



Republic of the Philippines

SANDIGANBAYAN

Quezon City

THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- *versus* -

SB- 16-CRM-0439 to0453

*For: Violation of Section 3(e) of RA
3019 and Malversation of Public
Funds*

**JEJOMAR CABAUTAN BINAY, SR.,
ET AL.,**

Accused.

X-----X

Present:

CABOTAJE-TANG, A., PJ
Chairperson

FERNANDEZ, B., J

FERNANDEZ, S.J.*, J

Promulgated on:

July 17, 2018

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RESOLUTION

FERNANDEZ B., J.

For consideration is the Amended Motion dated July 4, 2018 filed by accused Orlando M. Mateo, through counsel, principally seeking leave to travel to New York, USA from July 19 to August 15, 2018.

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Originally, a Motion dated June 26, 2018 with a similar prayer was filed by the accused-movant. However, the same was denied considering that the requested travel period will exceed thirty (30) days.

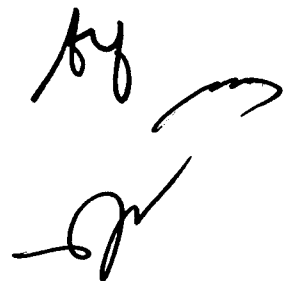
Hence, the subject Amended Motion.

In his Amended Motion, the accused-movant alleges that, because of his career accomplishments (Annex "2"), he, through his company, Mana Architecture and Interior Design Co. (Mana), was invited (Annex "1") to New York, USA by one Don Leopoldo Tagatac, President of Don Leo Resources, Inc., a New York-based corporation, to tour the latter's project sites for a possible professional engagement and/or business venture. The accused-movant also emphasized that he has all the reasons to return to the Philippines because his family, business and personal interests are here, hence, he is not a flight risk.

During the hearing on the Amended Motion last July 9, 2018 and after the accused-movant reiterated the allegations stated in the same, the prosecution orally objected to the Amended Motion on two (2) grounds, namely: (1) that other representatives from Mana may be sent who are equally competent and therefore the travel of the accused-movant is not indispensable; and (2) that he should always be within the jurisdiction of this Court considering the sensitivity of these cases (Order, July 9, 2018).

In response, the accused-movant manifested that he has been an architect for five (5) decades and that he was specifically requested by Don Leopoldo Tagatac because of his technical expertise. Moreover, his presence is needed because he can immediately decide on matters that may be subject of discussion with Mr. Tagatac (Order, *ibid.*).


After a review of the Amended Motion and the annexes attached therewith and in light of the verbal comments/objections of the prosecution, this Court hereby GRANTS the same Amended Motion to be meritorious.



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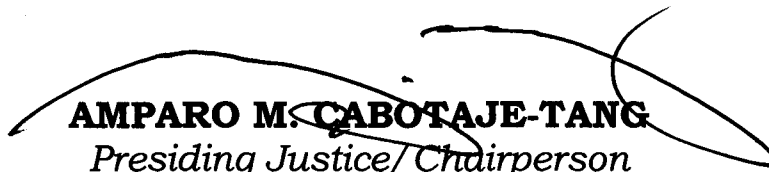
Let the appropriate order be issued containing the conditions that need to be complied with by the accused-movant prior to his travel and immediately upon his return to the Philippines. The accused-movant is further directed to submit before this Court within five (5) days from receipt of this Order his hotel bookings and contact numbers while in New York City, USA.

SO ORDERED.



BERNELITO R. FERNANDEZ
Associate Justice

We concur:



AMPARO M. CABOTAJE-TANG
Presiding Justice/Chairperson



SARAH JANE T. FERNANDEZ*
Associate Justice