

Republic of the Philippines
SANDIGANBAYAN
Quezon City

Second Division

People of the Philippines,
Plaintiff,

Crim. Case No. SB-06-CRM-0509

For: Violation of Section 3(e) of
R.A. No. 3019

-versus-

Present:

Herrera, Jr., J. *Chairperson*

Musngi, J. &

Pahimna, J.

Ernesto M. De Chavez &
Rolando M. Lontok, Jr.,
Accused.

Promulgated:

June 21, 2017 *lv*

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RESOLUTION

HERRERA, JR., J:

This pertains to the letter¹ dated April 12, 2017 of Undersecretary Erickson H. Balmes of the Department of Justice (DOJ) informing the Court that accused Ernesto M. De Chavez and Rolando M. Lontok, Jr. voluntarily surrendered to DOJ Secretary Vitaliano N. Aguirre II on April 11, 2017 and their physical custody was turned over to Atty. Dante I. Gierran of the National Bureau of Investigation (NBI). They are now being held at the NBI Detention Center, Taft Ave., Manila.

Records show that in a ***Decision***² promulgated on March 31, 2016, the Court rendered judgment, as follows:

“WHEREFORE, judgment is rendered as follows:

In Criminal Case No. SB-06-CRM-0509, accused ERNESTO M. DE CHAVEZ is found **GUILTY** of Violation of Section 3(e) of R.A. 3019, otherwise known as The Anti-Graft and Corrupt Practices Act, and is hereby sentenced to suffer an indeterminate penalty of imprisonment of SIX (6) YEARS and ONE (1) MONTH as minimum to TEN (10) YEARS as maximum, with perpetual disqualification to hold public office.

¹ Record, Vol. 3, pp. 2045-2047

² Id, pp. 1912-1939

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He is directed to indemnify the Batangas State University (BSU) the amount of Ninety-Two Thousand One Hundred Forty Pesos and 27/100 (Php92,140.27).

In Criminal Case No. SB—06-CRM-0511 for Estafa under Article 315, par. 2(a) of the Revised Penal Code, accused ERNESTO M. DE CHAVEZ is hereby **ACQUITTED** for insufficiency of evidence.

Since the Court did not acquire jurisdiction over the person of accused ROLANDO LONTOK, JR., let the cases against him be, in the meantime, **ARCHIVED**, the same to be revived upon his arrest. Let an alias warrant of arrest be issued against the accused.

SO ORDERED.”

The aforesaid *Decision* was assailed by accused De Chavez in a *Petition For Certiorari, etc.*³ dated May 30, 2016 filed with the Supreme Court. The petition was dismissed by the Supreme Court in a *Resolution*⁴ dated July 4, 2016 issued in G.R. No. 224801 and the dismissal became final and executory on September 6, 2016, as per *Entry of Judgment*⁵ also issued by the Supreme Court in G.R. No. 224801.

WHEREFORE, premises considered, the Court resolves to direct Atty. Dante I. Gierran, Director of the National Bureau of Investigation:

1) To transfer, or cause the transfer, of custody of the person of Ernesto M. De Chavez to the New Bilibid Prison in Muntinlupa City, Metro Manila, for service of sentence and to submit to this Court a report of compliance with this directive within a non-extendible period of three (3) days from receipt of a copy of this *Resolution*;

-and-

2) To transfer, or cause the transfer, of custody of the person of accused Rolando M. Lontok, Jr. to the Quezon City Jail under the Bureau of Jail Management and Penology (BJMP) for detention there while awaiting and undergoing trial, and to submit to this Court

³ Id, pp. 1954-2033

⁴ Id, p. 2043

⁵ Id, p. 2037

The bottom of the page features several handwritten marks. On the left, there is a horizontal line with a small mark underneath it. To the right of this line, there are two distinct handwritten signatures or initials. The first signature is more complex and cursive, while the second is simpler and more stylized.

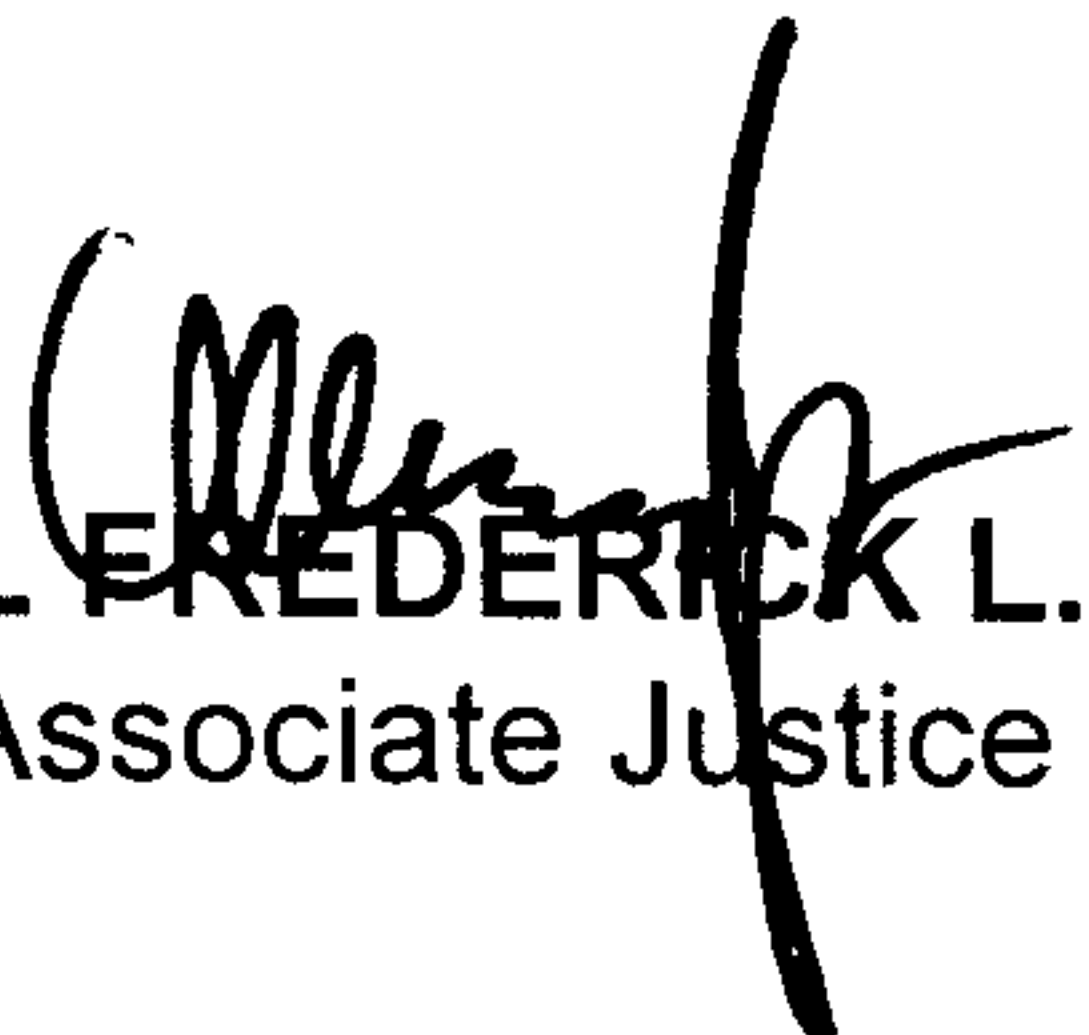
a report of compliance with this directive within a non-extendible period of three (3) days from receipt of a copy of this **Resolution**.

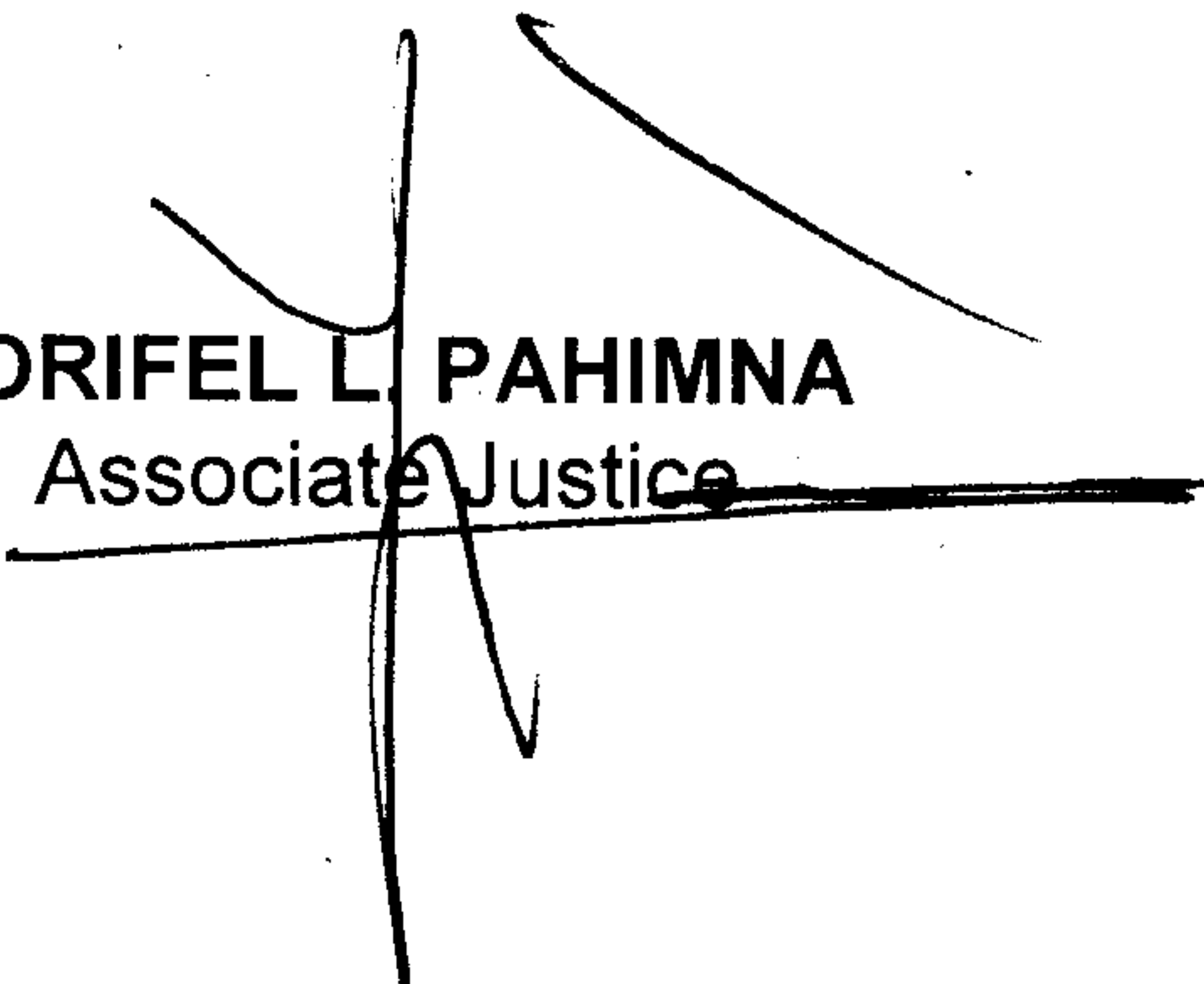
Let a copy of this **Resolution**, together with the corresponding Mittimus/Commitment Orders covering the transfer of accused De Chavez and Lontok to the New Bilibid Prison in Muntinlupa City and the Quezon City Jail, be served immediately to NBI Director Gierran by the Sheriff and Security Services of the Court.

SO ORDERED.


OSCAR B. HERRERA, JR.
Chairperson

We concur:


MICHAEL FREDERICK L. MUSNGI
Associate Justice


LORIFEL L. PAHIMNA
Associate Justice