



Republic of the Philippines

**Sandiganbayan**

Quezon City

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**SPECIAL FOURTH DIVISION**

REPUBLIC OF THE PHILIPPINES,  
Plaintiff,

Civil Case No. 0002

- versus -

*Present:*

FERDINAND E. MARCOS, et al.,  
Defendants.

Quiroz, J.  
*Chairperson*  
Mendoza-Arcega, J.<sup>1</sup>  
Trespeses, J.<sup>2</sup>

Promulgated:

JUN 19 2019

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**RESOLUTION**

This resolves the “Motion for Voluntary Inhibition of Justice Zaldy V. Trespeses” dated 4 June 2019 filed by defendants Imelda R. Marcos and Irene Marcos Araneta.

Defendants’ motion alleges that in one of the instances (G.R. No. 171701) when this particular case reached the Supreme Court, a Decision was penned by then Associate Justice Maria Lourdes P.A. Sereno dated 8 February 2012. Defendants notes that at that time, undersigned was then part of the legal team of Justice Sereno. They conclude that he must have been privy to the proceedings and deliberations before the Supreme Court when G.R. No. 171701 was decided. Citing among others, Section 1(a), Rule 8 of A.M. No. 10-4-20-SC, defendants argue that one of the grounds for

<sup>1</sup> Sitting as Special Member of the Fourth Division per Administrative Order No. 051-2017 dated 23 February 2017.

<sup>2</sup> Sitting as Special Member of the Fourth Division per Administrative Order No. 425-2017 dated 8 December 2017.

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inhibition is that “the Member of the Court was the ponente of the decision or participated in the proceedings in the appellate or trial court.”

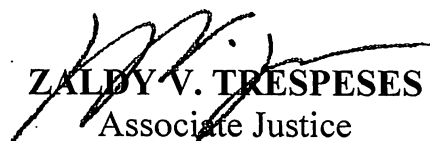
In an Order dated 13 June 2019, the Court granted the prosecution a period of ten (10) days within which to file its comment/opposition thereto.

Without waiting for the prosecution’s comment/opposition, undersigned hereby resolves defendants’ motion.

While it is true that undersigned was working as Court Attorney of Justice Sereno at the time the Decision in G.R. No. 171701 was penned by her, he was not privy to the proceedings and deliberations involved in the said case.

Nonetheless, to put defendants’ minds at rest regarding the Court’s utmost impartiality, and in order to avoid even the appearance of impropriety or irregularity, undersigned voluntarily inhibits from this case in the higher interest of justice.

WHEREFORE, the “Motion for Voluntary Inhibition of Justice Zaldy V. Trespeses” filed by defendants Imelda R. Marcos and Irene Marcos Araneta is **GRANTED**. The undersigned voluntarily inhibits from further participation in Civil Case No. 0002.

  
**ZALDY V. TRESPESES**  
Associate Justice