



Republic of the Philippines  
**SANDIGANBAYAN**  
Quezon City

**SIXTH DIVISION**

**PEOPLE OF THE PHILIPPINES,**

Plaintiff,

SB-11-CRM-0368

For: Violation of Section 3(e) of  
Republic Act (R.A.) No. 3019

-versus-

**JOHN PAUL K. ALVAREZ,  
MANUEL H. SITCHON,  
ELBERT L. MAGBATO,  
JOSEPH A. QUIJANO,  
HEGEL L. DUMADIA,  
ALBERTO D. GIDALANON,  
JOELITO B. CORDERO,  
JANY JOE V. BOBON, and  
ARSENIA D. JUANERO,**

Accused,

PRESENT:

FERNANDEZ, SJ, J., *Chairperson*  
MIRANDA, J, &  
VIVERO, J.

Promulgated:

**MAR 11 2019**

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**RESOLUTION**

**MIRANDA, J.:**

In the Decision promulgated on December 6, 2018, the Court ordered Atty. Oliver B. San Antonio (Atty. San Antonio), counsel for accused Joseph Quijano (Quijano), to show cause within fifteen (15) days from promulgation why he should not be cited in contempt for his failure to submit proof of death of his client despite a previous order given in open court. The Court also ordered the Prosecution to verify the fact of death of accused Quijano.

In his Compliance and Manifestation dated December 21, 2018 received by the Court on December 22, 2018, Atty. San Antonio states that: 1) upon the order of the Fifth Division of the Court in 2012, he requested accused Elbert Magbato (Magbato) to obtain a copy of the death certificate of accused Quijano in Bacolod City, Negros Occidental; 2) accused Magbato furnished him a certified true copy of the death certificate of accused

Quijano in the next scheduled hearing of the case which was held several months after the order was made in open court; 3) in the said hearing, he furnished a copy of the death certificate of accused Quijano to a staff of the Fifth Division of the Court who assured him that it was already sufficient; 4) he appeared and represented the other accused in good faith and on the innocent assumption that the said death certificate was already made part of the records of the case; and 5) he humbly and sincerely apologizes for the confusion caused by the absence of the death certificate in the case records. In the same compliance and manifestation, Atty. San Antonio attached a copy of the death certificate of accused Quijano issued by the Philippine Statistics Authority (PSA).

In its Compliance dated February 1, 2019 received by the Court on February 4, 2019, the Prosecution confirmed the death of accused Quijano and submitted a copy of his death certificate issued by the PSA.

The Certificate of Death with Registry No. 2012-231 shows that one Joseph Alo Quijano passed away on January 8, 2012. The death of accused Quijano was sufficiently established.


The Court notes and accepts the explanation of Atty. San Antonio on his failure to properly furnish the Court with a copy of the death certificate of accused Quijano. The Court, however, admonishes Atty. San Antonio to be more circumspect in submitting documents and records to the Court.

**WHEREFORE**, Criminal Case No. SB-11-CRM-0368 is **DISMISSED** as to accused **JOSEPH A. QUIJANO** pursuant to Article 89 (1) of the Revised Penal Code.

Atty. Oliver B. San Antonio is **ADMONISHED** to be more circumspect in submitting documents and records to the Court.

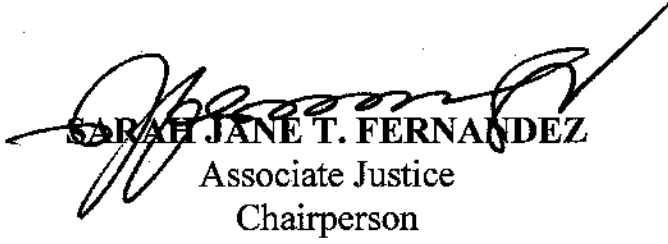
Let a copy of this Resolution be furnished the Bureau of Immigration.

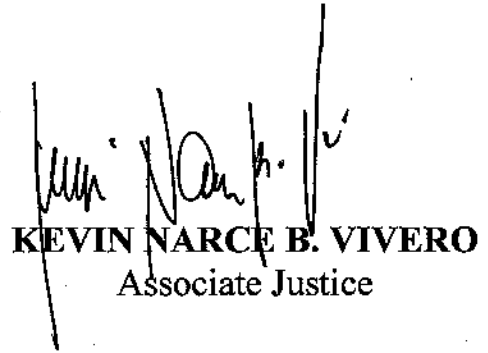
**SO ORDERED.**

  
**KARL B. MIRANDA**  
Associate Justice



WE CONCUR:

  
**SARAH JANE T. FERNANDEZ**  
Associate Justice  
Chairperson

  
**KEVIN NARCE B. VIVERO**  
Associate Justice

