



Republic of the Philippines
Sandiganbayan
Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 20 July 2017.

Present:

Hon. ALEXANDER G. GESMUNDO ----- Chairperson
Hon. MA. THERESA DOLORES C. GOMEZ-ESTOESTA --- Member
Hon. ZALDY V. TRESPESSES----- Member

The following resolution was adopted:

Crim. Case No. SB-16-CRM-0110 to 0113- People vs. GERRY M. BUHAIN

This resolves the following:

1. Prosecution's "FORMAL OFFER OF DOCUMENTARY EVIDENCE" dated June 2, 2017.¹

This resolves the prosecution's Formal Offer of Documentary Evidence filed on June 5, 2017.

During the hearing dated 31 May 2017, the prosecution was given three days within which to file their formal offer of evidence, copy furnished the counsel for accused, who was given a like period within which to file its comment or opposition.²

Record shows that the prosecution's formal offer of documentary evidence was served on accused's counsel through registered mail on June 5, 2017.³ However, accused failed to file any comment or opposition and thus, his filing is deemed waived.

After due consideration of the above incident, the Court resolves to **ADMIT** the following:

Exhs. "A" and "A-1", the Complaint-Affidavit of Dennis G. Buenaventura. The said evidence has been identified by Buenaventura in open court; and

¹ Rollo, Vol. 2, pp. 13-167.

² Rollo, Vol.1, pp. 409 to 410.

³ p. 11 of Formal Offer of Documentary Evidence, Rollo, Vol.2, pp. 13-167.

M. J.

Exhs. “A-2” to “A-20” and submarkings, **“B” to “F”** and submarkings, as they are certified photocopy of documents on file with Field Investigation Office (FIO), Administrative Office, Office of the Ombudsman. They were identified by prosecution witness Aileen Maqueda, the person who certified the documents.

Moreover, the due execution and genuineness of Exhs. “A-1” to “A-16” were admitted by the defense during the pre-trial conducted on 29 May 2017.⁴ Exhs. “A-17” to “A-20” and “B” to “F” were likewise admitted by the defense.⁵

It is to be noted however, that the admission of these exhibits is subject to the Court’s appreciation of their probative value as to the purposes for which they were offered. In view of the admission of the documentary exhibits, the prosecution is deemed to have rested its case.

The parties are reminded of the settings of the presentation of defense evidence on **September 5 and 9; October 3 and 17, 2017, all at 8:30 in the morning.**

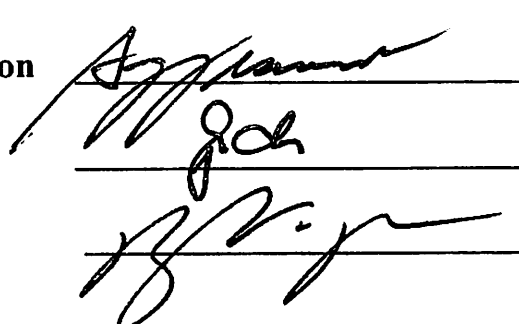
SO ORDERED.

Approved:

GESMUNDO, Chairperson

GOMEZ-ESTOESTA, J.

TRESPESES, J.

The block contains three handwritten signatures, each written over a horizontal line. The first signature is for Gesmundo, the second for Gomez-Estoesta, and the third for Trespeses. The signatures are in cursive and appear to be in black ink.

⁴ *Rollo*, Vol. 1, pp. 395-402.

⁵ *Id.*