

Republic of the Philippines
DEPARTMENT OF JUSTICE
OFFICE OF THE CITY PROSECUTOR
Olongapo City

[REDACTED]
Complainant,

- versus -

I.S. No 05-N-1999
For: Rape

COREY J. BURRIS,
Respondent.

X-----X

COUNTER-AFFIDAVIT

I, **COREY J. BURRIS**, an American, of legal age, single, with postal address at c/o the Embassy of the United States of America, Roxas Boulevard, City of Manila, Philippines, after being sworn in accordance with law, hereby depose and state:

1. I am one of the respondents in the above-entitled case.
2. I am a Corporal of the United States Marine Corps, assigned to the 31st Marine Expeditionary Unit S6, Unit 5621 FPO, AP 96606.
3. At about 8:00 o'clock in the evening of November 1, 2005, Corporal Daniel Balascek, Corporal Juan Correa, Lance Corporal Lara ("LCpl. Lara") and I disembarked from the USS Essex and proceeded to Dewey's Club. At that time, LCpl. Lara was my designated buddy, which means that we must stay together at all times, and that we must sign in together when we get back to the vessel. This is a written rule that is being strictly followed by all of the Marines, and failure to abide by the same is considered a serious offense that could warrant possible demotion and decrease in salary.

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4. We danced and hung out at Dewey's for about an hour. At around 9:00 o'clock in the evening, LCpl. Lara and I left Dewey's Club and proceeded to Neptunes Bar.

5. At Neptunes Bar, LCpl. Lara and I saw Lance Corporals Keith Silkwood, Daniel Smith and Dominic Duplantis. While dancing, I got a call from Staff Sergeant Chad Carpentier who asked where I was. I told him that I was at Neptunes. SSgt. Carpentier responded by telling me that he would be there at Neptunes shortly.

6. At around 11:30 o'clock in the evening, SSgt. Carpentier arrived at Neptunes using the Van driven by Timoteo "Jun" Soriano. As soon as LCpl. Lara and I had greeted SSgt. Carpentier, we told the rest of the guys that we were just going out to grab something to eat.

7. LCpl. Lara and I, together with Cpl. Balascek and Cpl. Correa, then went to Yellow Cab Pizza Co. ("Yellow Cab") by means of a taxi. It took us about a minute or two before we arrived at Yellow Cab.

8. I was the one who ordered for LCpl. Lara and myself. At the counter, an employee took our orders and thereafter asked for my name. I gave the name "Charley", which is the name my fellow Marines normally call me, and the name I prefer being called. We ordered two (2) Hawaiian Bacon Pizzas, one (1) New York Pepperoni Pizza, and a one and a half liter of Coke. For his part, Cpl. Juan Correa ordered pizzas for himself and Cpl. Balascek.

A certified true copy of the receipt issued to me by Yellow Cab, under the name of "Charle", is attached as **Annex 1**. A certified true copy of the receipt issued to Cpl. Juan Correa by Yellow Cab, under the name "Juan", is attached as **Annex 2**.

9. As soon as LCpl. Lara and I got our orders at around 11:50 o'clock in the evening, we walked out of Yellow Cab and headed back to

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the vessel. While walking away from Yellow Cab, I heard SSgt. Carpentier call my name and ask whether we needed a ride. Without responding, LCpl. Lara and I walked towards the direction of the Van.

10. When we got to the place where the Van was, LCpl. Lara tried to get inside the Van but failed to do so because LCpl. Duplantis was blocking his way and was not moving as he seemed either asleep or a bit drunk. I did not go inside the Van, but instead, looked at my watch and noticed that it was already 11:55 o'clock in the evening. Since we had to be back aboard the vessel by 12:00 o'clock midnight, I told LCpl. Lara that we should just run back to the vessel instead. So LCpl. Lara and I ran back to the vessel and we were able to board the USS Essex and sign in officially at approximately 12:00 o'clock midnight.

11. After we boarded the vessel, we proceeded to our berthing place, changed clothes, and then ate our pizzas. We sold the New York Pepperoni Pizza to one of the Marines in the vessel. Thereafter, LCpl. Lara and I went to sleep.

12. I am executing this Counter-Affidavit to attest to the truth and correctness of the foregoing statements, in defense of the criminal complaint filed by the complainant [REDACTED] for Rape under the Revised Penal Code of the Philippines.

AFFIANT FURTHER SAYETH NAUGHT.



CPL. COREY J. BURRIS
Affiant

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SUBSCRIBED AND SWORN to before me this 22 NOV 2005 day of November 2005 at Manila, Philippines.

Certification

I HEREBY CERTIFY that I have personally examined the Affiant and I am satisfied that he voluntarily executed and understood his Affidavit.

RODRIGO T. EGUIA
ASSISTANT CITY PROSECUTOR

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Mdmmer. Ressel Ricafort and Aileen Belleza were identified by Ms. Edelina Paguio and Ms. Abegail P. Navarro.

Edelina Paguio 11-16-05

Abegail P. Navarro 11/16/05

REPUBLIC OF THE PHILIPPINES)
CITY OF OLONGAPO)S.S.

Before me, a notary public in and for the city named above, personally appeared:

<u>Name</u>	<u>SBMA ID No.</u>	<u>Place/ Date of Issue</u>
Aileen R. Belleza	Temporary ID	SBMA/ Oct. 24, 2005
Ressel H. Ricafort	339172357	SBMA/ June 30, 2005

who were identified by Ms. Abegail P. Navarro and Ms. Edelina Paguio to be the same persons who presented the document hereto annexed and signed the said document in my presence.

Witness my hand and seal this 16th day of November, 2005.

Russel L. Rodriguez
Russel L. Rodriguez

Notary Public for Olongapo City
Commission until December 31, 2006
Roll of Attorney No. 47471

PTR No. 9442955; Jan. 8, 2005; Makati City
IBP No. 630372; Jan. 4, 2005; PPLM Chapter
Rooms 134-136 Alpha Building (888)
Subic Bay Freeport Zone

Doc. No. 37
Page No. 9
Book No. I
Series of 2005.

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SSER / RUCYON / RUCAFONT
11-16-05

AILEEN / R. BELLEZZA
11-16-05

ANNEX 1



Dine-In / Takeout

No 388491

Date 11-01

Qty	Size	Item	Served
2	18	How	
1	14	NYC	
1		1.50	

Yellow Cab Pizza Co.
Operated by: S.B.Y.C. Pizza, Inc.
Lot 3 & Portion of Lot 2 Parcel
78 Cor. Sampson Rd. & Dewey Ave.
CBD Subic Bay Freeport Zone
TIN: 232-017-934-000 NGV VAF
SN: FMC6034285

SALES TRANSACTION

Trans.#:00052067 AILEEN/001/51
November 01, 2005 (Tue) 23:32

OS #: charle

TAKE OUT

2*HOW 18"	1,600.00
1*NYC 14"	240.00
1*COKE 1.5	40.00
<hr/>	
SUB-TOTAL	1,440.00
CASH TENDER	2,000.00
TOTAL PAID	2,000.00
CHANGE	360.00

NO. OF ITEMS: 4

THIS IS AN OFFICIAL RECEIPT

THANK YOU VERY MUCH...
For Comments or Suggestions
Pls. Tel./Call #09175316329

Name: CHARLE
Address:
Notes:

and decrease in salary.

