

REPUBLIC OF THE PHILIPPINES
SANDIGANBAYAN
QUEZON CITY

FOURTH DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

SB-18-CRM-0510

For: Violation of Sections 3(e) of
R.A. No. 3019, as amended

RAFAEL F. MOSURA, JR., ET AL.,
Accused.

X-----X

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

SB-18-CRM-0512

For: Violation of Sections 3(e) of
R.A. No. 3019, as amended

Present:

QUIROZ, J., Chairperson,
CRUZ, J., and
JACINTO, J.

Promulgated:

LYNNA GOYMA CHUNG,
Accused.

MAY 20 2019

X-----X

RESOLUTION

QUIROZ, J.:

For resolution before the Court are the *Motion to Reconsider*¹ dated April 5, 2019 of accused Rafael F. Mosura, Jr., Edgardo R. Remonte, and Constantino R. Dominguez (Mosura, et al.) and the *Motion for Reconsideration*² dated April 8, 2019 of accused Lynna Goyma Chung

¹ Records Volume 3, pp. 54-60.

² Id. at 61-85.

RESOLUTION

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(Chung) of the *Resolution*³ dated March 21, 2019 denying their respective motions to quash the Amended Information.

The prosecution filed its *Comment/Opposition*⁴ dated April 15, 2019 to the motion for reconsideration of accused Chung and its *Comment/Opposition with Manifestation*⁵ dated April 15, 2019 to the motion for reconsideration of accused Mosura, et al.

In their motion, accused Mosura, et al. move for a reconsideration of the assailed Resolution insisting that the Court had overlooked that an Amended Information supersedes the original one; that the accused had every right to move to quash the Amended Information; that the facts charged in the Amended Information do not constitute an offense; and that the Amended Information is void because its material allegations went beyond the findings in the Joint Resolution of the Office of the Ombudsman (Ombudsman).

As for accused Chung, she contends in her motion that the Court seriously and gravely erred in admitting the Amended Information as it contravenes the factual findings of the Ombudsman during the preliminary investigation in violation of her constitutional right to due process.

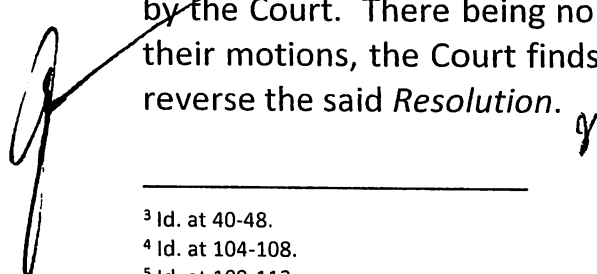
On the other hand, the prosecution counters that the motions for reconsideration of accused Mosura, et al. and Chung deserve scant consideration since the arguments raised therein are mere reiterations of the allegations in their respective motions to quash Amended Information and these have already been passed upon by the Court.

After going over the issues raised by the parties, the Court rules that the accused have failed to raise matters substantially or compellingly persuasive to warrant a deviation from its earlier *Resolution*. Indeed, the arguments presently alleged by accused Mosura, et al. and Chung in their motions for reconsideration have been sufficiently considered and weighed by the Court. There being no new matter of substance raised in support of their motions, the Court finds no compelling reason or legal justification to reverse the said *Resolution*.

³ Id. at 40-48.

⁴ Id. at 104-108.

⁵ Id. at 109-112.

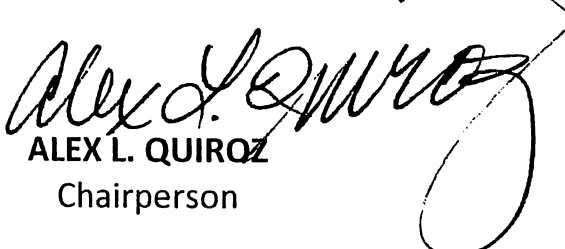


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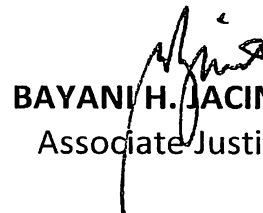
WHEREFORE, the *Motion to Reconsider* dated April 5, 2019 of accused Rafael F. Mosura, Jr., Edgardo R. Remonte, and Constantino R. Dominguez and the *Motion for Reconsideration* dated April 8, 2019 of accused Lynna Goyma Chung are **DENIED** for lack of merit. The assailed Resolution dated March 21, 2019 **STANDS**.

Let the setting on June 14, 2019 at 1:30 in the afternoon of the arraignment and pre-trial of accused Lynna Goyma Chung, Rafael F. Mosura, Jr., Edgardo R. Remonte, and Constantino R. Dominguez proceed as previously scheduled.

SO ORDERED.


ALEX L. QUIROZ
Chairperson


REYNALDO P. CRUZ
Associate Justice


BAYANI H. JACINTO
Associate Justice