



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
Centennial Building, Commonwealth Ave., Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on June 9, 2017

Present:

ALEXANDER G. GESMUNDO ----- Chairperson
MA. THERESA DOLORES C. GOMEZ-ESTOESTA ----- Associate Justice
ZALDY V. TRESPESES ----- Associate Justice

The following resolution was adopted:

SB-16-CRM-0770 – People of the Philippines vs. Mariano M. Malones, et al.,

This resolves:

1. Accused Malones, Montefrio and Borra's "MOTION FOR RECONSIDERATION" dated April 17, 2017;¹ and
2. The prosecution's "OPPOSITION RE: ACCUSED'S MOTION FOR RECONSIDERATION" dated April 27, 2017.²

Earlier the Court issued a Resolution³ dated March 21, 2017, denying accused-movants Mariano M. Malones, Cecilio M. Montefrio and Jimmy M. Borra's Opposition to Plaintiff's Motion to Amend Information with Motion to Dismiss Due to Inordinate Delay and Lack of Probable Cause⁴ dated January 25, 2017. The instant Motion for Reconsideration relevantly assails the Court's resolution denying their plea to dismiss the case due to inordinate delay.

The matters raised in the instant Motion for Reconsideration are but rehashed and reiterations of their arguments raised earlier which the Court in the assailed resolution discussed thoroughly the rationale for its denial.⁵

¹ Record, pp. 371-376.

² Record, pp. 386-390.

³ Record pp. 342-350.

⁴ Record pp. 209-215

⁵ See pp. 7-8, Resolution dated March 21, 2017, Record, pp. 348-349.

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The cited cases *People vs. Sandiganbayan* and *Duterte vs. Sandiganbayan* are not applicable to the present case. The nature of the cases and the transaction subject of the cases vis-à-vis the time spent by the Office of the Ombudsman in conducting the preliminary investigation resulting to the filing of the Informations in this Court in those cases vastly differ from the instant case.

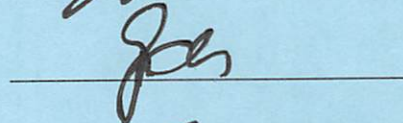
WHEREFORE, accused-movants Malones, Montefrio and Borra's Motion for Reconsideration is **DENIED** for lack of merit. Let the arraignment of accused-movants Malones, Montefrio and Borra set on June 21, 2017 at 8:30 in the morning at the Fourth Division Courtroom, Sandiganbayan, Centennial Building, Commonwealth Avenue, Quezon City.

SO ORDERED.

GESMUNDO, J., *Chairperson*



GOMEZ-ESTOESTA, J.



TRESPESES, J.

