



Republic of the Philippines
Sandiganbayan
 Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 10 July 2017.

Present:

<i>Justice ALEXANDER G. GESMUNDO</i>	-----	<i>Chairperson</i>
<i>Justice MA. THERESA DOLORES C. GOMEZ-ESTOESTA</i>	-----	<i>Member</i>
<i>Justice ZALDY V. TRESPESES</i>	-----	<i>Member</i>

The following resolution was adopted:

SB-14-0224 to 0227 – PEO. v. CAMILO T. LAMMAWIN, JR., et al.

For resolution are the following:

1. The prosecution’s “FORMAL OFFER OF DOCUMENTARY EXHIBITS” dated 01 June 2017;¹ and
2. Accused Camilo Lammawin, Jr. and Salud Lammawin’s “COMMENTS TO THE OFFER OF DOCUMENTARY EXHIBITS” dated 16 June 2017.²

Acting on the prosecution’s request³ for the documentary exhibit, described as the handwritten name and signature of May Navea, initially marked as Exhibit “U-2” to be remarked as Exhibit “U-2-b” as the marking “U-2” was earlier assigned to another documentary exhibit which is the certification dated 13 October 2015 issued by Anna Marie L. Mundin, branch head of Land Bank of the Philippines, Sta. Rosa Branch, said request, which was not objected to by any of the accused and in the interest of justice and orderliness, is **GRANTED**. The marking “U-2” on the handwritten name and signature of May Navea on the Land Bank cash deposit slip dated 21 October 2002 is thus ordered stricken and accordingly replaced with the marking “U-2-b”.

The Court now resolves to **ADMIT** the following prosecution exhibits over the objection of accused Camilo Lammawin, Jr. and Salud Lammawin: “A”, “A-1”, “A-2”, “A-3”, “A-4”, “B”, “B-1”, “B-2”, “B-3”, “C” and

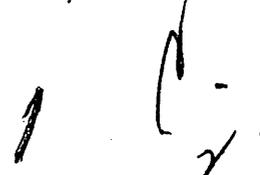
¹ Record, Vol. 3, pp. 22-142.

² Record, Vol. 3, pp. 144-146.

³ Footnote 15, Record, Vol. 3, p. 40.

“C-1”, as they are certified copies of public records which were further authenticated by the officer having legal custody of said records; “D”, as it is a certified copy of a public record; “E”, “E-1”, “E-2”, “E-2-a”, “E-2-b” and “E-3”, as their authenticity were already stipulated on by the parties; “E-4”, “E-4-a”, “E-4-b”, “E-4-c”, “E-4-c-1”, “E-4-c-2”, “E-4-d”, “E-4-e”, “E-4-f”, “E-4-g”, “E-4-h”, “E-4-i”, “E-4-j”, “E-4-k”, “E-4-l”, “E-4-m”, “E-4-n”, “E-4-n-1”, “E-4-o”, “E-4-p”, “E-4-q”, and “E-4-r”, as Exhibit “E-4”, being a system-generated printout from the Land Bank head office, is essentially an original document as testified and authenticated by witness Armando Alvano and since no objection was raised by the defense to its admission; “F” and “F-1”, as their authenticity was stipulated on by the parties; “F-2” (for SB-14-CRM-0224 and 0226), as it is a copy of an official issuance of the Court; “F-2-a” and “F-2-b” (both for SB-14-CRM-0224 and 0226), as they appear to be original documents; “F-3” (for SB-14-CRM-0224 and 0226), as it is a copy of an official issuance of the Court; “F-3-a” and “F-3-b” (both for SB-14-CRM-0224 and 0226), as they appear to be original documents; “M-3”, “M-3-a”, “M-3-b”, “M-3-c”, and “M-4” (all for SB-14-CRM-0224 and 0226), as they are original documents further duly authenticated by witness Noemie Floresca; “M-2”, “M-2-a”, “M-2-b”, “M-2-c”, and “M-2-d” (all for SB-14-CRM-0224 and 0226), as they are duly authenticated by witness Josefina Martina Laragan-Chaclag and no objection was raised by the defense to their admission; “G”, “G-1”, “G-2”, “G-3”, “G-4”, “G-5”, “G-6”, “G-7”, “G-8”, “G-8-a”, as they appear to be original documents further authenticated by witness Susan Rodriguez and since the objection raised by the defense pertains not to their admissibility but to their probative value; “H”, as its authenticity was stipulated on by the parties; “I”, as it was duly authenticated by witness Brigida Alimani and since the defense admitted its existence and its being a faithful reproduction of the original; “J”, “J-1”, and “L”, as no objection was raised by the defense to their admission and since Exhibits “J” and “J-1” were duly authenticated by witness Rodriguez; “N” (for SB-14-CRM-0224 and 0226), as it was duly authenticated by witness Rodriguez; “N-1”,⁴ since Exhibit “N-1” is a copy of an official issuance of the Court; “N-1-a”, “N-1-b”, and “N-1-c”, as the objection raised against Exhibit “N-1-b” was not as to its admissibility but only as to its probative value, while no objection was raised as to Exhibits “N-1-a” and “N-1-c”; “N-2”, as it is an original public document which was further authenticated by witness Agnes Soriente; “P”, as the defense only objected to the purpose for which it was offered and not to its admissibility; “Q”, as it is a certified copy of a public record further duly authenticated by witness Alimani, and since the defense admitted its existence and that it is a faithful reproduction of the original; “R” and “R-1”, as they were authenticated by witness Rodriguez; “S”, “S-1”, “S-2”, and “S-2-a” (all for SB-14-CRM-0224 and 0226), as the objection raised by

⁴ Another documentary exhibit in the Folder of Exhibits is also marked as Exhibit “N-1”, which pertains to signature of depositor in a Land Bank interbranch deposit accommodation form dated 10 July 2002. This was not offered in evidence.



the prosecution pertains more on their probative value rather than to their admissibility and since Exhibit "S" was duly authenticated by witness Jesus Blaza; **"T" and "T-1"** (both for SB-14-CRM-0224 and 0226), as Exhibit "T" is a common exhibit of the prosecution and defense and since it was duly authenticated by witness Blaza; **"U", "U-2-b", "U-3", and "U-4"** (all for SB-14-CRM-0225 and 0227), as they were duly authenticated by witness May Navea; **"U-1", "U-1-a", "U-1-b", and "U-1-c"** (all for SB-14-CRM-0224 and 0226), over the belated objection of the defense as to Exhibit "U-1-a", as Exhibit "U-1" and series were the subject of an earlier stipulation by the prosecution and defense; **"U-2"** (for SB-14-CRM-0224 and 0226), as it was stipulated on by the parties and since it appears to be an original document further authenticated by witness Anna Marie Mundin; **"V" and "V-1"** (both for SB-14-CRM-0225 and 0227), as they are common exhibits of the parties and they were duly authenticated by witness Rodriguez; **"W", "W-1", "W-2", "W-3", "W-4", "W-5" and "W-5-a"**, as they were duly authenticated by witness Rodriguez and since the objection raised pertains more on their probative value rather than to their admissibility; **"Y" and "Y-1"**, as they were duly authenticated by witness Alimani, and since the defense admitted their existence and that they are faithful reproductions of the original; **"Y-2" and "Y-2-a"**, as they were duly authenticated by witness Blaza; **"AA"**, as it was duly authenticated by witness Alimani, and since the defense admitted its existence and that it is a faithful reproduction of the original; and **"EE"** (for SB-14-CRM-0224 and 0226), as no objection to its admission was raised by the defense, and since it appears to be an original document further authenticated by witness Blaza.

Further, the Court finds that Exhibits "F-2-c", the admission of which is not objected to by the defense; and "F-3-c-1", "F-3-c-2", "M" and "M-1", the defense's objections to which pertain more on the probative value of the exhibits rather than to their admissibility, are all photocopies of the same documents (*viz.* PNB deposit slip for Php99,900.00 dated 10 July 2002 for account number 629501120-1 and name Camilo Lummawin, Jr.; and PNB official receipt number 642221 AU of even date for Php100.00 received from Camilo Lammawin, Jr.).⁵ Witness Floresca's testimony and certification (Exhibit M-4) established that the originals of these documents are now irretrievable due to PNB's ten-year retention limit policy, and in lieu of the original deposit slip she submitted to the Court a system printout of PNB Statement of Account for Account No. 6295011201 (Exhibit M-3) showing as one of its entries the transaction referred to in the lost deposit slip (Exhibit M-3-c). In view of this, the Court rules to also **ADMIT** Exhibits **"F-2-c", "F-3-c-1", "F-3-c-2", "M", and "M-1"** (all for SB-14-CRM-0224 and 0226), as the prosecution was able to lay the basis allowing

⁵ The similarities of Exhibits "M-1" and "F-3-c-1" and of Exhibits "M" and "F-3-c-2" were also mentioned by the prosecution during the direct examination of its witness Josefina Martina Laragan-Chaclag (TSN, 27 January 2016, pp. 7-22).

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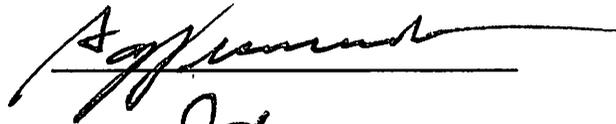
the presentation and admission of said pieces of secondary evidence as required under Rule 130, Sec. 5⁶ of the Revised Rules on Evidence.

The admission of these exhibits is subject to this Court's appreciation of their probative value and as to the purposes for which they were offered. With this disquisition, the prosecution is deemed to have rested its case.

The parties are reminded that the initial presentation of the defense evidence is set on 20 and 27 July 2017 at 8:30 in the morning.

SO ORDERED.

GESMUNDO, J., Chairperson



GOMEZ-ESTOESTA, J.



TRESPESES, J.

