology (BJMP) Region VI, Iloilo District Jail, Pototan, Iloilo shows that

Eugene V. Tendero has been detained for said crimes since June 13, 2017 and availed of plea gaining agreement per Judgment dated September 5, 2018;

WHEREAS, Eugene V. Tendero has applied for probation and moved to be released on recognizance to the custody of Rene Torilla and Francis Balinsoy, both Barangay Kagawads of Barangay Tan Pael, this Municipality, pending approval of his application for probation;

WHEREAS, a copy of Tendero's Motion to be released on recognizance was furnished this Office which included copies of the individual Affidavit of Recognizance of Kgw. Rene Torilla and Kgw. Francis Balinsoy both subscribed on January 29, 2019 with their respective Panunumpa sa Katungkulan and the Affidavit of Indigency of Eugene V. Tendero also subscribed on January 29, 2019;

WHEREAS, the Sanggunian recognizes that Kgw. Rene Torilla and Kgw. Francis Balinsoy, being responsible barangay officials of Barangay Tan Pael, are suited to take custody of Eugene V. Tendero on recognizance and could ably discharge the responsibility of ensuring his appearance whenever required by the Court or any government agency;

WHEREAS, as required by R.A. No. 10389, the Sanggunian by way of alternative recommends the following organizations in Tigbauan, Iloilo from whose members the Court may appoint a custodian, namely: Office of the Senior Citizens and Knights of Columbus.


NOW, THEREFORE, on motion of Hon. Virgilio T. Teruel, Chairman, Committee on Rules, Ordinances, Resolutions and Legal Matters, duly seconded by Hon. Dennis T. Valencia, Hon. Ariel I. Bernardo, Hon. Suzette Marie Hilado-Banno, Hon. Neri T. Camiña, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado, Hon. Ricky T. Nulada, Hon. Jerry T. Tuares and Hon. Dyossa Marie Teruñez;

RESOLVED, as it is hereby resolved, that the application for release on recognizance of Eugene Villanueva Tendero to the custody of Rene Torilla and Francis Balinsoy, both Barangay Kagawads of Barangay Tan Pael, this Municipality, pending approval of his application for probation in Criminal Cases Nos. 17-80422 and 17-80423 be favorably acted upon by the Regional Trial Court, Branch 29, Iloilo City.

RESOLVED, further, to direct the Secretary of the Sangguniang Bayan – (1) to submit copy of this Resolution to the Municipal Mayor within twenty-four (24) hours from its passage, and (2) after the same is signed/approved by the Municipal Mayor, to forward copy thereof to the Regional Trial Court, Branch 29, Iloilo City within three (3) days from date of Resolution, pursuant to Section 6 (d), R.A. 10389.

APPROVED.


CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:


JOHN GERSHWYN C. TUERES
S.B. Member & Temporary Presiding Officer

APPROVED:


SUZETTE TENEFANCIA-ALQUISADA
Municipal Mayor
2/7/2019
(Date signed)

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia	Hon. Suzette Marie Hilado-Banno, M.D.	Hon. Ma. Gerrylin Santuyo-Camposagrado, LLB, MPA
Hon. John Gershwyn C. Tueres, LLB	Hon. Neri T. Camiña	Hon. Ricky T. Nulada
Hon. Ariel I. Bernardo	Hon. Julius T. Ledesma, O.D.	Hon. Jerry T. Tuares, (LnB-Pres.)- Civil Engineer
		Hon. Dyossa Marie Teruñez (SKMF-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."