

II.

REPUBLIC OF THE PHILIPPINES  
Department of Justice  
OFFICE OF THE CITY PROSECUTOR  
Talisay City, Cebu

①

JENNY BARAN,

Complainant,

NPS No. VII-15-INV-11B-00041 to 00043

- versus -

FOR: VIOLATION OF SEC. 6 (a) OF  
RA 9208 (ANTI-TRAFFICKING IN  
PERSONS ACT OF 2003),  
VIOLATION OF SEC. 9 AND 10 (a)  
OF RA 7610 (SPECIAL PROTECTION  
OF CHILDREN AGAINST CHILD  
ABUSE, EXPLOITATION AND  
DISCRIMINATION) and RA 9775  
(ANTI-CHILD PORNOGRAPHY  
ACT)

THOMAS MICHAEL RUHLAND a.k.a. MIKE,  
Respondent.

x ----- /

EVELYN TUNDAG ASINTISTA,  
Complainant,

NPS No. VII-15-INV-11B-00044 to 00046

- versus -

FOR: VIOLATION OF SEC. 6 (a) OF  
RA 9208 (ANTI-TRAFFICKING IN  
PERSONS ACT OF 2003),  
VIOLATION OF SEC. 9 AND 10 (a)  
OF RA 7610 (SPECIAL PROTECTION  
OF CHILDREN AGAINST CHILD  
ABUSE, EXPLOITATION AND  
DISCRIMINATION) and RA 9775  
(ANTI-CHILD PORNOGRAPHY  
ACT)

THOMAS MICHAEL RUHLAND a.k.a. MIKE,  
Respondent.

x ----- /

JOINT INQUEST RESOLUTION

Respondent stands charged for violation of three (3) special laws: RA 9208 (Anti-Trafficking in Persons Act of 2003); RA 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination, And For Other Purposes); and RA 9775 (Anti-Child Pornography Act of 2009).

As alleged, on January 5, 2011, Jenny Baran and the other minor-complainant Evelyn Tundag Asintista, met herein respondent Thomas Micheal Ruhland a.k.a. Mike at Gaisano Tabunoc for a photo modeling shoot for a pay of P400.00 to Php500.00 per session. The trio then went to Pooc, Talisay Beach where Mike took modeling pictures of Jenny and after the photo shoot, Mike paid Jenny P500.00. On January 12, 2011, they met Mike again at Gaisano Tabunoc and went near the Basilica del Sto. Nino for another photo modeling shoot and after that session, Mike again paid Jenny P500.00. On January 19, 2011, Evelyn informed Jenny that Mike wanted to see her. They met again at the same place and Mike brought them to Queensland Motel in Talisay City. There Mike instructed them to take a bath and to shave their pubic hairs. Mike then instructed Jenny to remove her dress leaving only her bra and panty. She was then made to remove those and posed nude in front of the camera. While Jenny was with Mike, Evelyn was on the other side of the room. When Mike was done taking pictures, she instructed Evelyn to get out from the bigger room, both minors resisted but because Mike was authoritative, Evelyn obeyed. Mike then removed his clothes and pushed Jenny on the bed. He then placed himself on top of her. She resisted but was overpowered by Mike's strength. Mike then forcibly inserted his penis into her vagina without her consent and the pumping motion caused her much pain and bleeding. After said bestial act, they went out of the room. While on board the vehicle, Mike handed to Jenny P400.00 as payment. Jenny confided this bitter ordeal to her father Teofilo Catayao Jr. who reported the same to the office of the National Bureau of Investigation (NBI).

mit 2 Augen  
Falschhaus-  
sage und  
nachweisbar

Ohne meine Erlaubnis und  
ohne meine Aufforderung

Sagte, daß am 26.1.11 die  
Vergewaltigung war

On February 2, 2011, the NBI Office received an information from Jenny's father that his daughter is meeting again Mike at Gaisano Tabunoc. A rescue operation was then conceived by NBI Agent Jedidah Hife. Acting on the information given them by Jenny's father, the NBI Operatives proceeded to Gaisano Tabunoc with Jenny's father Teofilo and waited for possible incident to happen. After a while, Jenelyn and Evelyn were seen at the parking area. Minutes later, a male Caucasian arrived and opened his car with plate number GJN 111 and signaled the two minors to get inside the vehicle. As the operatives discreetly followed Mike's car, the car finally entered Room 24 of Queensland Motel, Lawaan II, Talisay City. Meanwhile, inside Room 204 Jenny posed nude again in front of Mike's camera. The NBI who were waiting outside the motel for the right time and good timing, slowly made their way inside Room 204 and fortunately, Evelyn got out from the room and it was then that the NBI Operatives took the chance and went inside and declared their authority. In the presence of Jenny's father, Mike was caught in the act of taking pictures of Jenny in nude at the sofa of the ante room. He was equipped with video, a digital camera, tripod, and flood lights. Also seen at the room were several pieces of skimpy sexy lingerie in various colors, sandals, and dresses. The minors were rescued and taken into custody and were brought to the NBI Office.

vom NBI. Nachweisbar durch die NBI Fotos

Arrest was effected to respondent. He was informed of the charges against him as well as his rights under the Philippine laws.

I didn't get it, because somebody hit me  
on my head. I guess it was the father of Jenny.

Respondent during the inquest proceedings opted to waive his right against arbitrary detention and pursued his right to a preliminary investigation. On February 10, 2011, respondent thru his counsel, filed a Motion for Extension of Time to File Respondent's Counter-affidavit. Said counter-affidavit was received by this office on February 15, 2011.

Jenny oder Jenelyn? Auch hier zwei verschiedene Frauen.  
Und das Gericht ignoriert es.

Room 204 or room 24. Two different statements  
and NBI don't claim. It isn't said to be the truth.  
Der Parkplatz 24 führt zu einer 100 vor, die ich  
kann. Wenn man die NBI weht, werden  
da angeblich das NBI keinen SMS kontakt zu den Frauen haben?

Die Anzeige der Vergewaltigung wird fallen-  
gelassen, wegen Falschhausagen von Jenny!  
NBI und NBI-Operative Teofilo Catayao Jr.  
Jenny und Evelyn und NBI sagen 19.1.11 2  
Teofilo Catayao und NBI sagen 26.1.11 2

In der NBI Anhörung  
am 4.6.11 war  
am 22.2.11  
gehört worden?

Jenny sagt aus, daß das NBI die  
Tür aufstoß ohne die verschlossene  
Tür zu beschädigen. Selbstsam,

In his counter-affidavit, respondent vehemently denied the accusations levelled against him and maintained his innocence of the charges. Respondent admitted having known complainants but denied knowing they are minors. He also admitted taking pictures of houses for sale in the Philippines and sending them to a German agency (Immozentral) interested in dealing houses for sale all over the world. He likewise admitted having taken several pictures of Jenny and Belen as models for the houses and giving them a fee of P400.00 each per shooting. It was Belen who introduced Jenny to him who volunteered to be a model because she needs money. Respondent denied having raped Jenny. He likewise assailed the affidavit of Jenny's father due to some inconsistencies and pointed out the result of the medico legal certificate. He also averred that the NBI agents just set him up.

Das stimmt, aber von Hausen, nicht von Frauen

Das stimmt nicht.

Auf den Philippinen gibt es keine NBI-Agenten. Nur die NBI-Agenten in der Philippinen.

Kann ich nicht beurteilen, da ich die Frauen nicht nackt gesehen habe.

Wird ausgewechselt, da der Familienname falsch ist und mit einem neuen gefälschten Dok. ersetzt.

Auch nachweisbar eine Drogenabhängigkeit, aber das Gericht ignoriert es.

Auch eine nachweisbare Falschmeldung.

From the foregoing can be gleaned thus: that complainants Jenny Baran and Evelyn Tundag Asintista were minors as shown by the birth certificate of the former and baptismal certificate of the latter; likewise, an ordinary person bereft of ill motive and hidden prejudice who looks at their faces and bodies would know at first glance that they are indeed minors and their pictures magnify that simple reality, that respondent Thomas Michael Ruhland a.k.a "Mike" had photo sessions with complainants; in the case of Evelyn Tundag Asintista it started a couple of years ago when they had weekly naked photo sessions and after each session, she was paid P500.00; she was likewise told to recruit models for the houses that respondent would feature in his work and she further alleged she had been raped; in the case of Jenny Baran, there were no naked photo sessions in the first two meetings held in public places, but in the third photo session held in Queensland Motel in Talisay City she posed naked and alleged she had been raped as well; in the fourth or last session which resulted in the NBI raid/rescue she posed naked too.

Wurde niedergelegt wegen nachweisbarer Drogenabhängigkeit.

Einige Dokumente wurden noch übergeben, NBI hinzugefügt.

Complainants stressed that for each session each model was given either P400.00 or P500.00; that respondent was equipped with video, digital camera, tripod and flood lights as well as sexy lingerie in different colors, sandals and sexy dresses; that the pictures taken by respondent of the complainants indubitably show the motive - morally warped and twisted intentions - of respondent to take advantage of or to abuse the victims' vulnerability because of minority and the latter's financial need. Would the minor victims have posed naked in different positions if they had sufficient financial means? Would the naked photos in different positions of children of their age acting as models help respondent sell houses?

Habe keine Bilder für Hausverkauf von Jenny und Evelyn gelichtet. Habe dies auch nicht ausgesagt.

What stands out from these so-called model photo session is this scenario: on different occasions and places these minors were made to pose as "models" in normal attire furnished by the respondent; then in the total privacy of Queensland Motel in Talisay City they were made to take a bath, shave their pubic hair and pose first with bra and panty only and eventually totally naked posing in different positions. The many pictures taken of Jenny Baran tell the story.

Es liegt nahe, dass dies das NBI tatigetc. Da auch weitere untergeordnete und hinzugefügte Bilder aus CHA zur späteren Zeit übergeben wurden.

No ulterior motive whatsoever can be attributed to the NBI raiding/rescuing team. The raiding/team should be praised for their professionalism. Otherwise, as in a number of incidents involving police authorities, it would have been respondent's cup of coffee to shout extortion and blackmail as a defense.

Wo sind diese korrupten Agenten professionell? Keine einzige Ermittlung an Hotel-, Resort-, Party-Locationen, noch anderen möglichen Zeugen. Keine Beweismittelführung. Handys nicht beim Handy und auch nicht die der Frauen wurden einbehalten. Was macht das NBI außer Set Ups?

warum nennen mich immer an  
Ich nie, zu Hause Zeit, behauptet, daß  
ich Mike helfe.

Zweifel vom  
Gericht

Undersigned, however, seriously doubts the allegations by both complainants that respondent "Mike" had raped both of them on separate occasions given their reactions after the alleged incidents; if at all, both their reactions reflect disinterest, doubt and uncertainty which run contrary to normal human behavior. The Medico-Legal Certificate appears to validate it.

Trotzdem  
gehts im  
Theater  
weiter.

Keine Spermaspuren, keine Kratzer, keine blauen Flecken

Nichts Validiert? Kein Kommandar mehr zu diesem Gericht.

Readings of the applicable law violated by herein respondent point to the following specific relevant provisions:

Republic Act No. 9028 relating to trafficking in Persons Especially Women and Children: Was ist 9028 für ein Anklagepunkt?

Wo ist hier Menschenhandel?

"Section 3. Definition of Terms -

"(a) **Trafficking of Persons** - refers to the recruitment, transportation xxx by means of xxx deception, xxx taking advantage of the vulnerability of the person, or the giving or receiving of payments or benefits to achieve the consent of a person xxx for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation xxx

Wo ist dann hier ein Tatbestand gegeben?

"xxx

"(f) **Sexual Exploitation** - refers to participation by a person in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force xxx fraud or through abuse of a victim's vulnerability."

Wo ist hier der Tatbestand geführt?

(h) **Pornography** - refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes."

Und wo hier?

"Section 4. Acts of Trafficking in Persons. It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

Xxx

"(e) To maintain or hire a person to engage in prostitution or pornography;"

Und hier? Tatbestand?

"Section 6. Qualified Trafficking in Persons - The following are considered as qualified trafficking;

?

"(a) When the trafficked person is a child."

Und wo ist hier der Tatbestand geführt?

Clearly, based on the aforementioned facts and circumstances, the acts of respondent constitutes a sheer violation of Section 4 (e) in relation <sup>to</sup> Section 6 (a) of RA 9208. oder 9028? Was nun?

There can be no separate offenses for violations of RA 7610 and RA 9208. Pornography is a necessary element in the crime penalized under RA 9208. While minority is a qualifying circumstance under trafficking.

Wo ist hier der Menschenhandel als Tatbestand geführt?


Wherefore, there being probable cause, it is most respectfully recommended that an information for violation of Section 4 (e) in relation to Section 6 (a) of RA 9208 be filed against herein respondent THOMAS MICHAEL RUHLAND A.K.A. MIKE before the proper court.

Talisay City, Cebu, Philippines, February 18, 2011.

*No need disclosure. Please handle it.*  
↓ *Joseph*

**FLORALIL B. LUCERO- ALBERT**  
Associate Prosecution Attorney II  
Talisay City, Cebu

APPROVED BY:

  
**MARSHALL L. RUBIA**  
City Prosecutor, Talisay City, Cebu

Copy furnished:

*oder Asintista oder Macasling?*

Jenny Baran - Lower Mojon, Talisay City, Cebu

Evelyn T. Asintista - Dumlog, Talisay City, Cebu

Jedidah S. Hife, et. Al. - NBI, Central Visayas Regional Office (NBI-CEVRO), Cebu City

Thomas Michael Ruhland - detained at NBI, Central Visayas, Cebu City



22.3.11  
**III.**

REPUBLIC OF THE PHILIPPINES  
REGIONAL TRIAL COURT  
7<sup>th</sup> Judicial Region  
Cebu City  
Branch \_\_\_\_\_

REGIONAL TRIAL COURT	
BRANCH 24, CEBU CITY	
DATE	3/28/11
TIME	2:40 p.m.
BY	<i>[Signature]</i>

PEOPLE OF THE PHILIPPINES,  
Plaintiff,

CRIM. CASE NO. \_\_\_\_\_

- versus -

FOR: VIOLATION OF SEC. 4 (e) IN  
RELATION TO SEC. 6 (a) OF RA  
9208 (QUALIFIED TRAFFICKING)

THOMAS MICHAEL RUHLAND a.k.a "MIKE",  
Accused.

X ----- /

AMENDED - INFORMATION

The undersigned Associate Prosecution Attorney II of Talisay City, Cebu, amending the information dated February 18, 2011, accuses THOMAS MICHAEL RUHLAND a.k.a "MIKE", of the crime of VIOLATION OF SEC. 4 (e) IN RELATION TO SEC. 6 (a) OF RA 9208 (QUALIFIED TRAFFICKING), committed as follows:

That on or about the 2<sup>nd</sup> day of February 2011, at around 3:30 in the afternoon, more or less and sometime prior and subsequent thereto at Queensland Motel, Talisay City, Cebu, Philippines, and within the jurisdiction of this Honorable Court, the said accused, with deliberate intent, by deception and taking advantage of the vulnerability of Jenny Baran and Evelyn Tundag Asintista, both minors and 14 years of age, did then and there recruit, transfer, maintain and/or hire said Jenny Baran and Evelyn Tundag Asintista to engage in pornography, to pose as models in a photo shoot by offering and giving, as in fact he did actually offer and give, said minors money and take nude and obscene pictures of them, for the purpose of prostitution, pornography and sexual exploitation thus in violation of Sec. 4 (e) in relation to Sec. 6 (a) of RA 9208 as both trafficked persons, Jenny Baran and Evelyn Tundag Asintista, are 14 years old minors.

*Verschiedene  
Identitäten*

*2  
kein  
NSO Nachweis*

*Wo sind die  
echten Geburts-  
nachweise?*

CONTRARY TO LAW.

City of Talisay, Cebu, Philippines, March 23, 2011.

BAIL RECOMMENDED: Php non-bailable.

*gelesen*

FLORALIL B. LUCERO-ALBERT  
Associate Prosecution Attorney II  
Talisay City, Cebu

APPROVED:

*[Signature]*  
MARSHALL L. RUBIA  
City Prosecutor, Talisay City, Cebu

Witnesses: *Jenny oder Evelyn*

Jenny Baran - Lower Mojon, Talisay City, Cebu

Evelyn Tundag Asintista - Dumlog, Talisay City, Cebu

Teofilo E. Cayatas - Lower Mojon, Talisay City, Cebu

Jedidah S. Hife, et. al. - NBI, Central Visayas Regional Office (NBI-CEVRO), Cebu City

And others:

Address of the accused: detained at NBI, Central Visayas Regional Office, Cebu City

*Wer nun Asintista, Asentista oder Macasling?*

*No ist der Vaterschaftsnachweis? In der Urkunde ist "kein Vater" eingetragen.*

### CERTIFICATION

I hereby certify that I have examined the complainant and witnesses that the accused who is a detention prisoner was given the chance to submit controverting evidence after he signed a WAIVER of his detention, that based upon the facts and evidence, undersigned believes that the crime of VIOLATION OF SEC. 4 (e) IN RELATION TO SEC. 6 (a) OF RA 9208 has been committed and that the accused is probably guilty thereof. I further certify that this Information being filed is with the prior authority of the City Prosecutor

Talisay City, Cebu, Philippines. March 23, 2011.

*gezeichnet*

FLORALIL B. LUCERO-ALBERT

Associate Prosecution Attorney II

Talisay City, Cebu

SUBSCRIBED AND SWORN TO before me this 23<sup>rd</sup> day of March 2011 at Talisay City, Cebu, Philippines.

*[Signature]*  
MARSHALL L. RUBIA

City Prosecutor

Talisay City, Cebu

Department of Justice  
OFFICE OF THE CITY PROSECUTOR  
Talisay City, Cebu

TEOFILO CATAYAS, JR., → Wo ist der Nachweis  
Complainant, von der Vaterschaft?

NPS NO. VII-15-INV-11E-00117  
For: VIOL OF RA 8353 in rela to  
RA 7610

-versus-

THOMAS MICHAEL RUHLAND  
a.k.a. MIKE,

Respondent.

x-----/

RESOLUTION

Before this Office is a complaint for Rape in relation to RA 7610 against Thomas Michael Ruhland a.k.a. Mike committed on January 19, 2011 inside Queensland Hotel, Talisay City, Cebu.

Complainant alleges that he is the biological father of Jenny Baran, a minor being born on March 23, 1996. In the morning of January 28, 2011, he was surprised to learn that his daughter Jenny was allegedly rape by a certain foreigner named Mike. His daughter subsequently confessed the rape incident prompting him to bring his daughter to the NBI Office for advice. Wo ist die Bestätigung für die Vaterschaft?

On February 2, 2011, one Evelyn, who was responsible of introducing his daughter to Mike, asked his permission that she will go to Gaisano Tabunok together with his daughter Jenny. Sensing that the two girls might be meeting with Mike, he called up Jedidah Hife of the NBI and was told to wait near Gaisano Tabunok for possible rescue operation of his daughter. Thereafter, they saw the girls boarded on a car with Plate No. GJN 111 whom they tailed until it landed to room 24 of Queensland Hotel.

Finally, they were able to gain entrance of Room 24, and saw his daughter thereat covering her nude body with a white towel while respondent was half naked with camera on his hand. Thereafter, a complaint for violation of RA 9208 was filed against respondent (docketed as Criminal Case No. CBU-91623, For: Violation of Sec. 4(e) in relation to Sec. 6(a) of RA 9208 [Qualified Trafficking], entitled People vs. Thomas Michael Ruhland a.k.a. Mike).

Attached to the complaint is the sworn statement of Jenny Baran stating in detail her harrowing experience on January 19, 2011, where she was sexually molested by respondent, the primary concern of the herein complaint. Das NBI und der (nicht) Vater sagen aus, am 26. Januar 2011 fand die Vergewaltigung statt. Wann nun?

According to Jenny, she knew the respondent through Evelyn Asintista, the latter's boyfriend to be a foreign photographer looking for a model. The first time she posed as model to herein respondent was on January 5, 2011 which took place at Pooch Beach, Talisay City with the used of dresses and sandals provided by Mike, who thereafter paid her P500.00 for the picture-taking. She and Evelyn subsequently meet Mike on January 12, 2011 at Gaisano Tabunok and proceeded in Cebu City near Basilica del Sto. Niño for another photo session. Again, she was paid P500.00 by Mike and was given Nokia 3310 cellular phone.

On January 19, 2011 at around 11:00 o'clock in the morning, Evelyn picked her up and went to Gaisano Tabunok to meet herein respondent Mike. He brought them in Queensland Hotel, Talisay City. When thereat, they were instructed by respondent to take a bath and made to shave their pubic hair. Thereafter, respondent instructed her to put on the dress he provided and personally put on the stockings on her. She observed that respondent was half naked leaving

Wo sind meine Fingerabdrücke an all den Dingen? Kamera, Asservaten usw.

Kein einziger Fingerabdruck von mir, oder Belege dass die Asservate mir gehören.



only his shorts. While taking pictures on her, respondent instructed her to remove the dress leaving only her bra and panty. Thereafter, nude pictures were taken on her on different positions while Evelyn at that time was on the other room. After the photo session, they went to the bigger room but Evelyn was instructed by him to get out, though they resisted.

Bilder nicht von mir. Indiz → von NDI

At this instant, respondent removed his shorts laid her down on the bed despite her resistance. He held her two hands, kissed her lips and neck down to her breast and licked her nipples. She kept on resisting but she was overpowered by the strength of Mike who forcibly entered his penis into her vagina. After pulling out his penis, he took pictures of the white sticky substance that came out from his penis that was spread over the bed sheet. By Evelyn's knocking at the door many times, she run to the comfort room and saw blood from her vagina. Jenny submitted herself to a medical examination.

Warum wurde kein DNA Test an mir und Jenny daran durchgeführt? Dieses nach Gutachten sagt keine Vergehehung aus.

In his counter-affidavit, respondent deny categorically that he raped Jenny on January 19, 2011. He questioned the fact that Jenny executed two affidavits and the fact that Jenny did not file a case for rape right away, if it were true. He pointed out that no rape took place on the day in question as her medical certificate would show the absence of injuries on her at the time she was examined. He further argued that she accepted the P400.00 while on board his vehicle as payment. Such actuation of Jenny in accepting payment was not in accord with an ordinary human experience granting that the rape incident happened. Nobody in his right mind would accept payment from her alleged "rapist" right after the incident happened. He also argued that this Office has already ruled out rape in its Joint Inquest Resolution dated February 18, 2011 through inquest prosecutor Floralil B. Lucero-Albert which was accordingly approved by City Prosecutor Marshall L. Rubia. He argued that he was framed-up by the NBI using the complainant as bait to bring him out in the open and arrest him with the so called incriminating but instigated evidences.

Dies ist die einzige wahre und richtige Aussage von den Verlegenen und korrupten Haufen.

Upon a careful evaluation of the evidence on hand, the undersigned finds for the complainant. It can be deduced that complainant has been aggrieved and motivated by his desire to seek justice for his daughter. No parent in his right mind with scarce resources in life at that would come out and tell the whole world his ordeal if it isn't true. Though rape has been ruled out in an earlier joint inquest resolution by this Office, however, the undersigned believes that the acts of herein respondent constitute a violation of Sec. 5(b) of RA 7610. Although the sexual encounter may appear to fall short to constitute rape as ruled in the earlier resolution given Jenny's reaction after the alleged incident, in fact, as respondent argued that complainant's daughter received the P400.00 as payment, it would appear that the sexual encounter were made possible thru enticement, persuasion, and inducement, or even some amount of coercion, exerted upon the minor by the respondent, thereby virtually making the former as a sex object. In People versus Court of Appeals and Gaspar Olayon, G.R. No. 171863, August 20, 2008, the Supreme Court declared:

*Consensual sexual intercourse or even acts of lasciviousness with a minor who is 12 years old or older could constitute a violation of Sec. 5(b) of RA No. 7610. For Sec. 5(b) punishes sexual intercourse or lascivious conduct not only with a child exploited in prostitution but also with a child subjected to other sexual abuse.*

Nicht einmal diese Anschuldigung ist haltbar.

Da alles auf einen Set Up beruht. Warum hat das NDI mich nicht auf dem Park-plate verhaftet? Sondern eine In the herein complaint, the victim (complainant's daughter) is obviously a child subjected to other sexual abuse, as prior to the sexual encounter on January 19, 2011, the respondent took nude pictures upon her under different positions inside a motel room virtually made her as a sex object in order to satisfy his lust.

Wo sind diese Bilder?

ungelegene Straftat geschehen lassen?

Dies ignoriert das Gericht auch.

Nachweisbare  
Falsch Aussage.

Es ist nicht seine Tochter, wo ist der Nachweis?

Furthermore, all the elements of sexual abuse under Sec. 5(b), Art. III of RA No. 7610 are present in the herein complaint, to wit:

1. The accused commits the acts of **sexual intercourse** or lascivious conduct;
2. The said act is performed with a child exploited in prostitution or **subjected to other sexual abuse**;
3. The child, whether male or female, is **below 18 years old**. (Olivarez vs. CA and People, G. R. No. 163866, July 29, 2005)

*Auch wenn das FBI alles gezielt herbeiführt, durch Setup und Planting.*

Anent the findings invoked by respondent that there was no evident injury at the time of examination, the same do not negate sexual intercourse. The rupture of the hymen or laceration of any part of the woman's genitalia is not indispensable even to a conviction of rape (People vs. Jouriel Dimacuha, G. R. No. 152592-93, February 13, 2004).

*Trotz Tügen und Irreführung des Gerichts von den beiden Frauen, FBI und Catayas*

The other matters raised by respondent in his counter-affidavit are evidentiary in nature which should be properly threshed out in a full blown trial. *erlaubt das Gericht die Vertiefung vom diesem Theater? Getts noch?*

WHEREFORE, the undersigned respectfully recommends the filing of Information for Violation of Sec. 5(b) of RA No. 7610 against the respondent before the proper court.

Talisay City, Cebu, Philippines, August 11, 2011.

*[Signature]*  
**HYACINTH T. JADRAQUE**  
Associate Prosecution Attorney II  
Talisay City, Cebu

RECOMMENDING-APPROVAL:

*[Signature]*  
**WILLIAM T. CANTA**  
Deputy City Prosecutor, Talisay City, Cebu  
Reviewing Prosecutor

APPROVED:

*[Signature]*  
**MARSHALL L. RUBIA**  
City Prosecutor, Talisay City, Cebu

Copy furnished:

Teofilo Catayas, Jr. - Lower Mohon, Talisay City, Cebu

Atty. Edward A. Villarta - Regional Director, National Bureau of Investigation RO7, Cebu City

Atty. Alex D. Tolentino- 21 Echavez Ext., Cebu City

zu. 1/2 II.

23.6.12

Joint inquest resolution vom 18.2.2011, von:

Floralis B. Lucero - Albert - Associate Prosecution Atty II Talisay  
Marshall d. Rubie - City Prosecutor, Talisay

Auch hier, weder Beweise noch Zeugen, wird der Fall des Menschenhandels gegen mich eröffnet. Auf welcher Rechtsgrundlage? Bei Menschenhandel wird mit Menschen gehandelt. In der Resolution wird Vergewaltigung und Pornographie beschrieben, was im Vorfeld niedergelegt wurde. Beides, Vergewaltigung und Pornographie fanden nie statt.

Der Richter / Attorney Floralis B. Lucero läßt persönliche Meinungen und Äußerungen in seiner ~~Resolution~~ Resolution einfließen. Sollte ein Richter / Attorney nicht neutral sein?

Evelyn Asintista behauptet (lügt) auch hier, ich hätte sie vergewaltigt. Ohne Zeugen und Beweise, auch kein med. Gutachten. Nichts. Wita behauptet (lügt) sie, wir hätten uns schon vor Jahren kennengelernt. Was sich auch als Lüge bewiesen läßt, die Evelyn A. während der Verhandlung äußert. Wir sollen uns in einem Restaurant zu einem bestimmten Zeitpunkt getroffen haben, wo aber dieses Restaurant noch gar nicht existierte.

2/8

Denkmal wird das NBI für die Professionelle "Rescue Operation" gelobt. ??? Wie professionell diese NBI Arbeit war und weiter geschrieben wird, habe ich im ersten Schreiben beschrieben und es geht noch weiter mit der prof. Arbeit der korrupten NBI.

### III.

Amenhet - Information 23. März 2011  
Floralis B. Lucero - Albert / Associate Prosecution Atty II.

Ich werde des rekrutierung, transferierung, pornographie, sexuellen Ausnutzung und der Prostitution beschuldigt.

Ohne einen Beweis (Planting), ohne glaubwürdige Zeugenaussage (Frauen und NBI), nur auf Verdacht von nachweisbaren Lügen angeklagt.

Was soll dieser Scheiß?

Auf Seite 2 bekomme ich die Chance mich zu verteidigen und zu äußern. Aber alle Punkte die für einen Selbst sprechen, alle Lügen (nachweisbar), alle Gefahren (Beweise) auch nachweisbar werden ignorant und nicht zugelassen.

Resolution vom 11. August 2011

Hyacinth T. Jackague / Associate Prosecution Atty II

Seite 1/3 2. Absatz:

Der Ankläger Teofilo Catayao (angeblicher Vater von Jenny Baran) schwört, daß er der biologische Vater von Jenny Baran ist. Eine Lüge, er ist nicht der biologische Vater, wie die Urkunde beweist, da kein Vater eingetragen ist. Wo ist der Beweis, daß er der Vater ist? Keine Urkunde und nicht einmal der selbe Familienname.

Er brachte am 28. Januar 2011 seine "Tochter" Jenny Baran zum NBI als Beweis für die "Vergewaltigung". Das NBI sagt aus, daß diese nie Kontakt vor dem 2.2.2011 mit dem Vater oder den Frauen hatten!?. Warum wurde dann nicht am 28. 1. 2011 ein med. Gutachten erstellt vom NBI? Ist eine (vorgetäuschte) Vergewaltigung keine Untersuchung wert? Ab hier beginnen die Lügen, Unwahrheiten und Widersprüche der Frauen, Väter und dem NBI. Aber all dies wird vom Gericht ignoriert. ?!?

3. Absatz: Laut NBI soll Teofilo Catayao in der Nähe vom Gaisano Tabunok auf das NBI Team warten. Um die "Rescue Operation" durchzuführen. Als die beiden Frauen dann ungefragt einfach in mein Auto stiegen, warum



verhaftete mich dann das NBI nicht? Es ist ja bereits Child Abuse, wenn man mit minderjährigen in einem Raum ist. Aber so ließ mich das NBI, mit dem Glauben, daß die beiden Frauen volljährigen sind ins Queensland fahren und folgten mir dann. Auch ein Blinder sieht, daß dies eine gestellte Falle vom NBI und dem Vater und vermutlich von den beiden Frauen ist. Auf was wartete das NBI und folgte mir dann, obwohl schon eine Straftat gegeben ist? Auch wird im Absatz drei angegeben, daß Evelyn Aristista Verantwortliche (responsible) ist, die Jenny zum Gaisano Tabunak brachte.

Absatz 4.) Ich wurde angeblich mit einer Kamera in der Hand angetroffen, im Raum 24 des Queensland Hotels. Woher wußte das NBI, daß ich mit den beiden Frauen im Raum 24 bin? Ein Parkplatz führt zu mehreren Räumen, nicht nur zu einem bestimmten Raum. Dies konnte ich durch meinen Anwalt Tolentino erfahren, der vorort untersuchte. Wenn wie angegeben, was nicht zutrifft, das NBI mich mit einer Kamera in der Hand vorfand, dann ist das Pornographie und nicht Human ~~trafficking~~ Trafficking wie blöder und sinnloser Weiße

angeklagt. Woher wußte das NBI, daß es Raum 24 ist?  
Da Evelyn es ihnen mit dem Handy zuzeichnete.

Absatz 5.) Aussage von Jenny → Vergewaltigung. Komplette  
gelogen und erfunden, aber Lügen und Falschaussagen werden  
auf den Philippinen ignoriert, um weiter in der  
falschen Anklage weiterzumachen. Es sieht so aus, als ob  
auf irgendeine Weise ein Schuldiger gefunden werden  
muß, wie im Fall Berger. Hast es was es wolle.

Absatz 6.) Jenny kennt den Angeklagten durch Evelyn.  
Ja, wenn dies schon der Richter in seiner Resolution  
wiedergibt, warum werde ich dann des Menschen-  
handels angeklagt? Gehts noch?!? Auch die  
Photoshootings am Poc Talisay Beach, sowie beim  
Santo Nino Basilica, Cebu City ist gefälscht und können  
nicht durch Zeugen oder Beweise gehalten werden.  
Trotzdem gehts weiter im Theater.

Absatz 7.) und 8.) Beschreibung der angeblichen Vergewaltigung.  
Die beiden Frauen und das NBI sind sich aber nicht  
einig, ob es der 19. 1. 2011 oder der 26. 1. 2011 war.  
Deppig, einfach nur deppig und ohne Hinweis jemanden  
anschuldigen. Evelyn war währenddessen im kleinen Raum,  
wo der Ausgang ist. Holt aber keine Hilfe vom Hotel-

personal. Ja, absolut glaubhaft.

Zweite Seite, Absatz 9.) Es wird wiedergegeben, daß die Vergewaltigung am 18.2.2011 wiedergelegt wurde, durch Lucero - Allent. Warum werden dann die Lügen und Falschaussagen, sowie die untergejubelten (Planting) Beweise (nachweisbar) vom Gericht nicht zur Kenntnis genommen?

Absatz 10.) Erstens, es ist nicht seine (Teofilo Catayon) Tochter. Zweitens sucht er auch keine Gerechtigkeit für seine Nichttochter, sondern nur Geld Einkünfte (auch nachweisbar durch Video - Sprach und SMS Aufzeichnungen). Warum wird/wurde vom Richter immer nur Blödsinn an die beiden Frauen gefragt, in den 5 - 10 Minuten Witzanhörungen?

Absatz 11.) Warum klagt Teofilo Catayon mich nicht sofort an? Warum wartet er neun Monate, um mich dann anzuklagen? Weil die ganze Vorgetäuschte <sup>Anklage</sup> aus der Aktlos ist und nichts haltbares ausgesagt werden kann, deshalb wird noch etwas auf anraten der UOI etwas nachgeschoben.

Seite Drei: Vergewaltigung ist kein Anklagepunkt, auch Pernegraphie nicht und weil Menschenhandel auch nicht

funktioniert werden gefälschte Beweise untergejubelt, da man dem BKA dies leichter vertuschen kann.

Nur zur Kenntnisnahme, die Ermittlungsakte des BKA Lie-  
inhalten keinen einzigen Beweis, die die Verbindung des  
Gesuchten zu meiner Person herstellen ~~läßt~~<sup>läßt</sup>, ist auf-  
grund der Übergabe von gefälschten Beweisen und  
Asservaten durch das NDI wurde ein Haftbefehl er-  
lassen.

Mein Coander Affidavit vom <sup>24.6.</sup> ~~24.6.~~ 2011

Absatz m.) Es wird bereits darauf hingewiesen, daß der Vor-  
wurf der Vergewaltigung erst am 22.2.2011 (20 Tage später)  
von dem angeblichen Vater Teofilo Catayar eingereicht wird,  
aber die haltlose Anschuldigung des Menschenhandels am  
2.2.2011 eingereicht wurde. Waren sich Teofilo Catayar, Jenny  
Baran und das NDI nicht einig, was diese mir anhängen  
wollen? Diese waren sich ja nicht einmal einig ob die  
Vergewaltigung am 19.1.2011 oder am 26.1.2011 stattfand.

Absatz n.) Teofilo Catayar ~~\_\_\_\_\_~~  
~~\_\_\_\_\_~~ nannte <sup>mich</sup> niemals "Mike" vor dem 2.2.2011. Dieser  
Name "Mike" kommt alleine vom NDI. Muss ich un-  
bedient jemand sein, der ich nicht bin?

Zusatz zu Absatz m.) Da sich dies alles als Ding herausstellte,

wurde 9 Monate später der Child Abuse case eingereicht.  
Wo der Ankläger (Lalayan) noch nie erschienen ist. zweimal  
nicht, bei dritten mal wird der Fall niedergelegt, also wird  
seit ebenfalls 9 Monaten nichts mehr unternommen.

Was braucht die Deutsche Botschaft  
noch alles, um zu sehen, daß dies ein  
Set Up und Planting ist.

Absatz 6.) Es wird auch hier darauf hingewiesen, daß Jenny Baran  
~~die~~ die Vergewaltigung nachschob.

Absatz 9.) Zwei verschiedene Datum für die Vergewaltigung.

Absatz 7.) Im med. Gutachten findet sich nichts, was auf eine  
Vergewaltigung hindeutet.

Absatz 4.) Es werden bereits Zweifel (ist eigentlich schon mehr als  
eindeutig) gezeugt, daß die vorgelegenen Vergewaltigungen nicht  
stattgefunden. Warum wird dann dieses Theater immer noch  
weiter geführt?

Absatz 11 - 2.) Zeigt die Punkte auf, die für den Set Up  
sprechen. Wäre mal nett, wenn meine Vertretung dies zur  
Kenntnis nehmen würde.