

**BASIC : LETTER DATED SEPTEMBER 24, 2007, FROM BARANGAY
KAGAWAD BARTOLOME A. RUBIA OF GUADALUPE,
CARMEN, BOHOL.**

2nd Indorsement
September 28, 2007

Respectfully returned to Ms. Rustica Mascariñas, Provincial Director, DILG Bohol Provincial Office, the herein basic communication from Barangay Kagawad Bartolome A. Rubia of Guadalupe, Carmen, Bohol requesting legal opinion on whether or not he could still run as barangay kagawad of Guadalupe, Carmen this coming October 2007 barangay and SK elections. As reported, kagawad Rubia was elected as barangay kagawad of La Salvacion, Carmen in 1994. However, in the 1997 election he ran and won as barangay kagawad of Guadalupe, another barangay in Carmen, Bohol. Again in 2002 election he was elected as kagawad of Barangay Gudalupe.

Although Bartolome Rubia was elected three times as barangay kagawad successively and was able to fully serve each term, however, during said period he was elected as kagawad in two different barangays by two sets of barangay constituents. He can still run as barangay kagawad of Guadalupe in the October 2007 barangay election since he is yet in his second term as kagawad of said barangay. His term in 1994 as kagawad of Barangay La Salvacion should not be tacked with his term as kagawad of Barangay Guadalupe since the two barangays have different territorial jurisdiction and different group of voters (Lataso vs. COMELEC, G.R. No. 154829, December 10, 2003).

PEDRO A. NOVAL, JR.
Regional Director

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