

OFFICIAL COMPLAINT
AND STATEMENT OF THE FACTS

January 16th, 2013

FROM: HENRY VELEZ --
RESIDENT OF BASAK, MARIGONDON, LAPU-LAPU CITY

REGARDING: EUGENIE GARAGAY –
AN ACT TO COMMIT FRAUD AND THEFT, BREACH OF CONTRACT
RESIDENT OF BASAK, MARIGONDON, LAPU-LAPU CITY

I, HENRY VELEZ, DO HEREBY MAKE THE FOLLOWING WRITTEN STATEMENT REGARDING THE RELEVANT FACTS UNDER PENALTY OF PERJURY AS BEING TRUE REGARDING THIS COMPLAINT.

ON NOVEMBER 10TH, 2012, EUGENIE GARAGAY GAVE ME A TOTAL PRICE OF 17,000 (SEVENTEEN THOUSAND) PESOS AS THE TOTAL SELLING PRICE TO PURCHASE HER USED MOTORSCOOTER. **LICENSE PLATE: IK790.** [SEE ATTACHED DOCUMENTATION]

ON NOVEMBER 11TH, 2012, EUGENIE GARAGAY SIGNED A '**BILL OF SALE**', DETAILING THE SALE OF THIS MOTORSCOOTER TO ME. ON THIS DAY I GAVE HER A 5,000 (FIVE THOUSAND) PESO DEPOSIT. SHE SIGNED FOR THE RECEIPT OF THIS TO BEGIN THIS TRANSACTION. SHE ALSO SHOWED ME THE REGISTRATION NUMBER CERTIFICATE TO THE MOTORSCOOTER, WHICH WAS INDEED IN HER SOLE NAME. SHE IS AN UNMARRIED, SINGLE PERSON. SHE RETAINED THE REGISTRATION DOCUMENT AND STATED SHE WOULD SURRENDER IT UPON THE FINAL PAYMENT OF THE PURCHASE PRICE.

OVER THE COURSE OF THE NEXT 2 WEEKS I MADE THREE MORE PAYMENTS OF;

6,000 (SIX THOUSAND) PESOS
4,500 (FOUR THOUSAND AND FIVE HUNDRED) PESOS
1,500 (ONE THOUSAND AND FIVE HUNDRED) PESOS

THESE ADDITIONAL PAYMENTS TOTALLED 12,000 (TWELVE THOUSAND) PESOS. COMBINED WITH THE DEPOSIT OF 5,000 PESOS, THE COMPLETE SALE PRICE OF 17,000 PESOS HAD NOW BEEN PAID IN FULL BY THE END OF NOVEMBER, 2012, PAID FROM MYSELF DIRECTLY TO EUGENIE GARAGAY. SHE AGAIN SIGNED THE BILL OF SALE AS A RECEIPT FOR THE MONEY I PAID HER. [SEE ATTACHED 'BILL OF SALE']

UPON THE FINAL PAYMENT I THEN ASKED EUGENIE GARAGAY TO PROVIDE ME WITH THE REGISTRATION TO THE MOTORSCOOTER. THE MOTORSCOOTER ITSELF SHE HAD PHYSICALLY LEFT IN MY POSSESSION. HOWEVER, BECAUSE SHE HAD FAILED TO REGISTER IT FOR OVER 6 YEARS, I COULD NOT USE IT ON PUBLIC ROADS.

SHE STATED SHE WAS IN A HURRY AND WOULD BRING ME THE REGISTRATION LATER THAT EVENING. SHE DID NOT. SHE LATER SAID SHE WOULD BRING ME THE REGISTRATION THE FOLLOWING DAY. SHE DID NOT. BY THE 2ND WEEK OF DECEMBER SHE HAD STILL NOT BROUGHT ME THE REGISTRATION AND I TOLD HER THAT I NEEDED IT TO

REGISTER THE TAGS AND PUT IT IN MY NAME. SHE ASSURED ME SHE WOULD DELIVER THE REGISTRATION RIGHT AWAY. SHE DID NOT.

FOR THE REMAINDER OF DECEMBER I SENT REPEATED TEXTS TO HER, ASKING FOR THE REGISTRATION. SHE DID NOT ANSWER MY TEXTS. I MADE SEVERAL TRIPS TO HER PLACE OF BUSINESS/RESIDENCE AND SHE REPEATEDLY STATED THAT SHE WOULD GET THE REGISTRATION TO ME 'SOON'.

BY THE END OF FIRST WEEK OF JANUARY SHE HAD STILL NOT PROVIDED ME WITH THE REGISTRATION AND TO THIS CURRENT TIME HAS STILL FAILED TO DO SO.

I SPOKE WITH EUGENIE GARAGAY AT HER HOME, THROUGH HER WINDOW, ON THE EVENING OF TUESDAY, JANUARY 15TH AND WHEN I ASKED FOR THE REGISTRATION SHE BECAME LOUD AND IRRATIONAL, STATING AT FIRST THAT SHE DIDN'T HAVE THE TITLE AND THEN STATING THAT SHE NO LONGER WANTED TO SELL THE MOTORSCOOTER. I REMINDED HER THAT I HAD ALREADY PAID IN FULL FOR IT, BUT SHE REFUSED TO GIVE ME THE REGISTRATION. I TOLD HER SHE HAD A LEGAL OBLIGATION TO GIVE IT TO ME NOW THAT SHE'D BEEN PAID IN FULL. **I INFORMED HER THAT I WOULD RETURN THE NEXT DAY TO GIVE HER ONE FINAL CHANCE TO DO THE RIGHT THING, WITHOUT INVOLVING THE AUTHORITIES DUE TO THE FACT THAT SHE IS CURRENTLY ON BAIL FOR HER SECOND CHARGE OF POSSESSION AND SALE OF ILLEGAL DRUGS.** SHE DIVULGED THIS INFORMATION TO ME HERSELF IN LATE DECEMBER AND IS A MATTER OF PUBLIC COURT RECORD REGARDING HER DRUG USE AND ARRESTS.

I RETURNED THE EVENING OF JANUARY 16TH, 2013, AND AGAIN SHE WOULD NOT COME OUT SO I SPOKE WITH HER THROUGH THE WINDOW. SHE SAID SHE WOULD NOT GIVE ME THE REGISTRATION AND BECAME VERY LOUD AND ABUSIVE. A SHOUTING MATCH ENSUED DURING THE 3 MINUTES I WAS THERE, SO I LEFT THE PREMISES HAVING ALREADY GIVEN HER MORE THAN SIX WEEKS TO PROVIDE ME WITH THE REGISTRATION SHE OWES ME.

I AM HERE NOW TO ASK THE AUTHORITIES TO COMPEL EUGENIE GARAGAY TO HONOR THE AGREEMENT SHE SIGNED FOR AND ACCEPTED FULL PAYMENT FOR. I HAVE COMPLETED MY END OF THE AGREEMENT WITH A FULL PAYMENT OF THE AGREED PRICE. I AM NOW BEING DEFRAUDED OF OWNERSHIP AND HAVE BEEN ROBBED OF MY MONEY. FOR THIS REASON I WISH TO CHARGE HER WITH BOTH FRAUD AND THEFT.

I AM WILLING TO DROP THESE CHARGES IF SHE WILL FULFILL HER SIDE OF THE AGREEMENT BY PROVIDING ME WITH BOTH **THE REGISTRATION AND HER SIGNATURE RELEASING IT TO MY POSSESSION.** THAT IS ALL I WANT, FOR THE WRITTEN AGREEMENT TO BE HONORED. IT IS DUE TO THIS WHOLE EXPERIENCE THAT I NOW COME TO THE AUTHORITIES FOR I DO NOT BELIEVE SHE WILL VOLUNTARILY PROVIDE THE REGISTRATION WITHOUT YOUR ASSISTANCE.

SINCERELY I DO ATTEST THE ABOVE TO BE TRUE UNDER PENALTY OF PERJURY,

HENRY VELEZ

DATE: JANUARY 17TH, 2013