

PEOPLE OF THE PHILIPPINES,

- versus -

SB-12-CRM-0066 and 0067

HERNANDO LALISAN SIBUGAN, ET AL.,  
Accused.

x-----x

### DECISION

This case was set for re-arraignment of accused Elmer M. Diodina this afternoon and the defense moved to withdraw its former plea of Not Guilty and that the accused be re-arraigned to a lesser offense with the consent and approval by the Prosecution. Hence, the re-arraignment proceeded and after the information was read before him in English, a language known and understood by him, the accused in Open Court, and assisted by his counsel de parte pleaded Guilty to the offense charged under Article 172, paragraph 1 of the Revised Penal Code.

WHEREFORE, the Court finds the accused Elmer M. Diodina **GUILTY** beyond reasonable doubt under said Article 172, paragraph 1 of the Revised Penal Code, and imposes the penalty of imprisonment of prision correccional in its medium period and a fine of Five Hundred Pesos (Php500.00), with the specific consent of the Prosecution.

As prayed for, the accused is given a period of five (5) days from today to comply with the payment of the fine and to enjoy provisional liberty while awaiting for the result of his application for probation.

SO ORDERED.

Given in Open Court, this 14<sup>th</sup> day of June 2019, at Quezon City, Philippines.

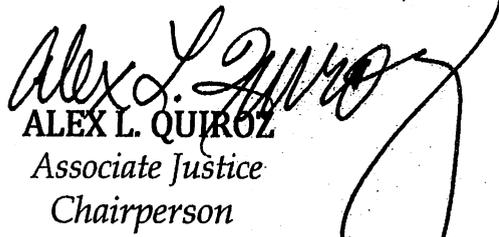
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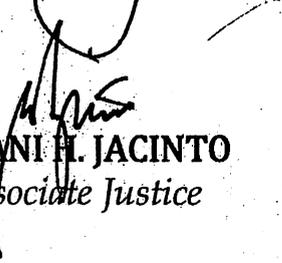
Decision

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**ALEX L. QUIROZ**  
Associate Justice  
Chairperson

  
**REYNALDO P. CRUZ**  
Associate Justice

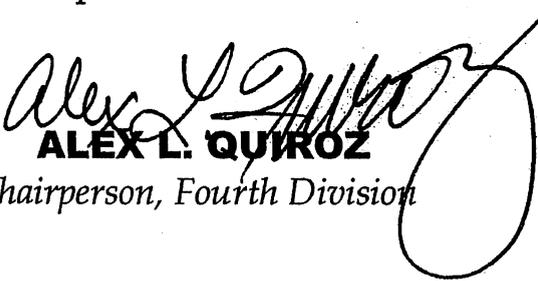
  
**BAYANI H. JACINTO**  
Associate Justice

/savg

X-----X

### ATTESTATION

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

  
**ALEX L. QUIROZ**  
Chairperson, Fourth Division

### CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Chairperson'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. BABOTAJE-TANG**  
Presiding Justice