



Republic of the Philippines  
PROVINCE OF NEGROS OCCIDENTAL  
Old Capitol Building, Bacolod City  
Tel. No. 707-8075 (Admin) \* 435-7698 (Board Member) \* 709-0121 (Legislative Division)  
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

*EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 16<sup>TH</sup> DAY OF DECEMBER 2025*

**PRESENT:**

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 <sup>st</sup> District
Hon. Araceli T. Somosa	Member - 1 <sup>st</sup> District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 <sup>nd</sup> District
Hon. Arthur Christopher D. Maraño	Member - 2 <sup>nd</sup> District
Hon. Hope Marey B. Depasucat	Member - 3 <sup>rd</sup> District
Hon. Andrew Gerard L. Montelibano	Member - 3 <sup>rd</sup> District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 <sup>th</sup> District
Hon. Nicholas M. Yulo	Member - 4 <sup>th</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5 <sup>th</sup> District
Hon. Hadji P. Trojillo	Member - 5 <sup>th</sup> District
Hon. Genaro G. Alvarez, IV	Member - 6 <sup>th</sup> District
Hon. Jeffrey T. Tubola	Member - 6 <sup>th</sup> District
Hon. Mayvelyn L. Madrid	Member - SKF Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

**ON OFFICIAL BUSINESS:**

Hon. Julius Martin D. Asistio	Member - PCL Rep
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**RESOLUTION NO. 1348**  
**Series of 2025**

***RESOLUTION SETTING ASIDE AND REVERSING ADMINISTRATIVE CASE NO. 2024-01 OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SILAY AS PER RESOLUTION NO. 25-316 OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SILAY, OTHERWISE KNOWN AS "RESOLUTION ADOPTING AND APPROVING THE DECISION OF THE COMMITTEE OF THE WHOLE ON ADMINISTRATIVE CASE NO. 2024-01, ENTITLED: REGINA Y. ATEGA, COMPLAINANT, VERSUS HAZEL ORQUIA CORDERO, PUNONG BARANGAY OF BARANGAY MAMBULAC, SILAY CITY, RESPONDENT." FOR LACK OF DUE PROCESS.***

Authored by:

**HON. SIXTO TEOFILO ROXAS V. GUANZON, JR.**

Ponente Writer of Quasi-Judicial Body of the 37<sup>th</sup> Sangguniang Panlalawigan

***WHEREAS***, the complaint lodged by Regina Atega against Punong Barangay, Hon. Hazel Cordero, happened on October 2, 2024, at the covered court of Barangay Mambulac, Silay City, Negros Occidental, during the identification of Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced (TUPAD) beneficiaries;

***WHEREAS***, during that gathering, an incident happened when Punong Barangay Cordero grabbed the left wrist/left arm of Atega for the reason of maintaining calmness and orderliness, as alleged that the latter had become unruly, disorderly, and irrational;

***WHEREAS***, in the foregoing, the complainant underwent medical certification from Dr. Vanessa Mahrie A. Madayag, M.D. (*As hereto attach as Attachment H*) and also a police blotter

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report from the Philippine National Police (*As hereto attach as Attachment G*) as documentary evidence of the incident that happened on that day;

**WHEREAS**, the formal filing of the Administrative case for simple misconduct was filed on January 22, 2025, before the Office of the Sangguniang Panlungsod of the City of Silay, which was suspended due to the intervening factor during the midterm election on May 12, 2025;

**WHEREAS**, it is very explicit in Section 62(c), which provides, to wit:

*(c) However, no investigation shall be held within ninety (90) days immediately prior to any local election, and no preventive suspension shall be imposed within the said period. If preventive suspension has been imposed prior to the 90-day period immediately preceding local election, it shall be deemed automatically lifted upon the start of the aforesaid period.*

**WHEREAS**, it was only sometime on July 14, 2025, when the Preliminary Hearing was supposed to be conducted in the presence of both the Complainant and the Respondent. However, the Respondent was not present, as accordingly, she was not informed of the Preliminary Hearing;

**WHEREAS**, the hearing proceeded for three more sessions dated July 28, 2025, August 4, 2025, and August 11, 2025, where both the Complainant and the Respondent argued their positions on the matter being sought for Administrative Resolution for Simple Misconduct, and it was on September 2, 2025, that the final Decision of Admin. Case No. 2024-01 was duly approved by Resolution No. 25-316, otherwise known as "**RESOLUTION ADOPTING AND APPROVING THE DECISION OF THE COMMITTEE OF THE WHOLE ON ADMINISTRATIVE CASE NO. 2024-01, ENTITLED: REGINA Y. ATEGA, COMPLAINANT, VERSUS HAZEL ORQUIA CORDERO, PUNONG BARANGAY OF BARANGAY MAMBULAC, SILAY CITY, RESPONDENT**";

**WHEREAS**, in the foregoing, the Respondent, having been meted a penalty of three (3) months and one (1) day, sought shelter under Section 67 of the Local Government Code of 1991 and Rule 14(2) of 017-2000 of the Sangguniang Panlalawigan;

**WHEREAS**, after assessing the situation and complying with the Quad Requirements as per Resolution No. 1216-2025, the Preliminary Hearing proceeded in compliance with the appreciated requirements of the Resolution on November 11, 2025, at the SP Session Hall, where it was attended by the Appellant, Hon. Hazel Cordero, represented by counsel;

**WHEREAS**, it was agreed by both parties that submission of a Consolidated Memorandum would be on December 1, 2025, and that both parties would present their positions on the alleged appeal case being handled by the Quasi-Judicial Body of the 37th Sangguniang Panlalawigan of the Province of Negros Occidental;

**WHEREAS**, on December 2, 2025, a trial was conducted and duly represented by both the Appellant together with her counsel, Atty. Jan Michael Arbolado, and the Appellee, together with her counsel, Atty. Bimbo Javiles;

**WHEREAS**, a brief review of the facts of the matter was allowed as a matter of liberal interpretation by the Quasi-Judicial Body;

**WHEREAS**, more importantly, the procedural requirement of law was looked into with greater concern as this is an Appeal Case rather than an Original Case;





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**WHEREAS**, the Appellant, with her counsel, maintained that there are three (3) factors that can be compounded as contributory to the violation of Article 3, Section 1 of the 1987 Constitution where *due process of law* was not substantially complied with accordingly;

**WHEREAS**, accordingly, there was no sincere intent to exhaust all possible conveyances to notify the accused, as she was not available and nowhere to be found on July 14, 2025;

**WHEREAS**, another hearing on July 21, 2025 prompted the Respondent-Appellant to write a letter on July 18, 2025, requesting its deferment to July 28, 2025 due to a scheduling conflict with her previously scheduled Workshop on Good Governance for BSP Local Councils, which was approved through Resolution No. 2025-002 (*as hereto attached as Attachment I*). However, the July 21, 2025 hearing proceeded in her absence, despite the hearing/investigative panel taking cognizance of her request for deferment, as per Resolution No. 2025-002;

**WHEREAS**, notwithstanding Resolution No. 2025-002 covering the date of the hearing on July 21, 2025, the hearing/investigating panel still pursued the hearing in the absence of the Respondent, despite her justified request for postponement, further confirmed by the passage of Resolution No. 2025-002 by the Sangguniang Panlungsod of Silay City;

**WHEREAS**, the Complainant-Appellee insisted that necessary actions were undertaken to inform the Respondent for the preliminary hearing on July 14, 2025 as well as July 21, 2025 but accordingly, she was nowhere to be found and was not properly informed through legal conveyances;

**WHEREAS**, the allegation of the Complainant is a manifestation showing insincere interest on the part of the Hearing Panel in exhausting all means to inform the Accused or Respondent for the scheduled hearing and maintaining her position that she was not available within the context that she was nowhere to be found;

**WHEREAS**, the allegation that the hearing/investigating panel could not reach the Respondent shows lack of sincerity or high enthusiasm in following the correct procedure of exhausting all possible means to inform the accused, and consequently, this is an abridgment or misinterpretation of Section 14(b) of the 1987 Constitution;

**WHEREAS**, the July 14, 2025 and July 21, 2025 absences in the Preliminary Hearings and Hearings of the case by the Respondent are a result of non-observance and non-compliance with the *due process of law* under Article 3, Section 1 of the 1987 Constitution;

**WHEREAS**, it is further aggravated that the timeline antecedents requiring the hearing/investigative panel to arrive at a Decision within a maximum of one hundred seventy-two (172) days was instead stretched over two hundred twenty-three (223) days from January 22, 2025, until September 2, 2025, when a Decision was arrived at, and as a result was in the middle of the midterm election on May 12, 2025;

**WHEREAS**, the ample time of one hundred seventy-two (172) days required under Sections 62-66, within which the hearing/investigative panel was able to finish hearings as well as arrive at a Decision on September 2, 2025, is considered substantial enough time to maintain the invigorating attitude to look closely at the case within the context of what is procedurally required as *due process of law*;





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**WHEREAS**, being remiss of the importance of the procedural requirement and competence in handling the case has resulted in negligence and careless procedures, despite the accused being clothed with the full protection of law under the Constitution, as it is "*better to free the guilty than to convict the innocent*";

**WHEREAS**, under this *Doctrine of due process*, it must be exhausted carefully, circumspectly, rationally, with all fairness and justness, so that whatever Decision may be arrived at by the hearing/investigative panel shall fall within what is mandated and prescribed by law;

**WHEREAS**, the tri-factors such as the subsequent denial of conducting a Preliminary Hearing on July 14, 2025 and July 21, 2025 although justified on the part of the Respondent, and the sufficient ample time to observe careful and cautious obedience to what is prescribed by law, are threefold factors showing that *due process of law* was not adequately and appropriately met in accordance with the Constitution;

**WHEREAS**, in brief thereto, there is an intentional "*dolo*" and hurried motive to pursue the preliminary as well as the trial hearing in the absence of the Respondent, in the middle of a sufficient and ample time afforded under Sections 62–66 of the Local Government Code of 1991, even in the middle of the midterm election on May 12, which is marked by intentional *dolo*, negligence, and *culpa* on this matter, which evidently cannot be denied neither covered by any circumstances as it is clearly and obviously exposed. This is contrary to being competent or knowledgeable and with a great sense of diligence and careful execution of proceedings;

**NOW THEREFORE**, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., duly seconded by Hon. Patricia Paula M. Alonso-Valderrama, Hon. Genaro G. Alvarez, IV, Hon. Laurence Marxlen J. de la Cruz, Hon. Mayvelyn L. Madrid, Hon. Richard Julius L. Sablan, Hon. Araceli T. Somosa, Hon. Hadji P. Trojillo, Hon. Jeffrey T. Tubola, and Hon. Nicholas M. Yulo. Hon. Hope Marey B. Depasucat inhibited.

**THE SANGGUNIANG PANLALAWIGAN RESOLVED**, as it hereby resolves to pass and approve this Resolution, to wit:

**RESOLUTION SETTING ASIDE AND REVERSING ADMINISTRATIVE CASE NO. 2024-01 OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SILAY AS PER RESOLUTION NO. 25-316 OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF SILAY, OTHERWISE KNOWN AS "RESOLUTION ADOPTING AND APPROVING THE DECISION OF THE COMMITTEE OF THE WHOLE ON ADMINISTRATIVE CASE NO. 2024-01, ENTITLED: REGINA Y. ATEGA, COMPLAINANT, VERSUS HAZEL ORQUIA CORDERO, PUNONG BARANGAY OF BARANGAY MAMBULAC, SILAY CITY, RESPONDENT" FOR LACK OF DUE PROCESS.**

**FURTHER BE IT RESOLVED**, that a copy of this Resolution shall form part of the formulation of a legal Decision format.

**FURTHER BE IT RESOLVED**, that both the Appellant and the Appellee shall be furnished a copy of this Resolution and Decision.

**FURTHER BE IT RESOLVED**, that the Office of the Ombudsman-Visayas and the Provincial DILG may also be furnished a copy of this Resolution.



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**FINALLY, BE IT RESOLVED**, that the Office of the Sangguniang Panlungsod of Silay City and the Office of the Governor be furnished a copy of this Resolution as well as the Decision resulting from this Resolution.

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.

**CERTIFIED CORRECT:**

  
**HON. JOSE BENITO A. ALONSO**  
Vice Governor/Presiding Officer

**ATTESTED:**

  
**ATTY. MARIANGEL O. ASCALON**  
Provincial Secretary

Copy for all concerned  
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