



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on May 10, 2018

PRESENT:

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

The following resolution was adopted:

SB-13-CRM-0309 to 0310 –

PEOPLE vs. RAUL R. LEE, ET AL.

This resolves the *Motion for Partial Reconsideration of the April 5, [sic] 2018 Resolution*¹ filed by accused Antonio R. Huab, Rosie D. Agnis, Annie H. De Vera and Teresita D. Paladin (accused Huab, et al.); and the *Motion for Reconsideration (Re: Resolution dated 03 April 2018 on Prosecution's Formal Offer Of Documentary Exhibits)*² filed by accused Raul R. Lee, Florencio C. Diño II, Felicisimo D. Brondial and Manuel S. Laurosa (accused Lee, et al.).

The prosecution, in its *Consolidated Comment/Opposition (To Accused Lee, Dinio [sic], Brondial and Laurosa's Motion For Reconsideration To The Resolution Of the Honorable Court Dated April 03, 2018) And (To Accused Huab, Agnis, De Vera and Paladin's Motion For Partial Reconsideration To The Resolution of the Honorable Court Dated April 03, 2018)*,³ opposed the respective motions of accused Huab, et al. and accused Lee, et al.

This Court **DENIES** the motion of accused Huab, et al. They contend that certain documentary exhibits⁴ are not admissible because the same have no relation to them, and are therefore, irrelevant. Their contention is untenable.

(Revised Internal Rules of the Sandiganbayan, Rule IX, Sec. 2[a])

* J. Fernandez, B participated in the assailed Resolution (Per Administrative Order No. 330-2017 dated September 27, 2017; Revised Internal Rules of the Sandiganbayan, Rule IX, Sec. 2[a])

** J. Musngi participated in the assailed Resolution (Per Administrative Order No. 057-2018 dated January 29, 2018; Revised Internal Rules of the Sandiganbayan, Rule IX, Sec. 2[a])

¹ Dated April 22, 2018, Record, Vol. 3, pp. 359-361

² Dated April 23, 2018, Record, Vol. 3, pp. 365-373.

³ Dated May 2, 2018, Record, Vol. 3, pp. 374-378

⁴ Exhibits G to G-1, H to H-4, H-3-a, I to I-4, I-4-a, J to J-1, J-1-a, J-2, K to K-1, K-2, L, L-1, L-2, M to M-1, N to N-1, O, P to P-1, Q to Q-3, R, R-1, R-2, S to S-1, S-1-a, T, T-1, U, V, W to W-1, X, Y, Z, Z-1, Z-2, Z-3, BB, BB-1, BB-2, DD, EE, KK, LL, MM, NN to NN-5, OO, OO-1 to OO-8, OO-9 to OO-13, PP to PP-8, RR, TT, TT-1, TT-2 and WW

Evidence is relevant if it has a relation to the fact in issue as to induce a belief in its existence or nonexistence.⁵ The assailed documentary exhibits are related to the facts in issue. Thus, regardless of whether said exhibits pertain to only one, some, or to all of the accused, said exhibits remain to be relevant.

The Court also ***DENIES*** the motion of accused Lee, et al. They claim that certain documentary exhibits⁶ violate the best evidence rule because they are mere copies. This is a rehash of their argument in their *Comment (Re: Prosecution's Formal Offer Of Documentary Exhibits)*,⁷ and was already considered in the assailed Resolution. Moreover, Exhibits R,⁸ S,⁹ Z,¹⁰ BB¹¹ and EE¹² were compared with, and were found to be faithful reproductions of the originals; while Exhibits RR and TT were identified by witnesses Luisito S. Suarez¹³ and Renee Mark Fajardo,¹⁴ and Exhibit WW was identified by witness Frederico Jumbas, Jr.¹⁵

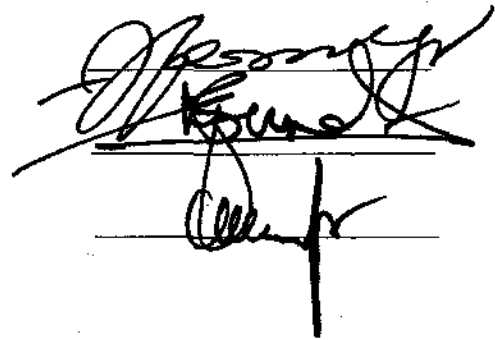
SO ORDERED.

APPROVED:

FERNANDEZ, SJ, J.,

FERNANDEZ, B, J.

MUSNGI, J.



⁵ *Rules of Court*, Rule 128, Sec. 4

⁶ Exhibits J to J-1, J-1-a, J-2, K to K-1, K-2, L, L-1, L-2, M to M-1, N and N-1, O, R, R-1, R-2, S to S-1, S-1-a, T, T-1, V, Z, Z-1, Z-2, Z-3, BB, BB-1, BB-2, DD, EE, KK, LL, MM, RR, TT, TT-1, TT-2 and WW

⁷ Record, Vol. 3, pp. 341-353

⁸ TSN, January 8, 2018, p. 33

⁹ TSN, January 8, 2018, pp. 37-38

¹⁰ TSN, January 8, 2018, p. 44

¹¹ TSN, January 8, 2018, p. 50

¹² TSN, January 8, 2018, p. 28

¹³ TSN, October 28, 2014, pp. 19-20; TSN, March 4, 2015, pp. 23-25

¹⁴ TSN, August 11, 2015, p. 13, 15-17

¹⁵ Record, Vol. 3, p. 79