

Republic of the Philippines
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
Branch 22
IMUS, CAVITE

PEOPLE OF THE PHILIPPINES
Plaintiff,

- versus -

MARIO CONDES of Brgy Maybangcal,
Morong, Rizal

Accused.

X-----X

SEARCH WARRANT NO. 1575-10

FOR:

VIOLATION OF RA 8294 (Illegal
Possession of Firearm)

SEARCH WARRANT

THIS SEARCH WARRANT IS VALID
ONLY UNTIL 14 FEBRUARY 2010

TO ANY PEACE OFFICER:

GREETINGS:

It appearing to the satisfaction of the undersigned after examining under oath PSUPT MARION D. BALONGLONG and his witness PO1 ARNEL TARASONA that there is a probable cause to believed that Violation of RA 8294 (Illegal Possession of Firearms and Ammunition) has been committed and that there are good sufficient reason to believed that MARIO CONDES has in his possession or control at Brgy Maybangcal, Morong, Rizal the following described properties to be seized to wit:

- a. M16 Riffle
- b. Caliber 9mm Pistol
- c. 12 Gauge Shotgun
- d. Caliber 45 Pistol

You are hereby commanded to make an immediate search at any time in the day and night of the premises above described and forthwith seized and take possession of the above described properties and bring said properties to the undersigned to be dealt with as the law directs.

WITNESS IN MY HAND this 5th day of February, 2010 at Imus, Cavite Philippines.


CESAR A MANGROBANG
JUDGE

CERTIFIED TRUE XEROX COPY

RMD
PO3 LAUFABETO
02/02/10

REPUBLIC OF THE PHILIPPINES
FOURTH JUDICIAL REGION
REGIONAL TRIAL COURT
Branch 22
Hall of Justice, Imus, Cavite

PEOPLE OF THE PHILIPPINES,
Plaintiff.

Search Warrant No. _____

-versus-

FOR: Violation of PD 1866 as
Amended by RA 8294 (Illegal
Possession of Firearms and
Ammunition)

MARIO CONDES of Brgy Maybangcal
Morong, Rizal

x-----x

APPLICATION FOR SEARCH WARRANT

COMES NOW, the undersigned applicant POLICE SUPERINTENDENT
MARION D BALONGLONG, Commanding Officer of Rizal Provincial Public Safety
Management Company with office located at Camp Gen Geronimo, Taytay
Rizal, after having been duly sworn in accordance with law do hereby and
depose and state;



That, he has been informed and verified that MARIO CONDES of Brgy
Maybangcal, Morong, Rizal (please see attached sketch) is concealing, custody
and control the following items to wit;

- a. M16 Rifle
- b. Caliber 9mm Pistol
- c.. Caliber 45 Pistol
- d. 12 Gauge Shotgun

That the undersigned has personally verified the report and found it to
be a fact and has therefore reason to believe that a Search Warrant be Issued
to enable him or any agent of the law to take possession of and bring to this
Honorable Court all the above described items.


That the undersigned is applying the search warrant before this
Honorable Court because the fact that the subject person to be search is a well
known individual in their community, an untouchable person and execution of
Search Warrant is highly improbable because he is known to police officers in
their community.

That, the application of Search Warrant before the court within the
community might preempt the execution thereof because the probability that
the information might leak due to his connections/friends in the trial court of
Morong and Binangonan, both of Rizal Province.

[Handwritten signatures and initials]

WHEREFORE, premises considered, the undersigned most respectfully prays unto this Honorable Court that a Search Warrant commanding him and his agents or any peace officer to search both premises describe and to seize and bring to this Honorable Court the personal property mentioned above to be dealt with as the law directs.

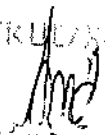
February 5, 2010


MARION D. BALONGLONG
Police Superintendent
(Applicant)

SUBSCRIBED AND SWORN to before me this 5th of February 2010 at Imus, Cavite, Philippines.


CESAR A. MANGROBANG
JUDGE

CERTIFIED TRUE COPY


NOTARY PUBLIC

MALAYANG SALAYSAY NI RICARDO MATIAS NA IBINIGAY KAY PO3 LAWRENCE A ALFABETO SA HARAP NI SPO4 RUDY A ABION DITO SA TANGGAPAN NG RIZAL PROVINCIAL PUBLIC SAFETY MANAGEMENT COMPANY NGAYONG IKA-03 NG PEBRERO, 2010.

=====

(Affiant has been apprised of her Constitutional Rights)

TANONG: ~~Matapos~~ kung ipaalam sa iyo ang iyong mga karapatan, nakahanda ka bang magbigay ng kusang-loob na salaysay na ikaw ay hindi tinakot, pinilit o pinangakuan kapalit nito?

SAGOT: Opo.

TANONG: Kung ganon ay sabihin mo ang iyong buong pangalan, edad, tirahan at mga bagay-bagay na maaaring mapagkilanlan sa iyo?

SAGOT: Ako po si Ricardo Matias y Rombion, 34 yrs old, may-asawa, residente ng Maybancal, Moroni, Rizal.

01. TANONG: Ano ang dahilan at naririto ka sa aming tanggapan at kinukunan kita ng salaysay?

SAGOT: Para po ipaalam sa inyo po na sa aming lugar sa Maybancal, Morong, Rizal, ay mayroon po lalaki roon na nag ngangalang MARIO CONDES at may mga baril ito na sa aking palagay ay pawang walang kaukulang papeles.

02. TANONG: Kailan at saan naganap ang insidenteng iyong binabanggit?

SAGOT: Noon po ika 03 ng Enero 2010 pagitan po ng ika 5:00 ng hapon, doon po sa aming lugar.

03. TANONG: Maari mo bang isalaysay ang boung pangyayari para sa ika liliwanag nito?

SAGOT: Opo. Noong oras humigit kumulang ika 5:00 ng gabi petsa ika 3 ng Enero 2010 habang ako po ay naglalakad papauwi sa aking bahay ng may napansin po ako na lalaki na bumaba sa isang sasakyan at may bitbit po itong baby M16 at napatingin din pos a akin ang nasabing lalaki at hindi po ako nilubayan nito ng tingin hangang sa magkatapatan po kami at tinanong po niya ako "ANO PROBLEMA MO?" habang hawak nito ang Baby Armalite nito.

04. TANONG: Ano na ang sumunod na nangyari kung meron man?

SAGOT: Sumagot po ako "wala po ka Mario".

05. TANONG: Ano na ang sumunod na nangyari?

SAGOT: Na ikwento ko po ang insidete sa aking mga kaibigan, at pinagtawanan po nila ako at sinabi rin nila na sila rin po ay tinakot na rin po sila ni MARIO CONDES, at mabuti po raw ay pinakitaan lang ako sila nga raw po ay tinutukan ng caliber 45, at sinabihan po ako na huwag kana mag-abala mag sumbong sa pulis at malakas sa mga pulis ang taong iyon.

06. TANONG: Pansamantala ay wala na akong itatanung sa iyo, may nais ka bang alisin o baguhun sa iyong salaysay?

SAGOT: Wala po.
WAKAS NG SALAYSAY:

RICARDO MATIAS Y ROMBLON
May salaysay

SUBSCRIBED AND SWORN TO before me this 3RD day of February 2010 at Taytay, Rizal. I also hereby certify that I personally examined the herein affiant that she voluntarily executed and understood her affidavit.

MARION BALONGLONG
Police Superintendent
Commanding Officer

CERTIFIED TRUE/PHOTO COPY

Republic of the Philippines)
Municipality of Cainta)S.S.

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SWORN AFFIDAVIT

I, PO1 Arnel Tarasona, of legal age, married, member of the Philippine National Police, presently assigned at RIZAL PROVINCIAL PUBLIC SAFETY MANAGEMENT COMPANY, Camp Gen Geronimo, Taytay, Rizal, under oath do hereby state the following; to wit:


1. That on the 3rd day of February 2010 Ricardo Matias of Brgy Maybanga, Morong, Rizal reported to our Office that one MARIO CONDES also resident of afore mentioned place is in the habit of brandishing firearms and would at time poke said firearm at who ever that passes near his house.
2. That we immediately notified our Commanding Officer of said complaint, and that we were instructed to take the reportee's statement and make verification at FIREARMS and EXPLOSIVE DIVISION at Camp Crame whether the subject is a licensed firearm holder.
3. That on February 4, 2010 we were instructed by our Commanding Officer Police Superintendent MARION D BALONGLONG to conduct discreet surveillance to verify the said complaint and the character of the subject, the result of which is that, the subject person (MARIO CONDES) is often seen by the neighbors with his guns and would sometime boast and threatened anyone he sees passing by his home.

That I am executing this instrument to attest to the veracity of the foregoing facts and to support the application for SEARCH WARRANT.

AFFIANT FURTHER SAYETH NAUGHT.

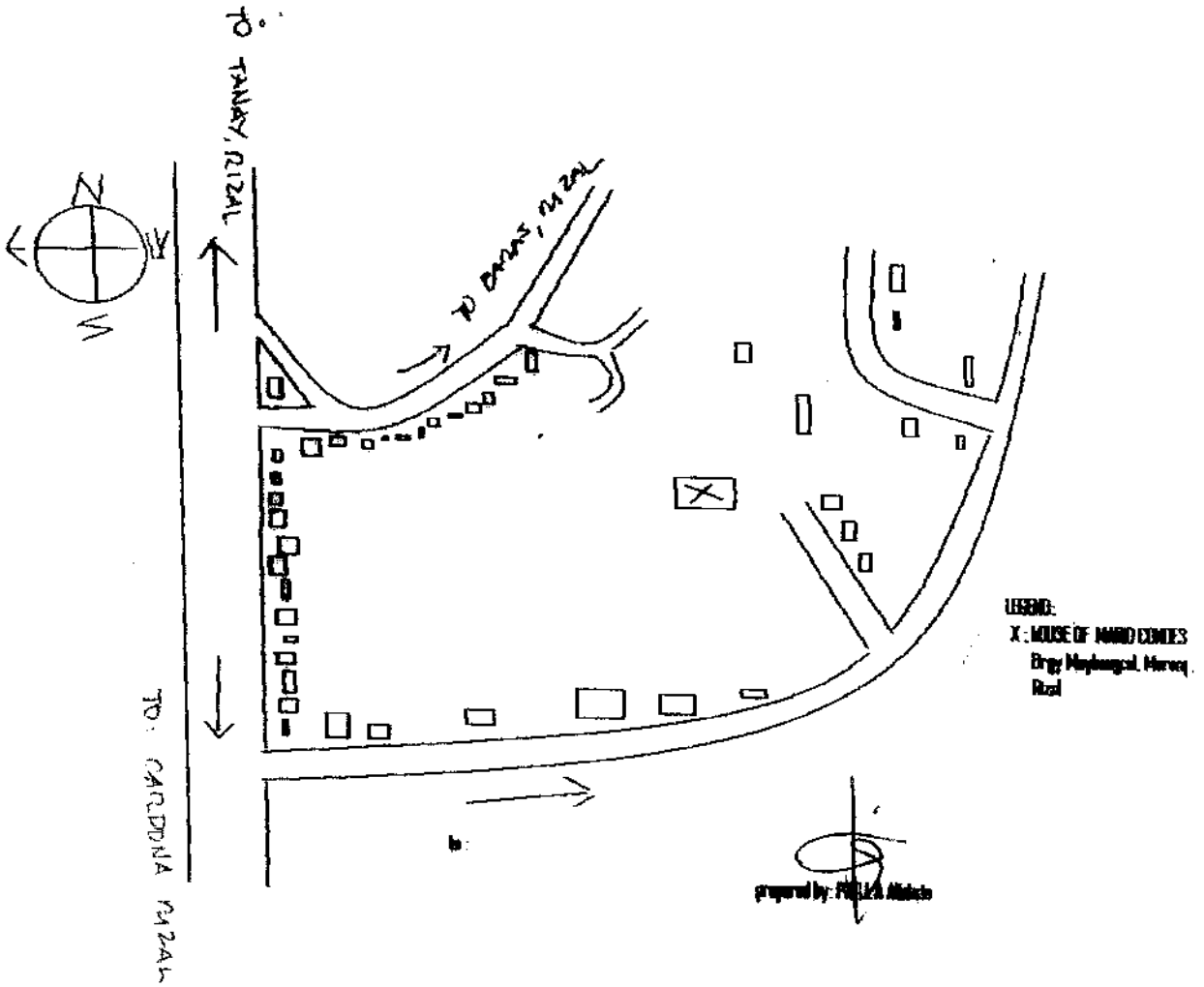

PO1 Arnel Tarasona
Affiant

SUBSCRIBED AND SWORN to before me this 4th day of February 2010 at Antipolo City and further certify that I have personally examined the affiant under oath and satisfied that he voluntarily executed and understood his affidavit.


MARION D. BALONGLONG
Police Superintendent
Commanding Officer

CERTIFIED TRUE / PHOTO COPY





prepared by: PHILIP A. Abicho

Handwritten notes and scribbles at the bottom of the page.

Handwritten signature or mark at the bottom right of the page.

A-3

DEPOSITION OF POLICE SUPERINTENDENT MARION D BALONGLONG,
COMMANDING OFFICER OF RIZAL PROVINCIAL PUBLIC SAFETY MANAGEMENT
COMPANY, CAPM GEN GERONIMO, TAYTAY, RIZAL BEFORE HON CESAR A
MANGROBANG, BRANCH 22, IMUS CAVITE THIS 5th DAY OF FEBRUARY 2010.

X-----X
COURT:

Do you swear to tell the truth and nothing but the truth to all questions propounded to you in this proceedings?

WITNESS:

Yes, I do your Honor.

COURT:

Please state your name and other personal circumstances leading to your identity?

WITNESS:

PSUPT MARION D BALONGLONG, of legal age, married, Commanding Officer Rizal PPSMC, Camp Gen Geronimo, Taytay, Rizal.

Q. What is your basis applying for a search warrant against MARIO CONDES of Brgy Maybangcal, Morong, Rizal?

A. This is in line with PNP's campaign against LOOSE FIREARMS aimed at recovering unlicensed firearms and to charge the violators before the court of law.

Q. How did you know that the subject is in possession of unlicensed firearms?

The incident was brought to our attention by Mario Condes neighbor of subject person on February 3, 2010 and was duly verified through surveillance and casing operation conducted by PO1 Arnel Tarasona.

Q. When did he actually conduct the surveillance?

A. On the morning of February 4, 2010.

Q. What was the result of the surveillance?

A. He confirmed the veracity of the information that indeed, MARIO CONDES has in his possession of loose firearms and ammunition and it was divulged to them that subject has two or more firearms that he uses to intimidate residents of said place.

Q. How were you able to confirm the veracity of the information?

A. PO1 Arnel Tarasona made discreet background investigation on the subject and it was divulged by neighbors that subject is the habit of showing off his firearms and intimidate people passing by near his house.

Q. What did you do after your men were able to confirm that MARIO CONDES is in possession of loose firearm and ammunition?

CERTIFIED TRUE / PHOTO COPY

A. I made a verification at FED, Camp Crame, Quezon City to determine if subject person is licensed firearm holder and the result is NEGATIVE, MARIO CONDES is not a licensed firearm holder.

Q. Do you have a sketch of the premises of the subjects MARIO CONDES?

A. Yes, sir, (Witness handed to the Court a sketch of the premises, which Was marked as exhibit ("A"))

Q. Do you attest to the truth and veracity of what you have stated here?

A. Yes, your Honor.


PSUPT MARIO D BALONGLONG
Applicant

SUBSCRIBED AND SWORN to before me this 5th day of February 2010 at Imus, Cavite.


CESAR A MANGROBANG
JUDGE

DEPOSITION OF POLICE OFFICER 1 ARNEL TARASONA OF RIZAL PROVINCIAL PUBLIC SAFETY MANAGEMENT COMPANY, CAPM GEN GERONIMO, TAYTAY, RIZAL BEFORE HON CESAR A MANGROBANG, BRANCH 22, IMUS CAVITE THIS 5TH DAY OF FEBRUARY 2010.

X-----X
COURT:

Do you swear to tell the truth and nothing but the truth to all questions propounded to you in this proceedings?

WITNESS:

Yes, I do your Honor.

COURT:

Please state your name and other personal circumstances leading to your identity?

WITNESS:

I am Police Officer 1 Arnel Tarasona, of legal age, Married, Resident of Brgy San Jose, Antipolo City a member of the Philippine National Police and is presently assigned with the Rizal Provincial Public Safety Management Company, Camp Gen Geronimo, Taytay, Rizal.

Q .What did you do when you received information about MARIO CONDES of Brgy Maybangcal, Morong, Rizal?

A. We immediately relayed the information to our Commanding Officer PSUPT MARION D BALONGLONG.

Q. I have here an affidavit stating that you conducted discreet investigation on the veracity of the report you received. When did you actually conduct the investigation?

A. We conducted the discreet investigation in the morning of February 5, 2010.

Q What is the result of your investigation?

A Your Honor, We were able to confirm the report from the neighbors of MARIO CONDES, that subject person was seen by neighbors brandishing firearms of unknown caliber, we were also able to confirm that said person likes to poke his firearms at people passing by his house at Brgy Maybangcal, Morong, Rizal.

Q. What did you do after confirming the report you received?

A Your Honor, I informed my Commanding Officer and verification at FED, Camp Crame, Quezon City was made.

Q .What is the result of your verification?

Arnel Tarasona

[Signature]

[Signature]

DEPOSITION OF PO1 ARNEL TARASONA-----X

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A Your Honor, The result of the verification is that MARIO CONDES is not a licensed firearm holder.

Q Do you attest to the truth and veracity of what you have stated here?

A Yes, we do your Honor.


PO1 Arnel Tarasona
Affiant

SUBSCRIBED AND SWORN to before me this 5th day of February 2010 at Imus, Cavite.


CESAR A MANGROBANG
JUDGE

CERTIFIED TRUE/PHOTO COPY

**DEPOSITION OF RICARDO MATIAS OF BRGY MAYBANGCAL, MORONG, RIZAL
BEFORE HON CESAR A MANGROBANG, BRANCH 22, IMUS CAVITE THIS 5TH
DAY OF FEBRUARY 2010.**

X-----X
COURT:

Do you swear to tell the truth and nothing but the truth to all questions propounded to you in this proceedings?

WITNESS:

Yes, I do.

COURT:

Please state your name and other personal circumstances leading to your identity?

WITNESS:

I am Ricardo Matias y Romblon, 34 years old, Married, Resident of Brgy Maybangcal, Morong, Rizal.

Q. I have here a Sworn affidavit stating that you witnessed MARIO CONDES brandishing firearms while you were walking toward your home. What did you do with the information.

A. I was advised by one of my friends to report the matter to the Rizal Provincial Public Safety Management Company and asked for their assistance.

Q. When did you witness MARIO CONDES brandishing his firearm?

A. Your Honor, it was on or about 5:00 o'clock in the afternoon of January 3, 2010, while I was walking toward my house, I saw Mario Condes alight from his Vehicle and carrying a baby M16, when he saw me watching him he confronted me saying "ANO PROBLEMA MO?".

Q. What did you do after you were advised to report the matter?

A. Your Honor, I went to Camp Gen Geronimo, Taytay, Rizal and informed Police Superintendent MARION D BALONGLONG Commanding Officer of RIZAL PROVINCIAL PUBLIC SAFETY MANAGEMENT COMPANY and asked for their help.

Q. Can you describe the person you are referring to?

A. MARIO CONDES is about 40 to 45 yrs old, medium height, fair complexion.

Q. Do you attest to the truth and veracity of what you have stated here?

A. Yes, I do your Honor.

Ricardo Matias y Romblon
Affiant

SUBSCRIBED AND SWORN to before me this 5th day of February 2010 at
Imus, Cavite.

OFFICE OF THE PROSECUTOR

CESAR A MANGROBANG
JUDGE