

REPUBLIC OF THE PHILIPPINES

Sarungbayan

FOURTH DIVISION

MINUTES of the proceedings held on August 17, 2018

Present:

Hon. ALEX L. QUIROZ	Associate Justice
Hon. REYNALDO P. CRUZ	Associate Justice
Hon. EDGARDO M. CALDONA*	Associate Justice

The following resolution was adopted:

SB-17-CRM-0624 - PEOPLE vs. JESUS O. TYPOCO, JR., et. al.

The "MANIFESTATION with SUBMISSION" dated August 9, 2018, filed by the prosecution pursuant to the Court's Resolution dated March 26, 2018 is **NOTED**.

With the submission of the Certificate of Death (authenticated copy attached to the Manifestation dated August 9, 2018) of accused **Maribeth R. Malaluan** issued by the Philippine Statistics Authority, the case is hereby **DISMISSED** (Art. 89 of the Revised Penal Code) due to the death of the accused. With respect to accused **Alex Rivera** considering that there was already a determination of the existence of probable cause against accused Maribeth R. Malaluan and Jose Atienza, and accused Rivera has not been included in the issuance of the same in our Resolution dated January 15, 2018, to wit:

"In regard to LORNA A. CORESES who failed to file the proper motion notwithstanding her counsel's manifestation during the hearing on April 20, 2017, as well as with respect to accused MARIBETH R. MALALUAN AND JOSE T. ATIENZA, this Court finds that the evidence, consisting of the Resolution of the Office of the Ombudsman dated May 7, 2015, its Joint Order dated November 16, 2015, the Field Investigation Office (FIO) Complaint dated April 6, 2011, together with all its attachments, clearly establishes the existence of probable cause for the issuance of a warrant of arrest against them. Considering, however, that accused Lorna A. Coreses had posted bail on March 30, 2017, the issuance of an arrest warrant having been rendered nugatory, the case as against her must necessary move forward.

WHEREFORE in view of the foregoing, the case as against Rodolfo B. Salamero is hereby **DISMISSED**.

LET the corresponding warrants of arrest be **ISSUED** against the accused **Maribeth R. Malaluan** and **Jose T. Atienza**.

Please see next page.

*The arraignment of accused Lorna A. Coreses on
February 9, 2018 at 1:30 in afternoon STAYS.*

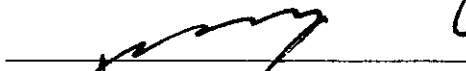
SO ORDERED."

let a Warrant of Arrest be issued against the said accused. The Hold Departure Order previously issued in this case (with respect to accused **Maribeth Malaluan**) is hereby **LIFTED** and **SET ASIDE**. **LET** a copy of this resolution be furnished the Bureau of Immigration.

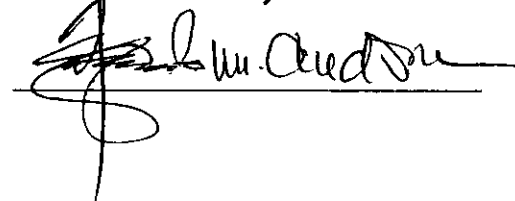
QUIROZ, J. Chairperson



CRUZ, J.



CALDONA, J.*



*Sitting as Special Member of the Fourth Division per Administrative Order No. 411-2018 dated August 16, 2018.