

Republic of the Philippines  
Third Judicial Region  
REGIONAL TRIAL COURT  
Branch 5  
Dinalupihan, Bataan

Petition for Judicial Declaration of Presumptive Death

TOM LESCANO DIMAYUGA,  
Petitioner,

-versus-

SP PROC. NO. DH-432-18

THE CIVIL REGISTRAR GENERAL,  
PHILIPPINE STATISTICS  
AUTHORITY (PSA), OFFICE OF THE  
LOCAL CIVIL REGISTRAR OF  
DINALUPIHAN, BATAAN  
Respondents.

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**O R D E R**

Before this court is a verified Petition for Judicial Declaration of Presumptive Death filed by the petitioner through counsel praying that *after due hearing and consideration, Lourdes Lira Dimayuga be presumed dead for all legal purposes.*

The Petition states in sum that: *petitioner is of legal age, married to Lourdes L. Dimayuga, Filipino and residing at #44 Zamora St., Poblacion, Dinalupihan, Bataan, while respondents Civil Registrar General, Philippine Statistics Authority (PSA) and Local Civil Registrar of Dinalupihan, Bataan are impleaded in their official capacities; on December 27, 1996, petitioner was married to Lourdes Dela Cruz Lira at Dinalupihan, Bataan, copy of Certificate of Marriage attached as Annex A; they have four (4) children, the youngest about two (2) years old at the time said absentee wife went abroad in 2009 bound for Dubai as a domestic helper; a friend, Precy Manalo, helped the absentee while applying for work abroad; he and respondent had communications for around six (6) months before it was cut-off and he could no longer reach his wife; he waited for one and a half (1 1/2) month for his wife to contact him and when this proved futile, he went to the house of his mother-in-law in Olongapo City but he received negative reply; he also went to the house of Precy Manalo and he was informed that the visa of his wife was tourist visa and when they went to Manila to ask for the assistance of the agency which hired his wife, its office was already closed; when he asked for assistance from OWWA, he was informed that it is very hard to trace the whereabouts of his wife as she was undocumented and has no record with the Dubai office, if also undocumented; in 2012, he and the children posted in social media about the missing person with picture but the same also proved futile; he still visiting his mother-in-law for any news on his absentee wife but it was all futile; and he is intending to remarry and there is a need to declare his wife, Lourdes Lira Dimayuga, who is absent for 10 years, as presumed dead for all legal purposes.*

Finding the Petition to be sufficient in form and substance, let the initial hearing of this case be set on **September 27, 2018 at 8:30 in the morning**, at which date and time, all interested persons are cited to appear and show cause, if any, why the petition should not be granted.

Let this Order be published in a newspaper of general circulation in the Philippines once a week for three (3) consecutive weeks at the expense of the petitioner.

Let copies of this Order be likewise posted at three (3) conspicuous places, namely: (1) Bulletin Board of the court; (2) Bulletin Board of the Dinalupihan Municipal Hall, Dinalupihan, Bataan; and (3) Bulletin Board of Barangay Zamora, Dinalupihan, Bataan through the court process server.

Furnish the Philippine Statistics Authority, Local Civil Registrar of Dinalupihan, Bataan, Office of the Solicitor General and the Office of the Provincial Prosecutor of Bataan with a copy of this Order.

SO ORDERED.

Dinalupihan, Bataan. July 11, 2018.

  
**MA. LOURDES ELTANAL-IGNACIO**  
Presiding Judge

Copy furnished:

1. Tom Lescano Dimayuga
2. Atty. Edmundo Carian
3. OSG
4. OPP Bataan
5. PSA
6. LCR Dinalupihan, Bataan