



REPUBLIC OF THE PHILIPPINES  
**Sandiganbayan**  
QUEZON CITY

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**SEVENTH DIVISION**

**PEOPLE OF THE PHILIPPINES,**  
Plaintiff,

Case No. **SB-17-CRM-1782**

-versus -

Present:

**ALEX A. CENTENA,<sup>1</sup>**  
**VALENTIN D. SOBRETOD0,**  
**MERIAM F. CELESTE,**  
**CRISPINO V. CASTRO,**  
**JOSE REX A. CASIPE,**  
**MELANIE L. HILARIO,**  
**RHODA LYN C. PANIZALES,**  
**JOSE EDESO A. ENRIQUEZ,**  
**LOURDES G. CORONADO,<sup>2</sup>**  
**ANA LERIO P. CASPILLO,<sup>3</sup> and**  
**JOSE B. BARREDO, JR.,<sup>4</sup>**  
Accused.

Gomez-Estoesta, J., *Chairperson*  
Trespeses, J. and  
Hidalgo, J.

Promulgated:

*April 11, 2019*

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## DECISION

**GOMEZ-ESTOESTA, J.:**

As an offshoot of the Department of Agriculture's Farm Inputs and Farm Implements Program where the distribution of 666 bottles of Bio Nature Liquid Fertilizer allegedly did not undergo the mandatory public bidding pursuant to R.A. 9184, the following *Information* was filed against accused ALEX A. CENTENA, VALENTIN D. SOBRETOD0, MERIAM F. CELESTE, CRISPINO V. CASTRO, JOSE REX A. CASIPE, MELANIE L. HILARIO, RHODA LYN C. PANIZALES, JOSE EDESO A. ENRIQUEZ, LOURDES G. CORONADO, ANA LERIO P. CASPILLO, and JOSE B. BARREDO, JR., alleging as follows:

<sup>1</sup> The spelling of Centena, as corrected in open Court (from ñ to n)

<sup>2</sup> Case dismissed per Order dated October 25, 2017; Record, Volume 1, p. 164

<sup>3</sup> The spelling of Ana, as corrected in open Court (from Anna to Ana)

<sup>4</sup> At large but with prosecution's Motion to Discharge Jose Barredo Jr. as State Witness

*1/2*

That on the 3<sup>rd</sup> day of May 2004, or sometime prior or subsequent thereto, in the Municipality of Calinog, Province of Iloilo, Philippines, and within the jurisdiction of this Honorable Court, accused Municipal Mayor ALEX A. CENTENA, Municipal Treasurer VALENTIN SOBRETOD, Acting Municipal Accountant MERIAM F. CELESTE, Municipal Agriculturist CRISPINO V. CASTRO, Municipal Supply Officer JOSE REX A. CASIPE, Bids and Awards Committee (BAC) Members Acting Municipal Administrator MELANIE L. HILARIO, Municipal Planning and Development Officer RHODA LYN C. PANIZALES, Municipal Engineer JOSE EDESO A. ENRIQUEZ, and Sangguniang Bayan Secretary ANA LERIO CASPILLO, all public officers, being employees of the Municipality of Calinog, Province of Iloilo, while in the performance of their official functions, committing the crime in relation to their office, and taking advantage of their official positions, conspiring and confederating with one another and with accused JOSE B. BARREDO, JR. (Barredo), a private person representing Feshan Philippines, Incorporated (Feshan), acting with manifest partiality, evident bad faith, or gross inexcusable negligence, did then and there willfully, unlawfully, and criminally give Feshan, through Jose B. Barredo, Jr., unwarranted benefits, privilege and advantage by entering into a contract with Feshan for the purchase of 666 bottles of Bio Nature Liquid Fertilizer at Php1,500.00 per bottle through the alternative method of procurement of direct contracting, and causing the payment of a total amount of PhP999,000.00 within a day, based solely on Jose B. Barredo's representation that Feshan is the sole and exclusive distributor of Bio Nature Liquid Fertilizer without complying first with the mandatory public bidding as required under Republic Act No. 9184, as amended, and its implementing rules and regulations, thereby causing undue injury to the Municipality of Calinog, Iloilo in the amount of PHP999,000.00.

CONTRARY TO LAW.

While successive motions have been filed by the accused to either quash or dismiss the charge, all such incidents have been the subject of this Court's Resolution dated December 18, 2017 (on accused Centena, et al.'s motion to quash and dismiss), Resolution dated February 2, 2018 (on Enriquez' omnibus motion to quash information), and Resolution dated January 29, 2019 (on accused Centena, et al.'s motion to quash based on supervening event).

Accused Sobretudo, Celeste, Casipe, Hilario, Panizales, Enriquez and Caspillo were arraigned on April 16, 2018. They each entered a plea of *not guilty*.<sup>5</sup> Accused Centena, on the other hand, refused to enter a plea. Pursuant to Section 1(c) of Rule 116, a plea of *not guilty* was entered for him.<sup>6</sup> Meantime, wheelchair-bound accused Crispino V. Castro was arraigned in Iloilo City during this Court's provincial hearing therein on November 5, 2018. He likewise entered a plea of *not guilty*.

While preliminary conference was ongoing, accused disclosed of their proposal to plea bargain to the lesser offense of *Failure of Accountable Officer to Render Accounts* under Article 218 of the Revised Penal Code, which was

<sup>5</sup> Records, Volume 2, pp. 232-233

<sup>6</sup> *Id.*, pp. 421-422

17  
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endorsed for favorable action by handling Special Prosecutors Jackson G. Domantay and Laurieta T. Sawate.<sup>7</sup>

At today's setting, such plea bargaining was submitted for the Court's consideration which now has the authority of Ombudsman Samuel R. Martires.

In open Court, Atty. Humphrey T. Monteroso, counsel for accused Centena, manifested that said accused would have settled the civil liability aspect of the charge with a full payment of P999,000.00 had it not been for the Municipal Treasurer's dilemma on how to properly receipt it and accept it as payment. It was then determined that a court order should direct the payment.

For this reason, considering the persistent intent of accused Centena, Sobretudo, Celeste, Casipe, Hilario, Panizales, Enriquez and Caspillo to plead guilty to the lesser offense of *Failure of Accountable Officer to Render Accounts*, the plea bargaining proposal was entertained.

In open court, accused Centena, Sobretudo, Celeste, Casipe, Hilario, Panizales, Enriquez and Caspillo were fully apprised of the consequences of their intended plea. In clear terms, they stated in the affirmative that they understood the nature of the change of their plea; that if they pleaded guilty to the charge, they are deemed to have admitted all the accusations alleged in the Information to which a consequent penalty of *prision correccional in its minimum period, or a fine ranging from 200 to 6,000 pesos, or both* may be imposed pursuant to Article 218 of the Revised Penal Code.

Accused Centena, Sobretudo, Celeste, Casipe, Hilario, Panizales, Enriquez and Caspillo understood the same and persisted in their change of plea. The Court has satisfied itself that the accused has fully understood the nature and consequence of their change of plea.

Pursuant to Section 2 of Rule 116<sup>8</sup> of the Revised Rules on Criminal Procedure, no amendment of the *Information* is thus necessary.

Upon re-arraignment of the Information for the lesser offense of *Failure of Accountable Officer to Render Accounts*, accused Centena, Sobretudo, Celeste, Casipe, Hilario, Panizales, Enriquez and Caspillo entered a plea of **guilty**.

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<sup>7</sup> *Ibid.*, p. 193

<sup>8</sup> Sec. 2. Plea of guilty to a lesser offense. – At arraignment, the accused, with the consent of the offended party and prosecutor, may be allowed by the trial court to plead guilty to a lesser offense which is necessarily included in the offense charged. After arraignment but before trial, the accused may still be allowed to plead guilty to said lesser offense after withdrawing his plea of not guilty. No amendment of the complaint or information is necessary.

12/

Let a plea of *guilty* be re-entered into the record of the case.

The mitigating circumstance of the plea of *guilty* would be appreciated in favor of the accused as the change of plea was made prior to the presentation of evidence by the prosecution.

WHEREFORE, judgment is hereby rendered finding accused ALEX A. CENTENA, VALENTIN D. SOBRETOD0, MERIAM F. CELESTE, JOSE REX A. CASIPE, MELANIE L. HILARIO, RHODA LYN C. PANIZALES, JOSE EDES0 A. ENRIQUEZ, and ANA LERIO P. CASPILLO *guilty* beyond reasonable doubt of the lesser offense of *Failure of Accountable Officer to Render Accounts* defined and penalized under Article 218 of the Revised Penal Code.

Having appreciated in their favor the mitigating circumstance of the plea of *guilty*, accused ALEX A. CENTENA, VALENTIN D. SOBRETOD0, MERIAM F. CELESTE, JOSE REX A. CASIPE, MELANIE L. HILARIO, RHODA LYN C. PANIZALES, JOSE EDES0 A. ENRIQUEZ, and ANA LERIO P. CASPILLO are each imposed the penalty of **FINE** of **FIVE THOUSAND PESOS (P5,000.00)**.

Every person criminally liable for a felony is also civilly liable.<sup>9</sup>

By way of restitution, therefore, civil liability arising from the offense charged shall be imposed against accused ALEX A. CENTENA, VALENTIN D. SOBRETOD0, MERIAM F. CELESTE, JOSE REX A. CASIPE, MELANIE L. HILARIO, RHODA LYN C. PANIZALES, JOSE EDES0 A. ENRIQUEZ, and ANA LERIO P. CASPILLO by ordering them to jointly and severally pay the Municipality of Calinog, Province of Iloilo, the full amount of **NINE HUNDRED NINETY NINE THOUSAND PESOS (P999,000.00)** representing the undue injury caused to said Municipality.

Said accused are directed to pay the same within ten (10) days from promulgation of judgment as part of the plea bargaining agreement with the Office of the Ombudsman. Let compliance therewith be submitted to this Court within the same period.

While accused Crispino V. Castro would have likewise availed of the plea bargaining agreement, his present physical condition as shown in a medical certificate presented for the purpose, will not allow him to physically travel due to the finding that he "*needs assistance during ambulation with poor balance.*"

Pending his full recovery, make a tentative setting for pre-trial for purposes of entertaining the same plea bargaining agreement on August 16,

<sup>9</sup> Article 100, Revised Penal Code

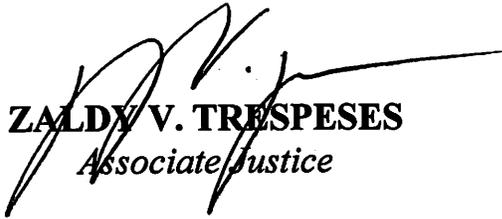
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2019, at 8:30 in the morning, without prejudice to the scheduling of a provincial hearing in Iloilo City by any division of this Court.

SO ORDERED.

  
**MA. THERESA DOLORES C. GOMEZ-ESTOESTA**  
*Associate Justice, Chairperson*

WE CONCUR:

  
**ZALDY V. TRESPES**  
*Associate Justice*

  
**GEORGINA D. HIDALGO**  
*Associate Justice*

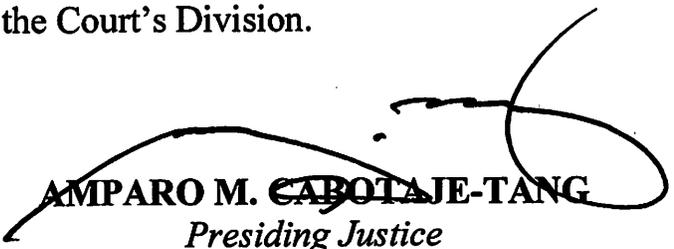
### ATTESTATION

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.

  
**MA. THERESA DOLORES C. GOMEZ-ESTOESTA**  
*Associate Justice, Chairperson*

### 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*