



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

SPECIAL SEVENTH DIVISION

PEOPLE OF THE PHILIPPINES,

Plaintiff-Appellee,

SB-17-A/R-0026 to 0030

For: Malversation through
Falsification of Public Documents
and Violation of Section 3(e) of
R.A. 3019

-versus-

Present:

Gomez-Estoesta, J., *Chairperson*
Trespeses, J.
Jacinto, J.

LARA MAE A. REYES and
STEPHANIE BELLE MAÑO,

Accused-Appellants.

Promulgated on: ~

June 29, 2018 *YJ*

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RESOLUTION

Jacinto, J.:

This resolves the *Motion for Reconsideration*¹ of the 16 April 2018 *Decision*² filed by appellants Lara Mae Reyes and Stephanie Belle Maño. The *Decision* affirmed their conviction for four (4) counts of Malversation through Falsification of Public Document under Article 217, in relation to Art. 171, of the Revised Penal Code (RPC) and one (1) count of Violation of Section 3 (e) of Republic Act (R.A.) No. 3019.³

Appellants argue that the prosecution failed to prove that the barangay patrol service vehicle with plate number SFY 827 was no longer serviceable during the period in question since there was no categorical statement from any of the prosecution's witnesses to this effect. They claim that the testimonies of the prosecution witnesses, except that of former *Kagawad* Ramelo Racella, are hearsay and are outweighed by their controverting evidence. Finally, they contend that the Commission on Audit (COA)

¹ Dated 7 May 2018, Records, pp. 161-167.

² Records, pp. 145-155.

³ Otherwise known as Anti-Graft and Corrupt Practices Act.

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misinterpreted appellant Reyes's Justification/Comment on the COA Inquiry made in connection with this case.

The prosecution, on the other hand, submits that the arguments advanced by appellants are the same as those made in their *Appellants' Brief*, and have already been passed upon by the Court. Nonetheless, the prosecution maintains that it was able to prove appellants' guilt beyond reasonable doubt.

The motion is bereft of merit.

Indeed, appellants' *Motion for Reconsideration* does not present any new and compelling reason for the Court to reconsider its earlier *Decision*. Appellants merely reiterate arguments that they already raised in their *Appellants' Brief*, which have already been considered and addressed by the Court in its *Decision*.

The prosecution's evidence clearly established the fact that the service vehicle with plate number SFY 827 has not been in running condition since 2003, and was in fact not registered with the Land Transportation Office.

As to the assertion that the COA misinterpreted appellant Reyes's Justification/Comment on the COA Inquiry, it bears stressing that Auditor Oscar Ongray testified that his findings were based on the Justification/Comment submitted by appellant Reyes, as well as his own observations during ocular inspection.⁴ Thus, in the absence of contrary evidence, the presumption of regularity in the performance of Auditor Ongray's duty holds.

In sum, the Court finds no reason for it to reconsider its earlier *Decision*.

WHEREFORE, appellants' *Motion for Reconsideration* is **DENIED**, for lack of merit.

SO ORDERED.

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⁴ *Rollo*, Vol. 4, pp. 190-192.

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RESOLUTION

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BAYANI H. JACINTO
Associate Justice

WE CONCUR:


**MA. THERESA DOLORES C.
GOMEZ-ESTOESTA**
Chairperson, Associate Justice


ZALDY V. TRESPESSES
Associate Justice