


REPUBLIC OF THE PHILIPPINES
COURT OF APPEALS

Manila

10 MAR 11 10:59

SPECIAL DIVISION OF FIVE

RECEIVED BY: 

IN THE MATTER OF THE PETITION FOR
HABEAS CORPUS OF:

DR. MERRY MIA-CLAMOR, DR. ALEX
MONTES, GARY LIBERAL, TERESA
QUINAWAYAN, LYDIA OBERA, REYNALDO
MACABENTA, ANGELA DOLORICON,
DELIA OCASLA, JANICE JAVIER, FRANCO
REMOROSO, AILENE MONASTERYO,
PEARL IRENE MARTINEZ,
ELEN CARANDANG, DANNY PANERO,
RAYOM AMONG, EMILY MARQUEZ, MELIA
MARQUEZ, JANE BALLETA, GLENDA
MURILLO, ACE MILLENA, ELY CASTILLO,
LALYN SALIGUMBA, JOVY ORTIZ,
SAMSUNG CASTILLO, MARK
ESTRELLADO, MIANN OSEO, SELVIA
PAJANOSTAN, LOLIBETH DONASCO,
JENELYN PIZARO, RAMON DE LA CRUZ,
JACQUELINE GONZALES, MERLY
CASTRO, MERCY CASTRO, LEA DE LUNA,
JUDILYN OLIVEROS, VALENTINO
PAULINO, YOLANDA YAUN, EDWIN
DEMATERA, SHERILYN RIOCASA
TAWAGON GERRY SUSTINTO JENMARK
BARRIENTOS, MARK ESCARTIN.

RONEO S. CLAMOR, LEONILO
DOLORICON, OFELIA B. BALLETA,
RAYMUNDO L. APUHIN, MARGIE M.
OCASLA, REYNAN A. GABAN, MA.
LUCRECIA QUINAWAYAN, ROY S.
MONTES, MARIA CHRISTINA S.
MACABENTA, EDGARDO GONZALES AND
COMMUNITY MEDICINE DEVELOPMENT
FOUNDATION (COMMED) REPRESENTED
BY ITS SECRETARY DR. JULIE P.
CAGUIAT,

Petitioners-Appellants,

- versus -

CA G.R. SP No. 112695

GEN. VICTOR S. IBRADO, AFP CHIEF OF
STAFF; LT. GEN. DELFIN N. BANGIT,
COMMANDING GENERAL, PHILIPPINE
ARMY; BRIG. GEN. JORGE SEGOVIA,
CHIEF OF THE 2ND INFANTRY DIVISION,
PHILIPPINE ARMY; COL. AURELIO
BALADAD, COMMANDER OF THE 202ND

INFANTRY BRIGADE, PHILIPPINE ARMY;
PHILIPPINE NATIONAL POLICE
DIRECTOR GENERAL JESUS A.
VERZOSA; AND P/SUPT. MARION
BALONGLONG, RIZAL PHILIPPINE
NATIONAL POLICE,

Respondents-Appellees.

x-----x

NOTICE OF APPEAL

PETITIONERS-APPELLANTS, by counsel, hereby file this Notice of Appeal from the Decision dated March 9, 2010 issued by the Honorable Special Division of Five, Court of Appeals, dismissing the petition for habeas corpus, the same not being in accord with law, prevailing jurisprudence and evidence.

The dispositive portion of the Decision provides, to wit:

"WHEREFORE, premises considered, the petitioners are hereby DENIED the privilege of the Writ of Habeas Corpus. The instant petition is DISMISSED."

SO ORDERED.

A certified true copy of the Decision is hereto attached as **Annex "A"**.

A copy of the said Decision was received by the petitioners-appellants through the undersigned counsels on March 10, 2010. Hence, this Notice of Appeal is filed on time.

To perfect the appeal, the herein petitioners-appellants have paid the Appeal Fee and other costs.

Petitioners-Appellants hereby request the elevation of the records of the above-captioned case to the Supreme Court.

Respectfully submitted.

Makati City for the City of Manila. March 11, 2010.

PUBLIC INTEREST LAW CENTER

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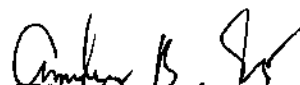
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EDRE U. OLALIA

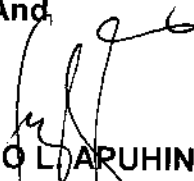
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Roll No. 36971
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And



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Copy furnished:

COURT OF APPEALS
Special First Division
Faura, Manila


OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo St., Legaspi Village
Makati City

3/11/10 MKR CHFG

#0008471

EXPLANATION OF SERVICE BY REGISTERED MAIL

Pursuant to Section 11, Rule 13 of the 1997 Rules of Court, the office of the undersigned served copies of this Notice of Appeal on the other party through registered mail because of time, distance and manpower constraints to effect personal service.


AMYLYN B. SATO

Republic of the Philippines)
Makati City, Metro Manila) S.S.

AFFIDAVIT OF SERVICE BY REGISTERED MAIL

I, **RUEL MENORIAS**, of legal age, Filipino, with office address at 4/F KAIJA Bldg., 7836 Makati Avenue corner Valdez St., Makati City, after having been duly sworn to in accordance with law, do hereby depose and state that:

1. I am a paralegal at the Public Interest Law Center, counsel for herein petitioners.
2. Upon the instructions of the law office, I served copies of this Notice of Appeal by registered mail to the following:

Name & Address:

Registry Receipt No.

COURT OF APPEALS
Special First Division
Ma. Orosa St. Ermita, Manila

#006471

OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo St., Legaspi Village
Makati City


3. On March 11, 2010, I deposited copies of the said pleading in Makati Central Post Office, in a sealed envelope, plainly addressed to the persons named above at the addresses indicated with postage fully prepaid, as evidenced by the Registry Receipt hereto attached, and with instructions to the postmaster to return the mail to the sender after ten (10) days if undelivered.

Makati City, March 11, 2010


RUEL MENORIAS
Affiant

SUBSCRIBED AND SWORN TO before me this 11th day of March 2010 in Makati City, affiant Mr. RUEL M. MENORIAS, who is personally known to me to be the same person who executed the foregoing Affidavit of Service and who appeared before me and declared that the execution of this Affidavit is his free and voluntary act and deed. The affiant presented to me his Social Security System ID numbered 33-5675322-8.

Doc. No. 287 ;
Page No. 59 ;
Book No. 11 ;
Series of 2010.


AMYLYN B. SATO
Commission No. M- 340
Notary Public
Until December 31, 2010
4/F KAIJA Bldg., # 7836 Makati Ave.
cor. Valdez St., Makati City
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IBP # 805305 / 1-5-10 / Quezon City