



**PAMAHALAANG LUNGSOD NG MUNTINLUPA  
KALAKHANG MAYNILA**



Sangguniang Panglungsod

**RESOLUTION NO. 12-187**

**A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORITY OF MS. ELVIRA D. TULAY, BAC SECRETARIAT HEAD, IN THE FILING OF AN ACTION OF INFIDELITY IN THE CUSTODY OF PUBLIC DOCUMENTS, FOR AND IN BEHALF OF THE CITY GOVERNMENT OF MUNTINLUPA AND ITS OFFICIALS, AGAINST MR. ABEL L. SUMABAT.**

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Sponsored by: *Hon. Coun. Robert P. Baes*  
Co-Sponsored: *Hon. Coun. Atty. Raul R. Corro*  
*Hon. Coun. Bal Niefes*  
*Hon. Coun. Alexander B. Diaz*  
*Hon. Coun. Ringo A. Teves*  
*Hon. Coun. Dan Hubert A. Barlis*  
*Hon. Coun. Luvi P. Constantino*  
*Hon. Coun. Robert A. Abas*  
*Hon. Coun. Engr. Neptali S. Santiago*  
*Hon. Coun. Joselito V. Arevalo*  
*Hon. Coun. Elmer S. Espeleta*  
*Hon. Coun. Rafael T. Sevilla*  
*Hon. Coun. Vergel C. Ulanday*  
*Hon. Coun. Adorado P. San Pedro*

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**WHEREAS**, we believe that a public office is a public trust and that all government officials, and employees must at all times be accountable to the people;

**WHEREAS**, it was found by the City Officials that Mr. Abel L. Sumabat, former City Government employee, before his resignation as Head of BAC Secretariat, had intentionally removed official documents under his custody which act is punishable by the Revised Panel Code under Article 226 thereof and detrimental to the interest of Muntinlupa City;

**WHEREAS**, the Charter of the City of Muntinlupa provides that the City shall have the corporate power to sue and be sued;

**WHEREAS**, the City Officials, in order to faithfully discharge the functions of their offices, are under obligation to initiate action in court and other competent body for the said acts committed by Mr. Abel L. Sumabat, however, because they are also duty bound to regularly perform their official duties, they may not regularly attend the long process of preliminary investigation, pre-trial conference and mediation and court hearings consequential to the filing of the case of infidelity in the custody of documents, as defined and penalized in Article 226 of the Revised Penal Code;

**WHEREAS**, in order to attain the paramount purpose in the filing of the aforesaid actions, it is but practical to designate or appoint at least only one City Official to prosecute and maintain the action of the City Government and its officials against Mr. Abel Sumabat;



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**WHEREAS**, on 25 April 2012, Ms. Elvira D. Tulay, in her capacity as Head of the BAC Secretariat, for and in behalf of the City Government of Muntinlupa and its officials, filed a Complaint-Affidavit against Mr. Abel L. Sumabat for infidelity in the custody of document, as defined and penalized in Article 226 of the Revised Penal Code;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, by the **6<sup>th</sup> Sangguniang Panlungsod of Muntinlupa**, to ratify and confirm the authority of Ms. Elvira D. Tulay, BAC Secretariat Head, in the filing of an action of infidelity in the custody of public documents, for and in behalf of the City Government of Muntinlupa and its officials, against Mr. Abel L. Sumabat.

**FURTHERMORE, BE IT RESOLVED**, that the requisite and necessary powers and authority in the filing and prosecution of the aforesaid action is hereby ratified and confirmed accordingly.

**ADOPTED**, by the **6<sup>th</sup> Sangguniang Panlungsod of Muntinlupa** this **7<sup>th</sup>** day of **May, 2012**, on its **76<sup>th</sup> Regular Session**.

**CONCURRED:**

**DISTRICT I:**

  
**COUN. ATTY. RAUL R. CORRO**  
Member

  
**COUN. BAL NIEFES**  
Member

  
**COUN. ALEXANDER B. DIAZ**  
Member

  
**COUN. DAN HUBERT A. BARLIS**  
Member


  
**COUN. RINGO A. TEVES**  
Member

**DISTRICT II:**

  
**COUN. LUVI P. CONSTANTINO**  
Member

  
**COUN. ROBERT A. ABAS**  
Member

  
**COUN. ENGR. NEPTALI S. SANTIAGO**  
Member

  
**COUN. JOSELITO V. AREVALO**  
Member

  
**COUN. ROBERT P. BAES**  
Member

  
**COUN. ELMER S. ESPELETA**  
Member



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**COUN. RAFAEL T. SEVILLA**  
Member

  
**COUN. VERGEL C. ULANDAY**  
Member

  
**COUN. ADORADO P. SAN PEDRO**  
Sectoral Representative  
President  
Association of Barangay Captains

ABSTAIN:

  
**COUN. ATTY. PATRICIO L. BONCAYAO, JR.**  
Member

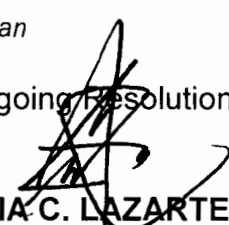
**COUN. ALLEN F. AMPAYA**  
Member

ABSENT:


**COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD**  
Member

**COUN. EULOGIO DS. DIOKO, II**  
Sectoral Representative  
President  
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

  
**CECILIA C. LAZARTE**  
Secretary

ATTESTED:

  
**ARTEMIO A. SIMUNDAC**  
City Vice-Mayor/Presiding Officer

APPROVED:

  
**ALDRIN L. SAN PEDRO**  
City Mayor

Date: \_\_\_\_\_

  
Norie/6<sup>th</sup> SP

