



Republic of the Philippines
SANDIGANBAYAN
Quezon City

SIXTH DIVISION

PEOPLE OF THE PHILIPPINES, **THE** **SB-16-CRM-0483**
Plaintiff, For: Violation of Section 3 (e) of
Republic Act (R.A.) No. 3019

-versus-

EDNA V. OGKA BENITO, PRESENT:
SULTAN RASCAL Z. ARIMAO,
NAJIB ALYHAR B. ZACARIA, FERNANDEZ, SJ, J., *Chairperson*
and CASANGOAN B. MIRANDA, &
MAROHOM, VIVERO, JJ.
Accused,

Promulgated:

AUG 01 2018

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RESOLUTION

MIRANDA, J.:

For resolution are the: 1) Motion for Leave to File Demurrer to Evidence (With Attached Demurrer to Evidence) dated June 29, 2018 filed by accused Edna Villafuerte Ogka Benito (Benito), Sultan Rascal Zampai Arimao (Arimao), Najib Alyhar Benito Zacaria (Zacaria), and Casangoan Bli Marohom (Marohom); and 2) Opposition dated July 9, 2018 filed by the Prosecution.

After a thorough review of the records of the case and the evidence submitted by the Prosecution, the Court finds that, if unrebutted, the same is

sufficient to support a verdict of guilt for violation of Section 3 (e) of R.A. No. 3019. The Court hereby **DENIES** the Motion for Leave to File Demurrer to Evidence filed by accused Benito, Arimao, Zacaria and Marohom.

This is without prejudice to the filing of the accused of their Demurrer to Evidence without prior leave of court, but subject to the legal consequence provided under Section 23, Rule 119 of the Revised Rules of Criminal Procedure, as amended, that they shall waive the right to present evidence and submit this case for judgment on the basis of the evidence adduced by the Prosecution.


WHEREFORE, the Motion for Leave of Court to File Demurrer to Evidence (With Attached Demurrer to Evidence) dated June 29, 2018 is **DENIED**. The attached Demurrer to Evidence is merely **NOTED** without action. Accused Benito, Arimao, Zacaria and Marohom, through counsel, are given a non-extendible period of five (5) days from receipt of this Resolution within which to file their Demurrer to Evidence without prior leave of court, if they so desire, or file a Manifestation informing the Court that they will no longer file a Demurrer to Evidence.

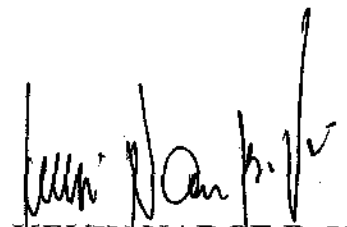
The hearings set on August 14 and 15, 2018 at 1:30 in the afternoon for the presentation of the evidence for the Defense are maintained. The said scheduled dates will be considered automatically cancelled upon receipt by the Court of the Demurrer to Evidence of the accused.

SO ORDERED.


KARL B. MIRANDA
Associate Justice

WE CONCUR:


SARAH JANE T. FERNANDEZ
Associate Justice
Chairperson


KEVIN NARGE B. VIVERO
Associate Justice