



REPUBLIC OF THE PHILIPPINES

*S*andiganbayan

Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on October 30, 2018

PRESENT:

HON. SARAH JANE T. FERNANDEZ.....Associate Justice

HON. KARL B. MIRANDA.....Associate Justice

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

The following resolution was adopted:

SB-16-CRM-0118 and 0119 –

PEOPLE vs. AMADO T. ESPINO, JR., ET AL.

During the hearing on September 14, 2018, this Court directed counsel for the accused to get in touch with Mr. Vicente C. Oliquino, try to prepare his Judicial Affidavit, and determine his willingness to testify.¹

In compliance with this Court's directive, counsel for the accused made repeated attempts to set a meeting to speak with Mr. Oliquino. Collaborating counsel for accused Espino and Baraan also sent the letter dated September 17, 2018, inviting Mr. Oliquino to come to his office for the taking of his Judicial Affidavit.² However, it appears that despite efforts, and the receipt of said letter by a certain Ms. Ma. Natalia C. Oliquino,³ Mr. Oliquino refused to speak with the said accused or their representatives.⁴

Hence, this Court resolves to GRANT the *Omnibus Motion*⁵ filed by accused Amado T. Espino, Jr., Rafael F. Baraan and Alvin L. Bigay, over the prosecution's objection.⁶

As prayed for, let subpoena *duces tecum* and *ad testificandum* be issued to Mr. VICENTE C. OLIQUINO for the hearing on November 21, 2018. This Court will determine if he is a hostile witness once he takes the witness stand.⁷

¹ Order dated September 14, 2018

² Annex "A" of the *Manifestation* dated October 12, 2018

³ *Manifestation* dated October 12, 2018 and filed on October 15, 2018

⁴ *Manifestation* dated and filed on October 4, 2018

⁵ Dated and filed on September 11, 2018

⁶ Order dated September 14, 2018

⁷ *Rules of Court, Rule 132, Sec. 12. Party may not impeach his own witness. – x x x*

A witness may be considered as unwilling or hostile only if so declared by the court upon adequate showing of his adverse interest, unjustified reluctance to testify, or his having misled the party into calling him to the witness stand.

x x x

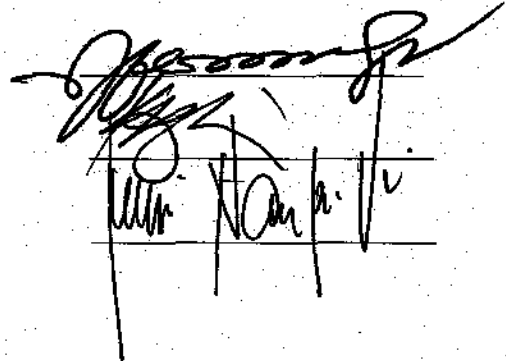
SO ORDERED.

APPROVED:

FERNANDEZ, SJ, J., Chairperson

MIRANDA, J.

VIVERO, J.



Handwritten signatures of the three individuals listed above. The first signature is for Fernandez, SJ, J., the second for Miranda, J., and the third for Vivero, J.