



Republic of the Philippines
SANDIGANBAYAN
Commonwealth Avenue, Quezon City
FIFTH DIVISION

MINUTES of the proceedings held on August 17, 2018

Present:

Hon. RAFAEL R. LAGOS Chairperson, *A.J.*
Hon. MARIA THERESA V. MENDOZA-ARCEGA *Associate Justice*
Hon. MARYANN E. CORPUS-MAÑALAC *Associate Justice*

The following resolution was adopted in:

Criminal Case No. SB-18-CRM-0011: People of the Philippines vs.
RAMONITO D. DURANO III

For Our consideration is accused Ramonito D. Durano III's "MOTION FOR LEAVE TO TRAVEL" dated 23 July 2018, praying that he be authorized to travel on September 7 to 12, 2018 as part of the official delegation of Governor Hilario P. Davide III to Fujian, People's Republic of China.

On July 31, 2018, during the hearing on the Motion, Prosecutor Ryan Rey S. Quilala moved for the outright dismissal thereof on the ground that accused Durano did not appear in Court.

Atty. Guiller Y. Ceniza manifested that he has with him a Special Power of Attorney executed by accused Durano in his favor, which allows him to represent the accused in the proceedings in this case. Atty. Ceniza adds that accused Durano had been previously granted travel abroad and his travel bond had not yet been withdrawn and is still with the Court. Lastly, Atty. Ceniza states that neither the accused, nor the issue involved this case pose a threat to the national security, hence, he invokes his client's right to travel.

For the reason stated therein and considering that the right to travel is a constitutional right which cannot be impaired except in cases provided for, and considering further that accused had been previously granted travel abroad pursuant to the March 02, 2018 Minute Resolution, the instant motion is **GRANTED**, subject to the condition that accused Durano will appear before the Division Clerk of Court prior to the intended travel.

On August 17, 2018 at 1:45 in the afternoon, Durano appeared before the Division Clerk of Court, which is hereby **NOTED**.

Accordingly, and over the objection of the prosecution, the instant motion is granted, subject to the usual terms and conditions, to wit:

- 1) That accused-movant's approved travel shall be from **September 07 to 12, 2018 only**;

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- 2) That his itinerary of travel shall cover Fujian, People's Republic of China only and not any other place;
- 3) That accused-movant's travel bond, amounting to **THIRTY THOUSAND PESOS (Php30,000.00)** which he had previously posted, and which has not yet been withdrawn, shall continue to guarantee his faithful compliance with the conditions imposed herein;
- 4) That within five (5) days after his return, the accused shall advise this Court of his arrival personally and formally in writing, appending on his compliance a photocopy of his passport upon which the stamp of arrival of the Bureau of Immigration and Deportation (BID) is affixed, the photocopy to be authenticated by the Clerk of Court of this Division after comparison with the original thereof, otherwise, his future petitions for authority to travel will be denied by this Court;
- 5) That any material misrepresentation made in the accused's motion shall be punished as contempt of this Court and shall be dealt with accordingly;
- 6) That he undertakes to abide faithfully with all his undertakings herein, such that any violation of the terms and conditions contained in this resolution shall be sufficient ground for this Court to order the forfeiture of his travel bond, as well as to cause the issuance of a warrant for his arrest;
- 7) Notice of further proceedings hereon, should the accused not return as undertaken, shall be made to him prior to his return through his counsel of record; and
- 8) If the accused fails to return as undertaken, it shall be deemed as waiver of his right to be present in the hearings/trial of his cases and trial will proceed as scheduled in his absence.

SO ORDERED. *lal*

LAGOS, Chairperson, *J.*

MENDOZA-ARCEGA, *J.*

CORPUS-MAÑALAC, *J.*

