



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on September 5, 2018

PRESENT:

HON. SARAH JANE T. FERNANDEZ.....Chairperson

HON. BAYANI H. JACINTO*.....Associate Justice

HON. KEVIN NARCE B. VIVERO.....Associate Justice

The following resolution was adopted:

SB-17-CRM-1594 and 1596 –

PEOPLE vs. RODOLFO W. ANTONINO, ET AL.

In its *Manifestation*,¹ the prosecution adopted its *Motion for Partial Reconsideration (of the Honorable Court's Resolution dated 05 July 2018)*² as its Motion for Reconsideration of the Resolution dated July 30, 2018 pertaining to accused Maria Ninez P. Guañizo. The prosecution further asked this Court to consider the Supreme Court's ruling in *Cesar Cagang v. Sandiganbayan*, which was reported in several news sources.

In her *Manifestation (To Adopt Accused Mendoza's Comment to Prosecution's Motion for Reconsideration)*,³ accused Guañizo adopted the *Comment/Opposition (to Prosecution's Motion for Reconsideration of the Resolution Dated July 05, 2018)*⁴ filed by accused Rhodora B. Mendoza.

This Court resolves to DENY the prosecution's Motion for Reconsideration.

The dismissal of a criminal case on the ground of violation of the right to speedy disposition of cases results in the acquittal of the accused.⁵ In view of the constitutional prohibition against double jeopardy, the dismissal of the present cases against accused Guañizo, which is tantamount to an acquittal, is final, unappealable, immediately executory upon promulgation,⁶ and may only

* Special Member in lieu of Justice Karl B. Miranda, per Administrative Order No. 307-A-2017 date August 31, 2017

¹ Dated August 7, 2018; Record, Vol. 4, pp. 384-386

² Dated July 9, 2018; Record, Vol. 3, pp. 444-454

³ Dated August 24, 2018; Record, Vol. 4, pp. 420-421

⁴ Dated August 3, 2018; Record, Vol. 4, pp. 379-382

⁵ Please see *Coscolluela v. Sandiganbayan*, G.R. Nos. 191411 and 191871, July 15, 2013

⁶ *Villareal v. Aliga*, G.R. No. 166995, January 13, 2014

be assailed by special civil action for certiorari under Rule 65 of the Rules of Court.⁷

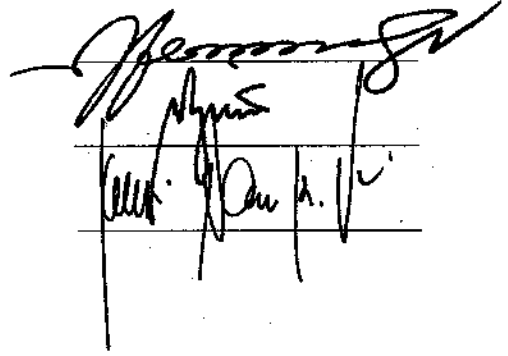
SO ORDERED.

APPROVED:

FERNANDEZ, SJ, J.,

JACINTO, J.

VIVERO, J.

Handwritten signatures of the judges: Fernandez, Jacinto, and Vivero. The signatures are written in black ink on a white background. The signature of Fernandez is the largest and most prominent, followed by Jacinto and Vivero. The signatures are written in a cursive style.

⁷ *Lejano v. People*, G.R. Nos. 176389 and 176864, January 18, 2011