

XII

Republic of the Philippines
REGIONAL TRIAL COURT
7th Judicial Region
Branch 24
Cebu City

THE PEOPLE OF
THE PHILIPPINES,
Plaintiff,

-versus-

Criminal Case No. CBU-91623
FOR: Violation of Section 4(c) in
Relation to Sec 6(a) RA 9208
(Qualified Trafficking)

THOMAS MICHAEL RUHLAND
aka MIKE,
Accused.

x ----- /

Transcript of stenographic notes taken down by the undersigned court stenographer during the hearing of the above-entitled case, held at the sala of this court, located at the third floor, Marcelo Fernan Memorial Hall of Justice, Capitol Compound, Cebu City, on October 10, 2011 - PM SESSION.

B E F O R E : HON. OLEGARIO R. SARMIENTO, JR.
Presiding Judge

Assisted by : Ms. MARIA LUCIA PADILLO-PADONGAO
Court Interpreter
Ms. KAREN MAE N. PURACAN
Court Stenographer

Appearances : ATTY. JENELYN V. FORROSUELO
For the State

ATTY. JO-ANN SUAREZ PABRIAGA
For the Private Prosecution

ATTY. ALEX D. TOLENTINO
For the Accused

ky

Testimony of Evelyn Asintista (Redirect Examination)

(after case was called)

ATTY. FORROSUELO

For the State, Your Honor.

ATTY. PABRIAGA

Same appearance as private prosecutor.

ATTY. TOLENTINO

Good afternoon, Your Honor, respectfully appearing for the accused.

COURT INTERPRETER

Witness Evelyn Asintista will be testifying under the same oath for redirect examination.

REDIRECT EXAMINATION ON EVELYN ASINTISTA

ATTY. PABRIAGA

Q Evelyn, you said during cross-examination that Mary Ann told you during the first time that Mary Ann and Mike brought you to Queensland, Mary told you that Mike took pictures of you like a model. What were you expecting, if any, when she told you that Mike will take pictures of you like a model?

A What I was really expecting was I will pose like a model with, of course, a dress on. What I wasn't expecting that will pose like a model naked.

Q You also said that every photo shoot Mike would give you Five Hundred Pesos. In fact, you received several Five Hundred Pesos from Mike after several photo shoots. Where are these Five Hundred Pesos given to you by Mike?

A They are gone. I have already used the money to buy dresses and other needs for myself.

*Wenn ich ihr Geld gegeben habe, warum ging
Sie dann nicht zur Schule?*

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Testimony of Evelyn Asintista (Redirect Examination)

ATTY. PABRIAGA

Q You also said that you have a Facebook account named Liencandole@yahoo.com and this Facebook account was only given to you. Who gave you this Facebook account?

A Actually, that Liencandole in Facebook belongs to Jenny's neighbor. I only changed the password and the profile picture.

Q Why did this neighbor of Jenny give you this Facebook account?

A Actually, the original owner of that Facebook is a friend of the neighbor of Jenny and it was just given to me wherein I changed the password and the profile picture.

Q Sie hat keine Information von mir, aber sie weiß das ich das in Facebook bin?
Ich habe kein Facebook account.

A Sie sendet eine beliebige Anfrage zu jemanden und behauptet nun, daß ich das sein soll.
Wie viele gestörte laufen hier eigentlich?

Q frei durch die Gegend?
When you chat through Facebook with Mike, is this Mike Sache his Facebook account that he is using?

A Yes.

Q You also said that on January 19, 2011 Mike instructed you to tell Jenny to take a bath and shave her public hair so that he can take pictures of Jenny. You said you were afraid to oppose Mike's instruction to you. Why were you afraid to oppose Mike's instructions?

A I did not anymore oppose to his order because, of

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Testimony of Evelyn Asintista (Redirect Examination)

WITNESS
(continuing)

course, Mike was a man and Jenny and I were both girls and there were only the two of us.

ATTY. PABRIAGA

Q You also said that on February 2, 2011 you asked permission from the father of Jenny if you could bring Jenny to Gaisano Tabunok and you did not tell the father of Jenny that you are going to meet with Mike. When you asked the said permission, why did you not tell the father of Jenny about that?

Warum liegt sie dann Teejile Galayas an?
A I did not tell Jenny's father because I was afraid he was going to scold me if he learns that Jenny was going to meet a German national in Gaisano.

Wenn beide so viel Angst haben, warum kommen beide wie von ihnen
Q You said that you cannot anymore recall the exact time when you reached Gaisano Tabunok on February 2, 2011. Can you give us just approximate whether it was morning, noon, afternoon or evening when you reached Gaisano Tabunok?

Behauptet immer wieder und treffen mich. Wofür es keine Beweise
A Noontime. *und auch keine Zeugen gibt.*

Q Why do you know it was noontime?

A Because what I remember is that before proceeding to Gaisano we first took a meal and then right after we left for Gaisano.

Q You also said that it took you longer to go around Gaisano and you had to stop by at Sunburst. Why did you stop by at Sunburst?

A Jenny and I were walking around or going around Gaisano Tabunok, became tired and so we decided to stop by Sunburst while waiting for text from Mike.

Q What is your intention of...

ky

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Testimony of Evelyn Asintista (Redirect Examination)

COURT

Q The place where you waited for the text of Mike, that is in the lobby of Sunburst?

A Yes, Your Honor.

ATTY. PABRIAGA

Q Did you not enter Sunburst or eat at Sunburst?

A No, Ma'am.

Q Why is it that of all the other stores there you went and waited at Sunburst?

A We chose that particular place because if you hang out outside in the lobby of Sunburst and when you stand up, you can immediately see the parking area of Gaisano so that we can immediately see Mike.

Q During the last cross-examination you said that you were not able to meet the NBI agent named Jed Hife before you met Mike at the parking area on February 2, 2011. Do you know this Jed Hife before this, before February 2, 2011?

A Not yet.

Q But you were able to meet her on February 2, 2011?

A Yes, during the rescue.

Q And why do you know her named as Jed from NBI?

A When she entered the room, she identified herself. Room 24. She placed me and Jenny at the side and told us not to be afraid because she was Jed Hife from the NBI.

Q When was the first time that you actually saw this Jed Hife?

A February 2, 2011 when we were rescued.

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Testimony of Evelyn Asintista (Redirect Examination)

COURT

Q You mean at the Queensland?

A Yes, Your Honor.

ATTY. PABRIAGA

Q When was the first time that you were able to talk with this Jed Hife?

A February 2, 2011 during the rescue.

Q Where was this rescue taken?

A At Queensland.

ATTY. PABRIAGA

That would be all, Your Honor, for the witness.

ATTY. TOLENTINO

I will do my re-cross next hearing, Your Honor. I need to go to Sunburst, Your Honor.

For the information of this Honorable Court there is another case for Violation of 7610. This was raffled and filed before Judge Patalinghug. This was scheduled for arraignment last October 6 and reset to November 10. This involves the same complainant, the same accused, the same incident and we are thinking, Your Honor, if the Court will allow that these cases be consolidated before this Honorable Court.

COURT

You file the motion and we will let the prosecution comment because we have gone far in this case and then in the other case the accused has to be arraigned yet. It's up to the prosecution if they will agree. So you file your motion.

ky

Obwohl Teofilo Cadayaga (Nicht Vater von Jimmy Baran) eine Vergewaltigung vorliegt, die auch vom Gericht abgewiesen wird, kauft er im November 2011 einen Child Abuse von Teofilo Cadayaga gegen mich zu? Auch die Tatsache, daß das NBI den Child Abuse Vorgang herbeiführt (Set Up) und die Straftat nicht nur beobachtet, sondern auch diese Straftat geschehen ließ.

Wird jetzt alles, was das NBI zu decken? unter -honne-

CBU-91623

PP vs THOMAS MICHAEL RUHLAND

Hearing on October 10, 2011 - pm

Tsn-puracan

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Testimony of Evelyn Asintista (Redirect Examination)

COURT

ORDER:

The redirect examination of Evelyn Asintista is terminated this afternoon.

Re-cross examination upon her shall be conducted on December 12, 2011 at 2:00 in the afternoon.

SO ORDERED.

Asintista order
Asintista order
Macasling

CERTIFICATION

I hereby certify that the foregoing transcript of stenographic notes is true and correct to the best of my knowledge and ability.

Cebu City, Philippines, October 10, 2011.

Krugman
KAREN MAE N. PURACAN
Stenographer