

Republic of the Philippines
SANDIGANBAYAN
Quezon City

Second Division

People of the Philippines,
Plaintiff,

Crim. Case No. SB-17-CRM-0223 to
SB-17-CRM-0249

-versus-

Present:
Herrera, Jr., J. *Chairperson*
Musngi, J. &
Pahimna, J.

Rosario Mediatrix P. Fernandez,
et al.,
Accused.

Promulgated: *[Signature]*
March 1, 2018 *[Signature]*

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DECISION

HERRERA, JR., J:

The accused – Rosario Mediatrix P. Fernandez and Imelda Mecisamente Celebrar – are charged before the Court with the following:

- 1) Sixteen (16) counts of ***Violation of Section 52 (g) of Republic Act (R.A.) No. 8291***, also known as ***The Government Service Insurance Act of 1997***, under sixteen (16) separate ***Informations*** all dated January 23, 2017, docketed as Criminal Cases Nos. SB-17-CRM-0223 to 0238;

-and-

- 2) Eleven (11) counts of ***Violation of Section 3(a), Rule VII***, in relation to ***Section 1, Rule XII of the Implementing Rules And Regulations of Republic Act (R.A.) No. 9679***, also known as ***The Home Development Mutual Fund Law Of 2009***, under eleven (11) separate ***Informations*** all dated January 23, 2017, docketed as Criminal Cases Nos. SB-17-CRM-0239 to 0249.

When the cases were called today, both accused Fernandez and Celebrar, through counsels, moved that they be allowed to withdraw their earlier plea of not guilty to the charges, and that they be re-arraigned. Since the prosecution did not interpose any objection, the Court granted the motion.

[Signature] *[Signature]*

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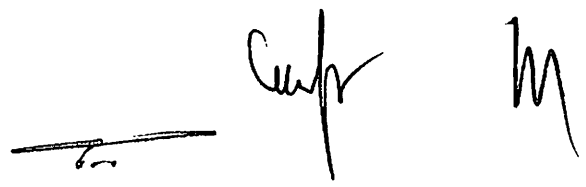
Upon being re-arraigned in Criminal Cases Nos. SB-17-CRM-0223 to 0238, both accused, through counsels, waived the reading of the **Informations**, manifested that they understand the nature and cause of accusations against them, and pleaded guilty to the lesser offense of **Violation of Section 52 (c) of R.A. 8291**, particularly their failure to comply with the provisions of said law.

Upon being re-arraigned in Criminal Cases Nos. SB-17-CRM-0239 to 0249, both accused, through counsels, again waived the reading of the **Informations**, manifested that they understand the nature and cause of the accusations against them, and pleaded guilty to the lesser offense of **Violation of the First Paragraph of Section 1, Rule XII of the Implementing Rules and Regulations (IRR) of R.A. 9679**.

The prosecution, through the Office of the Special Prosecutor, Office of the Ombudsman gave its consent to the plea of guilty of accused Fernandez and Celebrar to the lesser offenses mentioned above, as indicated in its **Compliance** dated February 23, 2018 and the **Memorandum** dated February 15, 2018 attached thereto, bearing the approval of the Ombudsman. Private complainant Remie P. Conte also gave his consent, as indicated in the **Affidavit** he executed and signed on February 12, 2018.

WHEREFORE, premises considered, judgment is hereby rendered as follows:

- 1) In Criminal Cases Nos. SB-17-CRM-0223 to 0238, the Court finds the accused Rosario Mediatrix P. Fernandez and Imelda Mecisamente Celebrar guilty beyond reasonable doubt of sixteen (16) counts of **Violation of Section 52(c) of Republic Act (R.A.) No. 8291**, also known as **The Government Service Insurance Act of 1997**. They are hereby sentenced to each pay a fine ₱5,000.00 in each of the sixteen (16) counts of the aforementioned violation, or a total of ₱80,000.00 each.

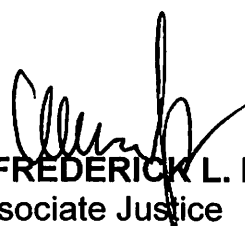


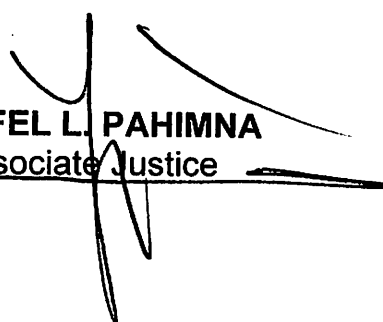
2) In Criminal Cases Nos. SB-17-CRM-0239 to 0249, the Court finds the accused Rosario Mediatix P. Fernandez and Imelda Mecisamente Celebrar guilty beyond reasonable doubt of eleven (11) counts of **Violation of the First Paragraph of Section 1, Rule XII of Implementing Rules And Regulations Of Republic Act No. 9679**. They are hereby sentenced to each pay as fine the following amounts: 1) ₱53,800.00 in Criminal Case No. SB-17-CRM-0239; 2) ₱53,000.00 in Criminal Case No. SB-17-CRM-0240; 3) ₱55,400.00 in Criminal Case No. SB-17-CRM-0241; 4) ₱57,200.00 in Criminal Case No. SB-17-CRM-0242; 5) ₱57,200.00 in Criminal Case No. SB-17-CRM-0243; 6) ₱56,700.00 in Criminal Case No. SB-17-CRM-0244; 7) ₱56,500.00 in Criminal Case No. SB-17-CRM-0245; 8) ₱56,200.00 in Criminal Case No. SB-17-CRM-0246; 9) ₱57,300.00 in Criminal Case No. SB-17-CRM-0247; 10) ₱58,100.00 in Criminal Case No. SB-17-CRM-0248; and 11) ₱58,600.00 in Criminal Case No. SB-17-CRM-0249.

SO ORDERED.


OSCAR C. HERRERA, JR.
Chairperson

We concur:


MICHAEL FREDERICK L. MUSNGI
Associate Justice


LORIFEL L. PAHIMNA
Associate Justice

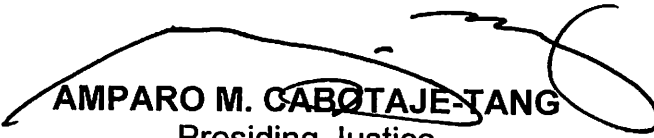
ATTESTATION

I attest that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


OSCAR C. HERRERA, JR.
Chairperson
Second Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairman's Attestation, it is hereby certified that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


AMPARO M. CABOTAJE-TANG
Presiding Justice

