

JUDICIAL AFFIDAVIT OF MARILYN ESTRELLER

The judicial affidavit of the witness was taken and recorded at the office of Center for International Law (Centerlaw) - Philippines, located at 1105 Antel Corporate Centre, 121 Valero St., Salcedo Village, Makati City, with ATTY. CRISPIN FRANCIS M. JANDUSAY conducting the examination of the witness. The witness, who has limited knowledge of the English language but is fluent in Filipino, has been advised in Filipino: 1) to answer truthfully the questions being asked of her; 2) is and has been made aware that her testimony is under oath; and 3) that she may be criminally liable for perjury or false testimony on account of the answers that she will give. The questions, initially propounded in English, were translated in Filipino for the benefit of the witness. The answers of the witness in Filipino were recorded as is but translated into English in this Judicial Affidavit.

COUNSEL: Your Honor, we formally offer the testimony of Marilyn Estreller for the purpose of proving the following:

1. She is the mother of the deceased Jerry Estreller, Jr., who was killed by unidentified men on December 15, 2016 inside their house at San Andres Bukid, Manila;
2. She was told by the police not to clean up the blood stains inside their house as the Scene of the Crime Operatives (SOCO) are set to arrive but nobody came;
3. After her son Jerry Estreller, Jr. was killed, she, together with her relatives and neighbors, slept at the San Andres Public Market for two (2) months due to the fear that the unidentified men who killed her son Jerry might come back to their house at night; and
4. Other matters relevant and material to her direct testimony;
5. To support all the other allegations in the Petition for the Issuance of the Writ of Amparo.

COUNSEL: Your Honor, we pray that this Judicial Affidavit be taken as the direct testimony of the witness.

Q1. Ms. Witness, kindly state your name, address, present employment, and other personal circumstances.

(Ms. Witness, pakilahad po ang iyong pangalan, tirahan, kasalukuyang trabaho, at iba pang personal na pagkakakilanlan.)

A1. Ako po si Marilyn Estreller, 52 years old, may asawa, residente ng 1661 Estrada Street, San Andres Bukid, Maynila, at kasalukuyang namamasukan bilang kasambahay.

(A1. I am Marilyn Estreller, 52 years old, married, a resident of 1661 Estrada Street, San Andres Bukid, Manila and currently working as a house helper.)

Q2. You mentioned that you are currently a house helper. Where do you work?

(Nabanggit po ninyo na kasalukuyan ay isa kayong kasambahay. Saan po kayo namamasukan?)

A2. Ako po ay namamasukan sa bahay ng pamangkin ng aking asawa na si Criselda Anne Ronquillo Estreller sa Coral Street, San Andres, Manila.

(I work at the house of the niece of my husband, Criselda Anne Ronquillo Estreller, at Coral Street, San Andres, Manila.)

Q3. When did you start working at the house of Ms. Criselda Estreller?

(Kailan po kayo nagsimulang mamasukan sa bahay ni Ms. Criselda Estreller?)

A3. Simula pa po noong Enero, Sir.

(Since January, Sir.)

Q4. You mentioned earlier that you have a husband. Can you kindly tell us his name?

(Nabanggit po ninyo noong simula na mayroon kayong asawa. Maari po bang malaman ang kanyang pangalan?)

A4. Ang pangalan po niya ay Jerry Estreller, Sr.

(His name is Jerry Estreller, Sr.)

Q5. What is your involvement in this case, Ms. Witness?

(Ano po ang inyong kinalaman sa kasong ito, Ms. Witness?)

A5. Ang pangatlo ko pong anak na si Jerry Estreller, Jr., isang pedicab driver at minsan ay taga-hila ng balde ng isda sa palengke ay pinatay ng mga armadong kalalakihan noong nakaraang taon.

(My third child, Jerry Estreller, Jr., a pedicab driver who also sometimes work in the market by pulling buckets of fish was killed last year.)

Q6. You mentioned that your son Jerry was killed last year. Can you please tell us what happened to your son Jerry?)

(Nasabi po ninyo na pinatay ang inyong anak na si Jerry noong nakaraang taon. Maari po bang malaman kung ano ang nangyari sa inyong anak na si Jerry?)

A6. Si Jerry po at saka si Randy "Aga" Concordia ay pinatay ng mga hindi kilalang armadong kalalakihan sa loob ng aming bahay sa Estrada Street, San Andres, Manila noong Disyembre 15, 2016.

(Jerry, together with Randy "Aga" Concordia, was killed by unidentified armed men inside our house at Estrada Street, San Andres, Manila on December 15, 2016.)

Q7. Sino po si Randy "Aga" Concordia na iyong nabanggit na kasama ni Jerry na napatay?

(Who is Randy "Aga" Concordia who was killed together with Jerry?)

A7. Si Randy "Aga" Concordia po ay aking anak-anakan na pinakiusapan kong tumira panandali sa aming bahay habang ako ay namamasukan bilang kasambahay kina Criselda.

(Randy "Aga" Concordia is like a son to me whom I asked to live in our house in the meantime that I was working as the house helper of Criselda.)

Q8. Where were you at the time Jerry was killed?

(Nasaan po kayo ng oras na napatay si Jerry?)

A8. Nasa bahay po ako ni Criselda sa Coral Street, Sir.

(I was at Criselda's house in Coral Street, Sir.)

Q9. How did you know that Jerry and Aga were killed?

(Paano po ninyo nalaman na napatay sina Jerry at Aga?)

A9. Noong Disyembre 16, 2016, bandang ala-una ng madaling araw, dali-dali pong pumunta sa bahay ni Criselda ang aking anak na si Mary Jane Estreller upang ipaalam sa akin na pinasok ng mga hindi kilalang kalalakihan ang aming bahay sa Estrada Street.

(On December 16, 2016, around one o'clock in the morning, my daughter Mary Jane Estreller hurriedly went to Criselda's house to tell me that unidentified men broke into our house at Estrada Street.)

Q10. What did you do, if any, after you were informed by Mary Jane that unidentified men broke into your house at Estrada Street?

(Ano po ang inyong ginawa, kung mayroon man, matapos ipaalam sa inyo ni Mary Jane na pinasok ng mga hindi kilalang kalalakihan ang inyong bahay sa Estrada Street?)

A10. Dali-dali po akong pumunta sa aming bahay sa Estrada Street.

(I quickly went to our house in Estrada Street.)

Q11. What did you find out upon getting home, if any?

(Ano po ang inyong nadatnan ng makarating kayo sa inyong bahay, kung mayroon man?)

A11. Nalaman ko po na patay na ang aking anak na si Jerry at si Aga. Ang kanila pong dugo ay nagkalat sa loob ng aming bahay.

(I found out that my son Jerry and Aga were already dead. Their blood was all over our house.)

Q12. What did you do, if any, upon learning that your son Jerry is dead?

(Ano po ang inyong ginawa, kung mayroon man, ng malaman ninyo na patay na ang inyong anak na si Jerry?)

A12. Napahagulgol po ako at napayakap sa aking asawa.

(I wept and embraced my husband.)

Q13. When you arrived at your house, where were the bodies of Jerry and Aga, if you know?

(Noong kayo ay dumating sa inyong bahay, nasaan po ba ang bangkay nina Jerry at Aga, kung alam ninyo?)

A13. Wala na po.

(Not there anymore.)

Q14. When you arrived at your house, who did you see, if any?

(Pagdating po ninyo sa inyong bahay, sinu po ang iyong nakita, kung mayroon man?)

A14. Nandoon po ang aking asawa, mga kamag-anak, ilang mga kapitbahay. Nandoon din ang mga pulis at sila ay aking nakausap.

(My husband, relatives and some neighbors were there. There were also policemen there and I was able to talk to them.)

Q15. What was your conversation with the policemen?

(Ano po ang naging pag-uusap ninyo ng mga pulis?)

A15. Sinabi po nila na huwag daw muna linisin ang loob ng aming bahay sapagkat may mga darating na Scene of the Crime Operatives (SOCO).

(They told me not to clean the house as Scene of the Crime Operatives (SOCO) are set to arrive.)

Q16. After the police told you this, what happened next, if any?

(Matapos po kayo sabihan nito ng mga pulis, ano po ang sunod na nangyari, kung mayroon man?)

A16. Naghintay po kami ngunit wala pong dumating na SOCO, Sir.

(We waited but no SOCO came, Sir.)

Q17. What else did you learn when you arrived at your house, if any?

(Ano pa po ang inyong natuklasan pagkadating ninyo sa inyong bahay, kung mayroon man?)

A17. Nalaman ko rin po na ang aking manugang na si Zhayca Estreller at ang kanilang mga anak ni Jerry ay dinala sa presinto ng mga pulis.

(I also learned that my daughter-in-law, Zhuyca Estreller, and her kids with Jerry were brought to the police precinct.)

Q18. Are Zhayca Estreller and her children under the custody of the police up to now?

(Hanggang sa kasalukuyan po ba ay nasa kustodiya pa rin ng mga pulis sina Zhayca Estreller at kanyang mga anak?)

A18. Wala na po. Pinalabas din sila noong araw na iyon matapos sabihan ni ex-Kagawad Allan Agramon ang mga pulis na wala naman silang dahilan para ikulong ang mga ito.

(Not anymore. They were released on the same day after ex-Kagawad Allan Agramon told the police that that they have no reason to put them in detention.)

Q19. Ms. Witness, would you know if the name of Jerry is included in the drug watchlist of the barangay?

Alam po ba ninyo kung kasama sa drug watchlist ng barangay si Jerry?

A19. Wala po siya sa drug watchlist ng barangay.

(He is not in the drug watchlist of the barangay.)

Q20. Ms. Witness, if you know, what warrant, if any, was issued by the court against Jerry before the incident?

(Ms. Witness, kung alam po ba ninyo, anong warrant, kung mayroon man, ang inalabas ng hukuman laban kay Jerry bago maganap ang insidente?)

A20. Sa akin pong pagkakaalam ay wala namang na-issue na search warrant o warrant of arrest laban kay Jerry, Sir.

(As far as I know, no search warrant or warrant of arrest had been issued against Jerry, Sir.)

Q21. Ms. Witness, if you know, what warrant, if any, was issued by the court against Aga before the incident?

A21. Sa pagkakaalam ko din po ay wala namang na-issue na search warrant o warrant of arrest laban kay Aga, Sir.

(As far as I know also, no search warrant or warrant of arrest had been issued against Aga, Sir.)

Q22. How do you feel after your son Jerry was killed?

(Ano po ang nadama ninyo matapos mapatay ang inyong anak na si Jerry?)

A22. Wala pong pagsidlan ang aking kalungkutan. Kasama pa nito ang takot na baka bumalik ang mga pumataykay Jerry sa aming bahay lalo na tuwing sasapit ang gabi.

(Nothing could contain my sadness. Added to this was our fear that the people who killed Jerry might come back to our house especially at night.)

Q23. And what did you do, if any, to overcome this fear?

(Ano po ang inyong ginawa, kung mayroon man, upang maibsan ang inyong takot?)

A23. Dahil po sa takot na bumalik sa aming bahay ang mga pumatay kay Jerry, napagdesisyunan po ng aming pamilya at ilang mga kapitbahay na lumayo muna sa aming bahay tuwing gabi at matulog sa isang malapit na palengke. Sa palagay po namin ay mas ligtas kami doon kaysa sa aming mga sariling bahay.

(Out of fear that those who killed Jerry might come back to our house, we decided, together with my family and some neighbors, to leave our houses at night and sleep at a nearby market. We thought we would be safer there than in our own houses.)

Q24. How did you sleep at the market?

(Paano po kayo natutulog sa palengke?)

A24. Humihiga po kami sa ibabaw ng mga mesa. Kapag umuulan naman po, nakikitulog kami sa loob ng mga nakaparadang jeepney sa tabi ng kalsada ng palengke.

(We laid down on top of the tables. When it rained, we slept inside the jeepneys parked on the street of the market.)

Q25. Ms. Witness, how long have you done this?

(Ms. Witness, gaano na po katagal ninyong ginawa ito?)

A25. Halos dalawang buwan din po, Sir.

(For almost two months, Sir.)

Q26. Who were with you, if any, when you slept in the market for almost two months?

(Sinu-sino po ang inyong mga kasama, kung mayroon man, noong natulog kayo sa palengke sa loob ng halos dalawang buwan?)

A26. Kasama ko po ang aking asawa, mga anak, apo at ilang mga kapitbahay.

(I was with my husband, children, grandchildren and some neighbors.)

Q27. What are their names of those who slept together with you in the market for almost two months?

(Ano po ba ang mga pangalan ng mga taong kasama ninyong natulog sa palengke sa halos dalawang buwan?)

A27. Sila po ay sina:

- a. Jerry Estreller, Sr.;
- b. Naithan Estreller;
- c. Nigel Estreller;
- d. Mark Anthony Estreller;
- e. Michelle Estreller;
- f. Michaela Anne Estreller;
- g. Marlyn Jeykka Estreller;
- h. Mayumi Mae Estreller;
- i. Juliet Pablo;
- j. Zenaida Pablo;
- k. Aj Arevalo;
- l. Danica Gonzales;

- m. Wilfredo Pablo;
- n. Roberto Pablo;
- o. OnofreGuttierrez, Jr.;
- p. Edvic Paul Garcia;
- q. RienaSenador;
- r. Quinn AshantieSenador; at
- s. Paul Cyrus Garcia

(They are:

- a. Jerry Estrella, Sr.;*
- b. NaithanEstrella;*
- c. Nigel Estrella;*
- d. Mark Anthony Estrella;*
- e. Michelle Estrella;*
- f. Michaela Anne Estrella;*
- g. MarilynJeykkaEstrella;*
- h. Mayumi Mae Estrella;*
- i. Juliet Pablo;*
- j. Zenaida Pablo;*
- k. AjArevalo;*
- l. Danica Gonzales;*
- m. Wilfredo Pablo;*
- n. Roberto Pablo;*
- o. OnofreGuttierrez, Jr.;*
- p. Edvic Paul Garcia;*
- q. RienaSenador;*
- r. Quinn AshantieSenador; and*
- s. Paul Cyrus Garcia)*

Q28. Ms. Witness, do you have anything to add to your statements?

(Ms. Witness, may gusto ka pa bang idagdag sa iyong mga pahayag?)

A28. Wala na po, sir.

(None, Sir.)

IN WITNESS WHEREOF, I have hereunder affixed my signature this ~~OCT 16 2017~~ 15th day of ~~September~~ September 2017.

M. Estreller

MARILYN ESTRELLER

Affiant

SUBSCRIBED AND SWORN TO before me this ^{OCT 15 2017} 15 day of September 2017 in MAKATI CITY, affiant appearing before me and presenting the foregoing Judicial Affidavit, showing and presenting to me her Barangay [.] Card bearing the number 7072890 valid until _____ and taking an oath before me as to the said document.

IN WITNESS WHEREOF, I have hereunder affixed my signature.

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Jessica Anne G. Co

JESSICA ANNE G. CO
Notary Public for Makati City
Until December 31, 2018
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