



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
Quezon City

SIXTH DIVISION

MINUTES of the proceedings held on **June 17, 2019**

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-18-CRM-0351 to 0366 **PEOPLE vs. REINERIO B. BELARMINO,
ET AL.**

For resolution are the following:

1. *Compliance and Manifestation (re: Death of accused Jonathan C. Bugaoan) with Motion to Dismiss* filed by Atty. Jose Aspiras, counsel for accused Jonathan C. Bugaoan on August 15, 2018;¹
2. *Letter* filed by Jovita R. Bugaoan through registered mail on February 7, 2019 and received by the Court on February 19, 2019;²
3. *Manifestation* filed by the prosecution on March 6, 2019;³ and,
4. *2nd Manifestation and Compliance (In-re: Death of accused Bugaoan)* filed by the prosecution on June 3, 2019.⁴

During the scheduled arraignment and Pre-Trial on July 13, 2018, Atty. Jose V. Aspiras, counsel for accused Jonathan Cariño Bugaoan, manifested that accused Bugaoan passed away on June 28, 2018. The Court directed Atty. Aspiras to submit proof of death of accused Bugaoan and ordered the prosecution to confirm said accused' death.

On August 15, 2018, Atty. Aspiras filed a *Compliance and Manifestation (re: Death of accused Jonathan C. Bugaoan) with Motion to Dismiss* and attached thereto a certified true copy of the certificate of death of one Jonathan Cariño Bugaoan issued by the Civil Registrar of San Carlos City

¹ Dated August 8, 2018; Record, Vol. 2, pp. 194-197.

² Dated February 4, 2019; Record, Vol. 2, p 374.

³ Dated March 6, 2019; Record, Vol. 2, pp. 419-422.

⁴ Dated May 31, 2019.

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and pictures purportedly of accused Bugaoan's wake. Atty. Aspiras moved for the dismissal of the case against the deceased Jonathan Cariño Bugaoan.

In a *Letter* dated February 4, 2019, Jovita R. Bugaoan, wife of accused Bugaoan, submitted an original copy of accused Bugaoan's Certificate of Death issued by the Philippine Statistics Authority (PSA).

In its *Manifestation* and *2nd Manifestation with Compliance*, the prosecution interposed no objection to the dismissal of the charges against accused Bugaoan by reason of his death, but without prejudice to the right of the State to recover civil liabilities against his estate.⁵ In their *2nd Manifestation with Compliance*, the prosecution submitted a copy of the Certificate of Death of one Jonathan Cariño Bugaoan issued by the PSA.

The Court **GRANTS** counsel for accused Bugaoan's *Motion to Dismiss* the case against accused Jonathan Cariño Bugaoan on account of his death.

It appears from the Certificate of Death issued by the PSA that a certain Jonathan Cariño Bugaoan passed away on June 28, 2018. The Court finds that the death of accused Bugaoan has been sufficiently established.

In view of the foregoing, pursuant to Article 89 of the Revised Penal Code, the Court **DISMISSES** SB-18-CRM-0355 to 0358 and 0363 to 0366 in so far as accused Jonathan Cariño Bugaoan is concerned, without prejudice to the right of the State to recover civil liabilities against accused Bugaoan's estate. The surety bond⁶ issued for accused Bugaoan's provisional liberty is ordered cancelled, subject to the usual accounting and auditing procedure. The Hold Departure Order issued against accused Bugaoan by reason of this case is likewise ordered lifted.

Furnish the Bureau of Immigration with a copy of this *Resolution*.

SO ORDERED. *M*

APPROVED:

FERNANDEZ, SJ, J., *Chairperson*

MIRANDA, J.

VIVERO, J.

⁵ *Manifestation* dated March 6, 2019 and *2nd Manifestation and Compliance* dated May 31, 2019.

⁶ Issued by Travellers Insurance Surety Corporation, JCR 041711.