



REPUBLIC OF THE PHILIPPINES  
**Sandiganbayan**  
 Quezon City

**SIXTH DIVISION**

**PEOPLE OF THE PHILIPPINES,**  
 Plaintiff,

**SB-16-CRM-0191 to 0234**  
 For: Violation of Section 89 in  
 relation to Section 128 of P.D.  
 No. 1445 (State Audit Code)

- versus -

**RHUSTOM L. DAGADAG,**  
 Accused.

**SB-16-CRM-0235**  
 For: Violation of Art. 217 of the  
 Revised Penal Code  
 (Malversation of Public Funds)

*Present:*

**FERNANDEZ, SJ, J.**  
 Chairperson  
**MIRANDA, J.** and  
**FERNANDEZ, B, J.\***

*Promulgated:*

**NOV 23 2017**

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**RESOLUTION**

**FERNANDEZ, SJ, J.**

This resolves the *Notice of Death with Motion to Dismiss*<sup>1</sup> filed by Atty. Hazel G. Dilig-Carandang, counsel for accused Rhustom L. Dagadag. Through said *Notice and Motion*, Atty. Dilig-Carandang informed this Court of accused Dagadag's death on August 30, 2017, and, in view of accused Dagadag's death, prayed for the dismissal of the instant criminal actions against accused Dagadag, as well as his civil liability *ex delicto*. The counsel for the accused attached a copy of the Certificate of Death issued by the Civil Registrar of Tabuk City, Kalinga.

\* Per Administrative Order No. 338-2017 dated October 2, 2017, Special Member in view of the vacancy in the Sixth Division.

<sup>1</sup> Dated October 2, 2017.

*[Handwritten signatures]*

**RESOLUTION**

*People vs. Dagadag*

*Criminal Cases No. SB-16-CRM-0191 to 0235*

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On October 13, 2017, the Court heard the *Motion* and required the prosecution to confirm the alleged death of accused Dagadag. The prosecution, in its *Compliance* dated November 7, 2017 (with the Court's Order dated October 13, 2017), submitted Certificate of Death with Registry No. 2017-416 issued by the Philippine Statistics Authority. Said Certificate of Death shows that one **RHUSTOM LAMBAYONG DAGADAG** passed away on August 30, 2017. The prosecution did not interpose any objection to the instant *Motion*.

It appears from the foregoing that the death of accused Dagadag was sufficiently established.

**WHEREFORE**, pursuant to Article 89 of the Revised Penal Code, the instant cases against accused Rhustom Lambayong Dagadag are hereby **DISMISSED**.

Further, the cash bail bond in the amount of **Fifty Three Thousand Two Hundred Pesos (PhP53,200.00)**, as evidenced by **Official Receipt No. 7381465 O** dated **May 25, 2016**, is hereby **ORDERED** released to the heirs of accused Dagadag, subject to the usual accounting and auditing procedures. The Hold Departure Order dated April 18, 2016 against accused Dagadag is hereby **LIFTED**.

Let a copy of this Resolution be furnished the Bureau of Immigration.

The *Compliance* dated November 7, 2017 filed by the prosecution is **NOTED**.

SO ORDERED.

  
**SARAH JANE T. FERNANDEZ**  
Associate Justice  
Chairperson

**WE CONCUR:**

  
**KARL B. MIRANDA**  
Associate Justice

  
**BERNELITO R. FERNANDEZ**  
Associate Justice