



REPUBLIC OF THE PHILIPPINES

*Sandiganbayan*

Quezon City

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**SIXTH DIVISION**

MINUTES of the proceedings held on September 10, 2018

Present:

<i>Hon. SARAH JANE T. FERNANDEZ</i>	-	<i>Chairperson</i>
<i>Hon. KARL B. MIRANDA</i>	-	<i>Associate Justice</i>
<i>Hon. KEVIN NARCE B. VIVERO</i>	-	<i>Associate Justice</i>

The following resolution was adopted:

***Crim. Cases No. SB-08-CRM-0270 and SB-12-CRM-0006 – PEOPLE VS. ROBERTO G. LALA, ET AL.***

In view of the failure of accused Lala, et al. and counsel to appear for the comparison, stipulation and remarking of exhibits despite due notice, the Court is constrained to consider the said accused to have waived and abandoned their request for comparison of Exhibits 5, 6, 7, 8, and 71. Accordingly, the motion is hereby DENIED for lack of interest on the part of the accused.

From the records, it appears that the Resolution of the Court dated July 27, 2018 that set the said incident on September 7, 2018 was served to counsel through courier to give him and the accused ample time to book their flight, and the notice was received by counsel on August 3, 2018 through a certain Mariam Alburo. When the accused and counsel failed to appear on September 7, 2018, the Court went as far as inquiring by telephone call whether they will appear or not, and it was only then that the Court was informed that the scheduled conference was not in the calendar of counsel and he was not able to book a flight to Manila. To the mind of the Court, the excuse of counsel that he failed to include the incident in his calendar allegedly due to the mistake of his office staff does not justify his absence because prudence dictates that counsel should be wary of all incidents related to his cases, including the schedules of hearing thereon.

In order to avoid further delay in the resolution of these cases, the prosecution is given a non-extendible period of ten (10) days from receipt hereof to file its consolidated comment on or opposition to the formal offers of accused Lala, et al., Manggis, et al., and Surla. Thereafter, the incident shall be deemed submitted for resolution.

**SO ORDERED.** 

Approved:

FERNANDEZ, S.J., J.

MIRANDA, J.

VIVERO, J.

