



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
QUEZON CITY

SEVENTH DIVISION

MINUTES of the proceedings held on July 5, 2018.

Present:

MA. THERESA DOLORES C. GOMEZ-ESTOESTA ----- Chairperson
ZALDY V. TRESPESSES ----- Associate Justice
GEORGINA D. HIDALGO ----- Associate Justice

The following resolution was adopted:

CRIMINAL CASE NOS. SB-09-CRM-0087, 0088, 0097, 0098, 0107, 0108, 0117, 0118, 0127 & 0128

PEOPLE v. ANTONIO P. BELICENA, ET AL.

Before the Court is:

Accused Grace Chingkoe's "MANIFESTATION AND MOTION TO COMPEL THE PROSECUTION TO PRODUCE THE ORIGINAL SECRETARY'S CERTIFICATE DATED SEPTEMBER 12, 1996 ALLEGEDLY SIGNED BY GRACE CHINGKOE ONG" dated April 3, 2017.

It will be recalled that in October 10, 2017, this Court¹ issued a *Resolution* granting accused Chingkoe's earlier motion to require the NBI's Question Documents Division to conduct an examination on the subject Secretary's Certificate. In her *Motion*,² accused Chingkoe asserts the impossibility of conducting said examination without the original copy of the Secretary's Certificate being produced by the Prosecution. She mentions this Court's *Resolution* dated September 25, 2017 in a related case³ requiring the Prosecution to produce said original document for comparison in a clarificatory hearing set on November 8, 2017. On said date, however, the Prosecution failed to produce the original Secretary's Certificate.

Accused Chingkoe thus requests that the Prosecution be directed to produce the Secretary's Certificate or otherwise admit that they do not have it

¹ Through its First Division, before this case was unloaded to the Seventh Division – *Records*, Vol. 4. Pp. 179-183

² *Id.*, pp. 411-414

³ Seventh Division Resolution in SB-09-CRM-0044, 0052, 0057, 0062 to 0067, 0085, 0086, 0091, 0092, 0095, 0096, 0105, 0106, 0115, 0116, 0125, 0126, 0131, 0132, 0135, and 0136

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and that accused Chingkoe was charged on the basis of only a copy of said Secretary's Certificate.

During the hearing on accused Chingkoe's *Motion* on April 6, 2018, the Prosecution manifested that "*the Prosecution is not in possession of the original of the said Secretary's Certificate, and what the Prosecution received from the Department of Finance is a mere certified true copy of the said Secretary's Certificate.*"⁴

With this manifestation, this Court could no longer compel the Prosecution to produce the original Secretary's Certificate, as sought by accused Chingkoe. As she properly put, the NBI Questioned Documents Division could not conduct a handwriting examination on a mere copy of the Secretary's Certificate.

How accused Chingkoe intends to proceed, if she does, with her request for a Questioned Documents Examination of the Secretary's Certificate by the NBI, is now left hanging.

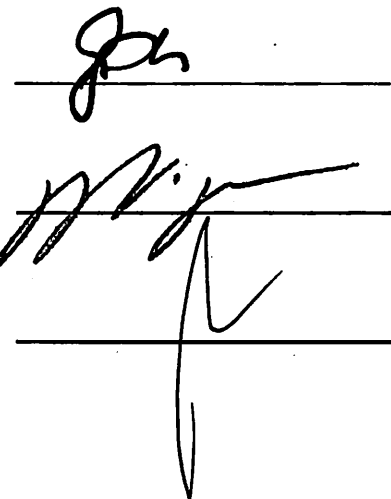
In view of the foregoing, accused Chingkoe is directed to manifest before this Court, within three (3) days from receipt hereof, whether she intends to proceed with her request for an examination of the Secretary's Certificate dated September 12, 1996 by the NBI Questioned Documents Division, on the basis of the certified copy of the same in the possession of the Prosecution or whether the original thereof can still be produced from other sources.

SO ORDERED.

GOMEZ-ESTOESTA, J., *Chairperson*

TRESPESES, J.

HIDALGO, J.



⁴ Order dated April 6, 2018, *Records*, Vol. 4, p. 417.