

Republic of the Philippines  
Department of Justice  
OFFICE OF THE CITY PROSECUTOR  
Hall of Justice  
General Santos City

SO2 Frederick J. Ocana,  
Complainant,

NFS:XII-03INQ-10E-00127

- versus -

- for -

MISUARI KAMID Y UNOS

VIOLATION OF SEC. 5  
AND 11 OF RA 9165

Respondent.

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**COMPLIANCE**

COMES NOW, Respondent and to this Honorable Office, most respectfully submits this Sworn Statement in compliance with the Order of this Office dated May 26, 2010 to substantiate the mauling incident that happened on April 30, 2010.

The Sworn Statement will likewise serve as an **AFFIDAVIT-COMPLAINT** for **PHYSICAL INJURIES** under the Revised Penal Code and **PLANTING OF EVIDENCE** under Sec. 29 of RA 9165 against the following PDEA officers and agents to wit:

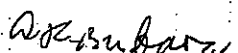
1. IO3 ARCE ADAM
2. S12 RAYMUND PARAMA
3. IO1 RODRICK GUALISA
4. IO1 VINCENT QUILINDERINO
5. SO2 FREDERICK OCANA
6. ELEAZAR ARAPOC
7. RICHARD ARAPOC
8. LOUISITO EPINO

General Santos City, Philippines, 2<sup>nd</sup> June 2010.

RESPECTFULLY SUBMITTED.

  
**MISUARI KAMID Y UNOS**  
**Respondent**

Endorsed by:

  
**ABINA ROMBAOA**  
MORO Human Rights Advocate  
KAWAGIB KARAPATAN- Chair Person  
( In Affiliation with Commission on Human Rights )

AFFIDAVIT-COMPLAINT

I, **MISUARI KAMID Y UNOS**, Filipino, of legal age, married and a resident of General Santos City, after having been duly sworn to in accordance with law do hereby depose and state:

1. That I am the same MISUARI KAMID Y UNOS who is executing this affidavit;
2. That I am lodging criminal complaints for Planting of Evidence and Physical Injuries against PDEA agents namely: IO3 ARCE ADAM, IO1 RODRICK GUALISA, SI2 RAYMUND PARAMA, SO2 FREDERICK OCANA, IO1 VINCENT QUILINDERINO, IO1 ELEAZAR ARAPOC, LOUISITO EPINO and RICHARD AUTOR;
3. That I was maliciously charged with Violation of Sec. 5 and 11 of RA 9165. That the allegations of the PDEA officers that I was apprehended and caught selling dangerous illegal drugs or what otherwise known as "shabu" is absolutely false. The illegal drugs allegedly taken are in truth, planted evidence. There was no buy bust operation that took place as what the PDEA officers claimed in their affidavit. I was mauled by the PDEA agents, ( I vividly remembered their faces and learned about their names and identities from my co-detainees at the PDEA cell ). These PDEA officers / agents conspired together in hitting and boxing me at the different parts of my body as evidenced by a Medical Certificate issued by Dr. Odi hereto attached as Annex "1";
4. I was not immediately examined by a physician after the mauling incident that happened on April 30 2010 because it took time before my wife was able to visit me and confide to her about my ordeal. Likewise, when I was brought to the Public Attorney's Office for inquest proceedings, I did not tell them anything because I was confused at that time and do not know who to trust. In fact it was Dr. Odi who personally went to the PDEA to examine me because there seemed to be no intention to bring me to the medical facility. When Dr. Odi arrived, IO1 Vincent Quilindrino told me: "Pinapaliit mo lang ang mundo mo";
5. That the facts and circumstances are narrated as follows:

5.1 On or about 4:40 PM of April 30, 2010, we came from the barracks to attend the celebration of Kanduli or Thanksgiving of my cousin Myrna Batil. My friend suggested that we walked together in going to Silway Talipapa to buy grilled fish so that we will not cook anymore when we get home;

5.2 When we arrived at Silway Talipapa, near the area of San Juan where the fish vendor is situated, I looked for a tricycle we could board in going to Lagao. While waiting for a tricycle, I decided to buy a cigarette in a nearby store when a man named RICHARD AUTOR approached and asked me if I knew about a certain person which I answered in the negative. (I learned from my co-detainees that he was not a PDEA agent but an asset) I told Richard Utor that I'm not from that place and that I'm from Lun Padidu. Richard Autor questioned me again and I gave the same answer.

5.3 Immediately thereafter, a red car with plate no. UED 147 came over and IO3 ARCE ADAM alighted from the vehicle. IO3 Arce Adam approached me and pcked a gun at my direction. He forced me to turn around and handcuffed me. He forced me to go inside their vehicle and when I tried to refuse, IO3 Adam hit my nape with the butt of a gun. He dragged me toward their vehicle and once inside, they drove away.

5.4 When we reached the PDEA compound, they brought me to a cottage and I've heard Richard Autor called the PDEA agents. When they came, they took turns in hitting and boxing me. They boxed my face, left and right side of my chest, left and right thighs. (See Medical Certificate attached as Annex 1") The persons who participated in mauling me are the following to wit: IO1 RODRICK GUALIZA, SO2 FREDERICK OCANA, IO1 VINCENT QUILINDERINO, IO3 ARCE ADAM, IO1 ELEAZAR ARAPOC, SI2 RAYMUND PARAMA, LOUISITO EPINO & RICHARD AUTOR. IO3 Arce Adam while punching me kept on saying: "Aminin mo na pusher ka!". I denied it pleaded to them to stop hitting me;

5.5 Later I heard SO2 RODRICK GUALIZA calling his companions to bring me near their parking lot which is about two(2) meters away from their cottage, and there I saw him placed two(2) pieces of plastic sachet containing illegal drugs, marijuana and P500 peso bill on the ground and dragged me near it. The PDEA agents forced me to kneel near their planted evidence and when I refused, SI2 RAYMUND D. PARAMA hit my both feet with the butt of a baby armalite. Due to extreme pain, they got me kneeled and took a picture. I was crying and my whole body was in great pain;

5.6 At around 7:00PM they brought me inside the PDEA cell and I could hardly slept because my whole body was aching;

5.7 On May 1, 2010 on or about 8:00AM, I heard noises and saw visitors of my co-inmates who delivered food. Around 9:30AM of same date, I was taken out of the PDEA cell and brought n their office( located at the back of the PDEA cell) and there I saw Mr. Quatin Catolico sat on the table and just in front of him were the planted evidence, illegal drugs and the P500 peso bill. I saw Mr. Catolico signed something while a photographer took a picture of both of us. A media personnel was present there and someone also took our picture;

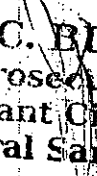
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6. Later they informed me that a criminal complaint against me for selling and possessing illegal drugs were filed before the Prosecutor's Office;
7. That there is no truth to the allegations of police officers that I was caught engaged in selling drugs. Those illegal drugs allegedly taken from me came from their possession, those were planted evidence.
8. That I attest to the truth of the foregoing facts for whatever legal purpose it may serve and for purposes of filing criminal complaints for Planting Of Evidence and Physical Injuries.

IN WITNESS WHEREOF, I have hereunto set my hand, this \_\_\_\_ of \_\_\_\_ 2010 at General Santos City, Philippines.

  
MISUARI KAMID Y UNOS  
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, this 02 day of JUN 2010 at General Santos City, I hereby certify that I have personally examined the affiant and that I am satisfied that he voluntarily executed his affidavit-complaint and understood the same.

  
JOSE C. BLANZA, JR.  
Prosecutor II  
2nd Assistant City Prosecutor  
General Santos City