

Republic of the Philippines
SANDIGANBAYAN
Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on November 9, 2017.

PRESENT:

HON. SARAH JANE T. FERNANDEZ..... Chairperson
HON. MICHAEL FREDERICK L. MUSNGI*..... Associate Justice
HON. BERNELITO R. FERNANDEZ**..... Associate Justice

SB-14-CRM-0425 – PEOPLE vs. ANTONIO MARTINEZ SUBA

The following resolution was adopted:

This resolves the *Motion for Reconsideration of the Order Denying Leave to File Demurrer to Evidence* dated October 25, 2017 filed by accused Antonio Martinez Suba, through counsel and the *Comment/Opposition (To Accused Antonio Suba's Motion for Reconsideration of the Order Denying Leave to File Demurrer to Evidence)* dated November 2, 2017 filed by the prosecution.

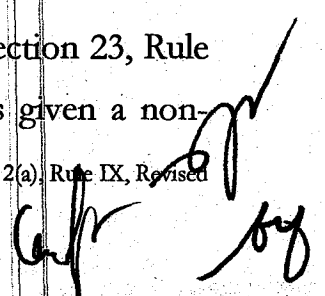
The subject *Motion for Reconsideration of the Order Denying Leave to File Demurrer to Evidence* is **DENIED**.

After a careful restudy of the records of the case, including the testimonial and documentary evidence formally offered by the prosecution and admitted by the Court, this Court finds no reason to reconsider its Resolution dated October 2, 2017 denying the *Motion Requesting Leave to File Demurrer to Evidence* dated June 20, 2017.

WHEREFORE, the instant *Motion for Reconsideration of the Order Denying Leave to File Demurrer to Evidence* dated October 25, 2017 is **DENIED**. Accused Antonio Martinez Suba's prayer asking for 30 days to file Demurrer to Evidence is, likewise, **DENIED**. Accused Suba, through counsel, is given a non-extendible period of ten (10) days from notice within which to file, if he so desires, a Demurrer to Evidence without leave of court, subject to the legal consequences set forth in Section 23, Rule 119 of the Revised Rules of Criminal Procedure. The prosecution is given a non-

* Justice Musngi took part in the resolution of the *Motion Requesting Leave to File Demurrer to Evidence* (Section 2(a), Rule IX, Revised Internal Rules of the Sandiganbayan).

** Per Administrative Order No. 330-2017 dated September 27, 2017.



extendible period of ten (10) days from receipt of the Demurrer to Evidence to file its Comment thereto. The Demurrer to Evidence and the Comment thereto, shall be filed and served through personal filing and service.

The hearings set on January 23 and 30, 2018 and February 7, 2018, all at 1:30 in the afternoon for accused Suba to present his evidence are maintained. The said scheduled dates will be considered automatically cancelled upon receipt by the Court of the Demurrer to Evidence.¹

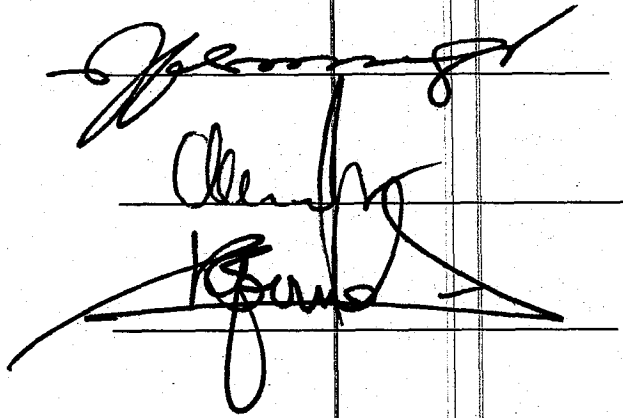
SO ORDERED.

APPROVED:

FERNANDEZ, SJ, J., *Chairperson*

MUSNGI, MF, J.,

FERNANDEZ, B, J.,

Three handwritten signatures are present on the right side of the page, each written over a horizontal line. The top signature is the most legible, appearing to read 'S. J. Fernandez'. The middle signature is less legible, possibly 'M. F. Musngi'. The bottom signature is also less legible, possibly 'B. J. Fernandez'. The signatures are written in black ink.

¹ Pursuant to A.M. No. 15-06-10-SC, Revised Guidelines for Continuous Trial of Criminal Cases