



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

Fifth Division

PEOPLE OF THE PHILIPPINES, SB-17-CRM-0745
Plaintiff,

**For: Violation of section 5(d) of
Pres. Decree No. 449, as
amended**

– versus –

**FE SUDARIO-RENOMERON,
DAVID M. ALCOBER, FELIPE
E. CORAL JR., ANTONIO G.
TAN, LUIS MARLON U.
TORRES, BENONI Z. POCPOC,
ED GABRIEL E. GUIMBA, &
ROGER P. SERDONCILLO,
*Accused.***

Present:

**LAGOS, J., Chairperson,
CRUZ*, and
MENDOZA-ARCEGA, JJ.**

Promulgated:

July 17, 2017 *fel*

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RESOLUTION

LAGOS, J.:

This resolves accused Tan, Torres and Serdoncillo's "Urgent Omnibus Motion [On Speedy Disposition of Case]" dated 23 June 2017 and the Prosecution's opposition dated 02 May 2017.

In the Court's Resolution of May 11, 2017, We dismissed the captioned case on the ground of inordinate delay with respect to co-accused Fe Sudario-Renomeron, David M. Alcober, Felipe E. Coral Jr., Benoni Z. Pocpoc and Ed Gabriel E. Guimba.

*Designated as Special Member, per Administrative Order No. 025-2017 dated 1 February 2017.

We stated therein that:

“The length of delay starts from the filing of the complaint against the accused up to the filing of the information with this Court. This adds up to a total period of about seven (7) years and eleven (11) months.

As regards the second factor or the reasons for the delay, there is clearly no satisfactory reason for the delay resulting from the long inaction of the Office of the Ombudsman.

While the administrative and criminal aspects of this case is different and subject to different proceedings, it cannot be denied that both administrative and criminal proceedings were based on the same set of complaints and alleged irregularities. As early as February 2010, the administrative case was already decided, which was finally approved by the Ombudsman in December 2010.

There is no plausible circumstance to explain why it took six (6) years and four (4) months more to resolve the criminal aspect of the complaint. As already discussed, the administrative and criminal cases are different. But both are concerned with the same set of facts and evidence.”

Movants Tan, Torres and Serdoncillo are similarly situated as those accused whose cases were dismissed by Our May 11, 2017 Resolution. Therefore, the same ruling therein should apply to the aforesaid movants.

WHEREFORE, the motion is hereby **GRANTED**. SB-17-CRM-0745 as against accused ANTONIO G. TAN, LUIS MARLON U. TORRES and ROGER P. SERDONCILLO, is **DISMISSED**. The hold departure orders issued against them in connection with this case are also **CANCELLED**.

SO ORDERED.


RAFAEL R. LAGOS
Associate Justice
Chairperson

WE CONCUR:


REYNALDO P. CRUZ
Associate Justice


**MARIA THERESA V.
MENDOZA-ARCEGA**
Associate Justice