



8 December 2017

MEMORANDUM NO. 400  
Series of 2017

T O: Dr. Feliciano G. Sinon - Chairperson  
Ms. Vilma C. Olleras - Member  
Ms. Alicia M. Flores - Member

R E: Fact-Finding Committee

With Dr. Feliciano G. Sinon as Chairperson and the rest as Members, please constitute yourselves into a Fact-Finding Committee on the case of Mr. Santos D. Sulga. Attached are pertinent documents for your reference.

Kindly submit your report on or before December 31, 2017.

Please be guided accordingly.

  
EDGARDO E. TULIN  
President

**VISAYAS STATE UNIVERSITY**  
Visca, Baybay City, Leyte

**SECURITY SERVICES MANAGEMENT OFFICE**

06 September 2017

**T O: ENGR CELSO GUMAOD**  
Head, Security Office  
VSU, Visca, Baybay City, Leyte

**SUBJECT: INVESTIGATIVE FOLLOW-UP ON WM SANTOS D SULGA'S REPORTED POSITION OF VSU PROPERTIES**

Sir:

On or about 1330H in the afternoon of 04September2017 the undersigned Security Agent, together with SGIII Antonio P Bandalan, conducted an investigation on a reported illegal fishing activity at the VSU Sanctuary by SG Enrique E Caorte that happened on 27Aug2017 near the Hostel marine sanctuary area.

Mr Benjie Castillon, Mr Itok Sanchez and Mr Jimmy Calipayan, all residents of Brgy Guadalupe, Baybay City, Leyte reported at the SSO in response to your letter invitation to answer the alleged illegal fishing activity.

As the investigations went into progress, personal feelings between the suspects and Mr Santos D Sulga, watchman-in-charge at the Hostel area, who asked assistance from SG Caorte and made the incident report, and was called to report on the investigation proceedings by SGIII Bandalan AP had been clearly observed.

The suspects denied the allegations and instead told the investigating panel that WM Sulga is in illegal positions of some VSU properties and requested that their allegations should be thoroughly followed-up and investigated.

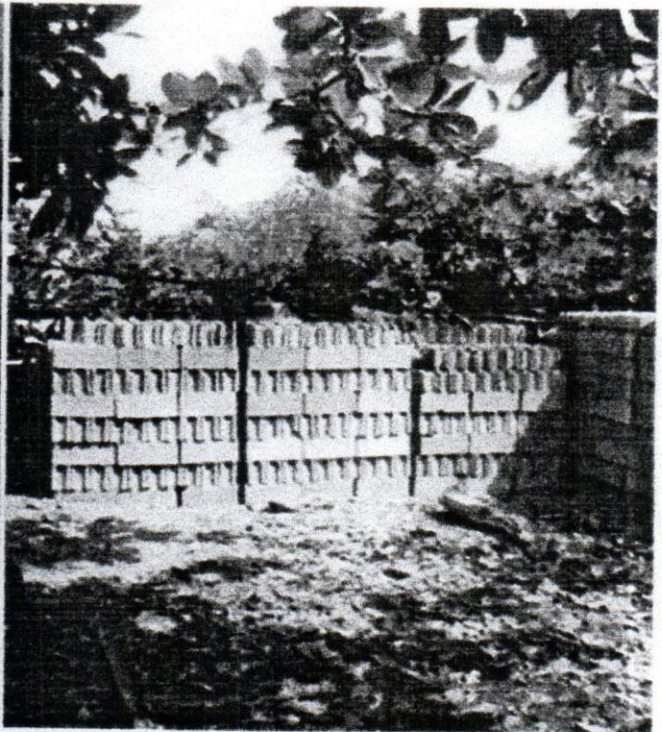
On 05Sept2017 OOA 0900H in the morning the undersigned SA, together with the VSU Forest Guards Jaime Berondo, Ronaldo Lauriño, and Ronald Veril, went to the house of WM Sulga and conducted an ocular inspection and investigation per direction of SGIII Bandalan AP.

Barangay Guadalupe officials composed of Chairman Alexander Abungan, Kagawad Amihan and a certain Brgy Tanod Salubre were also present during the inspection and investigation.

Based on the result of our ocular inspection, we found 2 barrels of blue plastic containers, like those garbage containers of VSU, and a file (16 bags) of hardened APO cement bags inside Sulga's house. (Please see hereto attached documentation.)

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**VISAYAS**  
STATE UNIVERSITY



**SECURITY SERVICES OFFICE**  
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06 September 2017

**T O: MR SANTOS D SULGA**  
SSO Watchman

**SUBJECT: SUSPENSION ORDER WHILE FURTHER INVESTIGATION IS STILL GOING ON**

With the on-going investigation on why alleged VSU properties are in your position at your home after a follow-up inspection per instruction by SGIII Antonio P Bandalan was done by SA Virgilio S Cañada on 05September2017 as reported by residents of Brgy Guadalupe, Baybay City, namely: Mr Benjie Castillon, Itok Sanchez; and, Mr Jimmy Calipayan on 04September 2017, **you are hereby suspended from your duty effective today, 06September2017, and until further notice will be issued by this office.**

For your information and strict compliance.

**ENGR CELSO GUMAOD**  
Head, Security Office

Copy Furnished:

OP  
OVPAF  
ODAHRD  
File

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**VSU's Vision:** The premier university of science and technology in the Visayas.  
**VSU's Mission:** Provide excellent instruction, conduct relevant research and foster community engagement that produce highly competent graduates necessary for the development of the country.

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REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF LEYTE ) S.S.  
CITY OF BAYBAY )

**AFFIDAVIT**

I **JOSELITO B. SANCHEZ** of legal age, single and with residence and postal address at Zone 1, Brgy. Guadalupe, Baybay City, Leyte, Philippines, after having been duly sworn to in accordance with law, do hereby depose and say, that:


1. I am a "Habal-Habal" driver in Brgy. Guadalupe, Baybay City, Leyte.
2. That before the Super Typhon Yolanda, I saw Johnny "Titing" Sulga crossing the river carrying a sack of feeds which contains two "2" sacks of cement. Santos "Antoy" Sulga who is the father of Johnny "Titing" Sulga was working for Visayas State University on the other side making hollow blocks.
3. That when Johnny "Titing" Sulga passed by my house I asked him what is that and he told me that it is a sacks of cement. He also told me that if I want I can asked his father to give me also sacks of cements.
4. That last September 5, 2017 at around 10:00am in the morning I noticed there were Brgy. Officials headed by our Punong Barangay who went to the house of Antoy Sulga;
5. That when I went there I saw inside the house of Antoy Sacks of Cements, Hollow Blocks and Blue Plastic Barrels;
6. That because of those items found in the house of Antoy Sulga, it confirms the things I have heard from my neighbors who saw him stealing those items from VSU.
7. That I am executing this affidavit, freely and voluntarily to attest the truth of the above facts for whatever legal purpose this may serve;

IN WITNESS HEREOF, I have hereunto set my hand this 6<sup>th</sup> day of September, 2017 at Baybay, City Leyte, Philippines.

  
**JOSE LITO B. SANCHEZ**  
Affiant

Voters ID No. 3708-0149A-1177956510000

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of September, 2017 at Baybay City, Leyte, Philippines. Affiant exhibited to me his Voters ID No.

  
**ATTY. RYSAN C. GUINOCOR**  
Notary Public

Until December 31, 2017

PTR 0195869- Baybay, Leyte - 1/12/17  
IBP 1030924 - Tacloban City - 12/19/16  
MCLE Comp. No. V-0009580 -07/20/15  
Roll of Attorneys No. 57467

Doc. No. 57  
Page No. 12  
Book No. XVIII  
Series of 2017

REPUBLIC OF THE PHILIPPINES )  
PROVINCE OF LEYTE ) S.S.  
CITY OF BAYBAY )

**AFFIDAVIT**

I **MARKEM B. SANCHEZ** of legal age, married and with residence and postal address at Zone 1, Brgy. Guadalupe, Baybay City, Leyte, Philippines, after having been duly sworn to in accordance with law, do hereby depose and say, that:

1. I am a carpenter and a "Habal-Habal" driver in Brgy. Guadalupe, Baybay City, Leyte.
2. That last September 5, 2017 at around 10:00am in the morning I saw our Brgy. Captain and other Brgy. Officials went to the house of Santos "Antoy" Sulga;
3. That when I went there I saw inside the house of Santos "Antoy" Sacks of Cements, Hollow Blocks and Blue Plastic Barrels;
4. That because of those items found in the house of Santos "Antoy" Sulga, it confirms the things I have heard from my neighbors who saw him stealing those items from VSU.
5. That I am executing this affidavit, freely and voluntarily to attest the truth of the above facts for whatever legal purpose this may serve;


IN WITNESS HEREOF, I have hereunto set my hand this 6<sup>th</sup> day of September, 2017 at Baybay, City Leyte, Philippines.

  
**MARKEM B. SANCHEZ**  
Affiant

Voters ID No. 3704-DHQA-A276M298000

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of September, 2017 at Baybay City, Leyte, Philippines. Affiant exhibited to me his Voters ID No.

DOC NO. 56  
PAGE NO. 12  
BOOK NO. XVIII  
SERIES OF 2017

  
**ATTY. RYSAN C. GUINOCOR**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2017  
PTR 0495869 - BAYBAY/LEYTE - 4/12/17  
IBP 1030924 - TACLOBAN CITY - 12/19/16  
MCLE COMP. NO. V-0009580-07/20/15  
ROLL OF ATTORNEYS NO. 57467



**AFFIDAVIT**

I **JIMMY G. SANDE** of legal age, commonly married and with residence and postal address at Zone 1, Brgy. Guadalupe, Baybay City, Leyte, Philippines, after having been duly sworn to in accordance with law, do hereby depose and say, that:

1. I am a househusband and son-in-law of Santos "Antoy" Sulga in Brgy. Guadalupe, Baybay City, Leyte. His daughter is my commonly law wife and we have two children;
2. That last January, 2017 I saw two "2" blue plastic barrel inside the house of my father-in-law fifteen "15" sacks of cements and many hollow blocks.
3. I am sure that those cements are stolen from VSU since there was an instance where I carry two "2" sacks of cements as commanded by my father-in-law from VSU near the hostel area. My father-in-law also carried some sacks of cements together with his son name Jessel "Toto" Sulga. They've been doing this for quite some time now during night time;
4. That I am executing this affidavit, freely and voluntarily to attest the truth of the above facts for whatever legal purpose this may serve;

IN WITNESS HEREOF, I have hereunto set my hand this 7<sup>th</sup> day of September, 2017 at Baybay, City Leyte, Philippines.

  
**JIMMY G. SANDE JR.**

Affiant

Philhealth ID No. 01-03117032-0

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of September, 2017 at Baybay City, Leyte, Philippines. Affiant exhibited to me his Voters ID No.

  
**ATTY. RYSAN G. GUINOCOR**

Notary Public

Until December 31, 2017

PTR 0195869- Baybay, Leyte - 1/12/17

IBP 1030924 - Tacloban City - 12/19/16

MCLE Comp. No. V-0009580 -07/20/15

Roll of Attorneys No. 57467

Doc. No. 63  
Page No. 13  
Book No. XVIII  
Series of 2017

**AFFIDAVIT**


I **LISLY C. PIAMONTE** of legal age, married and with residence and postal address at Zone 1, Brgy. Guadalupe, Baybay City, Leyte, Philippines, after having been duly sworn to in accordance with law, do hereby depose and say, that:

1. I am a housewife and neighbor of Santos "Antoy" Sulga in Brgy. Guadalupe, Baybay City, Leyte.
2. That last July 28, 2017 at around 8:00 pm in the evening while I was on my way home from the beach area and on top of a wooden bridge, I noticed that the bridge is moving. I was alarmed why the bridge is move so I look below the bridge and saw Johnny Sulga pulling a blue plastic barrel. The blue plastic barrel was obstructed by the water pipe;
3. That I commented "Oi Naa Man Tao" and upon hearing this, Johnny Sulga curses. I looked back and saw him bringing the plastic barrel passing the Nipa area and land of Ancheta;
4. That last month while we have a meeting at the house of Santos "Antoy" Sulga I saw inside their house the hollow block cast made of steel with the name VSU printed on it and seven sacks of APO cements;
5. September 5, 2017 I was outside the house of Santos "Antoy" Sulga while the Brgy. Officials went inside the house;
6. That I am executing this affidavit, freely and voluntarily to attest the truth of the above facts for whatever legal purpose this may serve;

IN WITNESS HEREOF, I have hereunto set my hand this 7<sup>th</sup> day of September, 2017 at Baybay, City Leyte, Philippines.

  
**LISLY C. PIAMONTE**  
Affiant

SUBSCRIBED AND SWORN to before me this 7<sup>th</sup> day of September, 2017 at Baybay City, Leyte, Philippines. Affiant exhibited to me his Voters ID No.

  
**ATTY. RYSAN C. GUINOCOR**  
Notary Public  
Until December 31, 2017



Republic of the Philippines)  
Baybay City, Leyte) S.S.

### COUNTER-AFFIDAVIT

**I, SANTOS D. SULGA**, of legal age, Filipino and a resident of Brgy. Guadalupe, Baybay, Leyte, Philippines, after having been sworn to in accordance with law, do hereby allege, **THAT:**

1. I am the respondent in an insinuation for Theft alluded to by Lisly Piamonte, Jimmy G. Sande, Jimmy B. Caliupayan, Markem B. Sanchez and Joselito B. Sanchez. I vehemently deny that I stole anything from anybody.

2. First, Theft is committed when a) there is taking of personal property belonging to another; b) with intent to gain c) without the owner's consent d) without any violence or intimidation or force.

3. There is taking of personal property belonging to another. The bags of cement and the blue plastic drum do not belong to the above named complainants. The said items also do not belong to VSU. In fact, the VSU security personnel who conducted investigations twice regarding that matter, never reported anything missing or lost bags of cement and a blue plastic drum. In fact, no formal accounting or inventory was done to determine that any property of the VSU were missing or stolen. Rather, the most recent investigation that was done on September 13, 2017 (**ANNEX "A"**) revealed that they observed no losses of bags of cement. Important to note that they checked the number of hollow blocks everyday and concluded that no losses were observed. The investigation also revealed that the hollow block molds and screen that I had borrowed were returned and accounted for every Monday until present.

4. There is no intent to gain. When the first investigation was conducted on September 6, 2017 (**ANNEX "B"**), it was satisfactorily explained by me how I came to possess the said items. In fact, I had showed to them the receipts of my purchase of the bags of cement. To reiterate, even during that time there was no report any property that belonged to VSU particularly, bags of cement and a blue plastic drum that was observed to be missing from VSU inventory.

5. The third and fourth elements of the crime of theft are clearly absent owing to the fact that VSU already concluded that there was nothing missing from its inventory of cement and plastic drums.

6. Second, based on the investigation, an eyewitness in the person of Elizabeth Bendanillo that I had been in possession of the blue plastic drum for a long time already.

7. Third, the allegations of Lisly Piamonte never alluded that I took the blue plastic barrel from VSU. The allegations of all other affiants are utterly worthless and have no probative value being hearsay, pure and simple. Even the allegations of Jimmy Sande are totally baseless because of the fact that the VSU security personnel had already concluded that all the cement bags of VSU are all accounted for and nothing was missing.



8. Fourth, there is no formal complaint filed against me for a commission of an offense. All are just insinuations and unsubstantiated suggestions based on which I was immediately suspended for several days now, leaving me and my family hungry for lack of income to support our daily needs.

I am executing this affidavit to attest to the truth of the foregoing statements, and for the dismissal of the insinuations against me for utter lack of probable cause.


**AFFIANT FURTHER SAYETH NAUGHT.**

**IN WITNESS WHEREOF**, I have herein to set my hand this September 14, 2017 in Baybay, Leyte, Philippines.

  
**SANTOS D. SULGA**  
Affiant

**SUBSCRIBED AND SWORN** to before me this September 14, 2017 in Baybay, Leyte Philippines.

DOC. NO. 2888  
PAGE NO. 69  
BOOK NO. 4  
SERIES OF 1017

  
**ATTY. GWEN MANUEL P. SANTIAGO**  
Public Attorney II  
Pursuant to R.A. 9406  
Roll No. 54851





**VISAYAS**  
STATE UNIVERSITY



**SECURITY SERVICES OFFICE**  
Visayas State University  
Visca, Baybay City, Leyte PHILIPPINES  
Phone/Fax: +63 53 \_\_\_\_\_  
Email: [information@vsu.edu.ph](mailto:information@vsu.edu.ph)  
Website: [www.vsu.edu.ph](http://www.vsu.edu.ph)

13 September 2017

**TO: ENGR CELSO GUMAOD**

Head, Security Office  
VSU, Visca, Baybay City, Leyte

**SUBJECT: STATEMENTS OF CHB FABRICATION FOREMAN ON WM SANTOS D SULGA'S CASE**

Sir:

OOA 0800H in the morning of 13 September 2017 I invited a certain Mr Julius Napoles, former foreman of concrete hollow-block (CHB) fabrication of VSU, to answer some questions pertaining to some materials being seen in the position of WM Santos D Sulga. He personally disclosed:

That, he, Julius Napoles, 33 years old resident of Brgy Gabas, Baybay City, Leyte is the former appointed foreman of the concrete hollow block (CHB) fabrication of the General Services Department of VSU from January to March 2017;

That, six persons, including him was assigned to the making of hollow blocks at the Hostel area:

That, his companions were: Jerry Napoles, Rogelio Napoles, Jimmy Sumaria, Ruel Sumaria, and Jeril Petalcorin, all residents of Brgy Gabas;

That, it took them 5 days to consume 120 bags of cement, averaging 40 hollow blocks per bag;

That, unused bags of cement are stacked at a shed without a padlock;

That, he was requesting a chain and padlock for the said shed but his request was not granted;

That, they were constantly checking the number of bags unused after their work and checked them again before starting the work for that day;

That, they had observed no losses of bags of cement during those times;

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VSU's Vision: The premier university of science and technology in the Visayas.

VSU's Mission: Provide excellent instruction, conduct relevant research and foster community engagement that produce highly competent graduates necessary for the development of the country.

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*[Handwritten signature]*

*[Handwritten mark]*

That, they were also checking the stock file of finished hollow blocks every day and no losses had also been observed;

That, either Portland Premium or APO Portland were the trade names of the cements they were using;

That, sometime before March of this year (2017) Mr Sulga borrowed from them the hollow block mold and the screen on Saturdays and Sundays and returned it on Monday when they reported for work; and

That, Mr Sulga did not ask from them hollow blocks and even those hardened bags of cement in their position.

For information and records purposes.

  
**VIRGILIO S CAÑADA**  
Security Agent

Conformed:

  
**JULIUS NAPOLES**  
Former CHB Fabrication Foreman



ANNEX "B"

**VISAYAS STATE UNIVERSITY**  
Visca, Baybay City, Leyte

**SECURITY SERVICES MANAGEMENT OFFICE**

06 September 2017

**T O: ENGR CELSO GUMAOD**  
Head, Security Office  
VSU, Visca, Baybay City, Leyte

**SUBJECT: INVESTIGATIVE FOLLOW-UP ON WM SANTOS D SULGA'S REPORTED POSITION OF VSU PROPERTIES**

Sir:

On or about 1330H in the afternoon of 04September2017 the undersigned Security Agent, together with SGIII Antonio P Bandalan, conducted an investigation on a reported illegal fishing activity at the VSU Sanctuary by SG Enrique E Caorte that happened on 27Aug2017 near the Hostel marine sanctuary area.

Mr Benjie Castillon, Mr Itok Sanchez and Mr Jimmy Calipayan, all residents of Brgy Guadalupe, Baybay City, Leyte reported at the SSO in response to your letter invitation to answer the alleged illegal fishing activity.

As the investigations went into progress, personal feelings between the suspects and Mr Santos D Sulga, watchman-in-charge at the Hostel area, who asked assistance from SG Caorte and made the incident report, and was called to report on the investigation proceedings by SGIII Bandalan AP had been clearly observed.

The suspects denied the allegations and instead told the investigating panel that WM Sulga is in illegal positions of some VSU properties and requested that their allegations should be thoroughly followed-up and investigated.

On 05Sept2017 OOA 0900H in the morning the undersigned SA, together with the VSU Forest Guards Jaime Berondo, Ronaldo Lauriño, and Ronald Veril, went to the house of WM Sulga and conducted an ocular inspection and investigation per direction of SGIII Bandalan AP.

Barangay Guadalupe officials composed of Chairman Alexander Abungan, Kagawad Amihan and a certain Brgy Tanod Salubre were also present during the inspection and investigation.

Based on the result of our ocular inspection, we found 2 barrels of blue plastic containers, like those garbage containers of VSU, and a file (16 bags) of hardened APO cement bags inside Sulga's house. (Please see hereto attached documentation.)




Mr Sulga's explanation were: that the two plastic barrels were retrieved by him when they were floating at the sea near his house after a strong typhoon and that the suspects had seen him doing it; and, that the bags of cement were bought at Baybay City and was transported thru his pump boat where he presented a receipt identifying for Pozzolan cement.

A screen made of tiny round bars were also reported of which Sulga told that it was already returned at the hollow blocks making project near the Hostel area 4 days ago.


On our further investigation a certain Elizabeth Bendanillo, Brgy Guadalupe resident, told us that "Titing", a son of Sulga offered to her a blue container (barrel) a long time ago but she refused to buy it.

Based on the results of the investigations being conducted I would highly recommend an official/legal investigation on this situation.

For information and record purposes.

  
**VIRGILIO S CAÑADA**  
Security Agent

NOTED:

  
**SGIII ANTONIO P BANDALAN**  
Shift Supervisor