

Alpha Phi Omega (Phils.), Inc.,
International Service Fraternity & Sorority
COMMISSION ON MEMBERSHIP
No. 61-E Timog Avenue, South Triangle
Diliman, Quezon City

Sis Susan De Ono-Laset, Et. Al.,
Complainants,

Case No. * **2005-04** *

In re: Disputes/Controversies Involving
Actual Rights That Are Demandable &
Enforceable in Accordance w/the Code
Of By-laws (Section 3(a), Article V)

- v e r s u s -

(Sis) Carmen Taira,
Respondent,

X ----- X

R E S O L U T I O N

The Complainants, led by Sis Susan Laset (founder of Delta Beta), certain members of Delta Beta Chapter, filed their complaint against the Respondent, (Sis) Carmen Taira, based on all of those grounds enumerated in the CoMe's prescribed complaint form, with the exception of "Suspension of Membership based on the grounds enumerated in Sec. 5(d), Article V of the Code of By-laws", copies of the said complaints were received by the CoMe on 22 April 2005; and, as it was filed in accordance with the said complaint form; thus, CoMe gave due course and took cognizance of the said complaints. However, based on the facts and circumstances submitted by them, as well as on all of the documentary evidences and testimonies that they have submitted together with the said complaints, the CoMe resolved that the instant case falls squarely on "Disputes and Controversies involving actual rights (of membership) that are demandable and enforceable in accordance with the provisions of the Code of By-laws. By the said complaints, the judgment, or decision being prayed for is, in fine, to wit:

"Declaration that (Sis.) Carmen Taira is not a bonafide member of APO, particularly Delta Beta Chapter, considering that she failed to submit any or whatsoever proof of membership, or whatsoever corroborating evidence or

testimony, in writing and under oath, attesting to the fact that indeed she had undergone the requisite “pledgeship” period, and that she had complied with all the requirements for membership, satisfactorily, in accordance with the rules prescribed therefore by Delta Beta Chapter and/or the Code of By-laws of Alpha Phi Omega (Phils.), Inc.,”.

And, by virtue of Section 3(a), Article V of the Code of By-laws, if and when after conducting the requisite *preliminary investigation* based on all the documents and evidences presented by the parties, and the testimonies of the witnesses, respectively, the Commission have ascertained that there is probable cause, or that a prima facie case is thereabout, the case proper shall be referred to the Supreme Adjudicatory Council who has the “*primary and original jurisdiction*” thereof.

It was observed that the allegations in the complaint whereof is supported by written and under oath testimonies of the witnesses for the Complainant, who are all members of the Delta Beta Chapter. On the other hand, despite having been given ample time and/or opportunity to file her answer, and refute the allegations in the complaint, as well as to submit supporting evidence/s in her claim that she is a member of Delta Beta Chapter, Respondent Carmen Taira adamantly failed and/or refuse to file her answer to the said complaint.

Although the Respondent Carmen Taira might have exhibited the virtues and qualities of being an A-Phi-O member by supporting a good number of service projects, not only of A-Phi-O’s but also of other service organizations or institutions. But, under the circumstances, no matter how harsh our rules would be, we could not do otherwise but to follow the rules. And, so, after exhausting all means and measures to afford the Respondent of her right to be heard, or to file her answer to the complaint, yet, to no avail, this Commission is constrained to come with a resolution to forthwith dispense with this case.

WHEREFORE, premises considered, as well as considering the failure of Respondent (Sis) Carmen Taira to submit acceptable proof/s of membership, in accordance with our Code of By-laws, this Commission finds that there is probable cause for referring the case to the Supreme Adjudicatory Council, the charge that Respondent Carmen Tiara is not a bona fide member of the Delta Beta Chapter of Alpha Phi Omega (Phils.), Inc.,

Quezon City, this 8th day of June, 2005.

COMMISSION ON MEMBERSHIP

(Sgd.) CONSTANTINO T. LOPEZ, JR.
Chairman, CoMe

(Sgd.) ERNESTO E. SALTING
Chairman, CoMe MAuI

(Sgd.) MARIANO G. BARRIOS
Commissioner

(Sgd.) CRISANTA SERVIANO-PALON
Commissioner

(Sgd.) ORLANDO SP REYES
Commissioner

Attested by:

(Sgd.) JAIME L. YANEZA
CoMe Legal & Technical Officer

Copy furnished:

- SAC
- NED
- CoMe file copy

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