



REPUBLIC OF THE PHILIPPINES  
**Sandiganbayan**  
 Quezon City

**SIXTH DIVISION**

MINUTES of the proceedings held on **July 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-00498**                      **PEOPLE vs. PROCESO J. ALCALA, ET AL.**

The Court NOTES Police Officer I Patrick Florentino Vejerano's *Endorsement*,<sup>1</sup> informing the Court of the Death of accused Bautista Hernandez Ella, and the prosecution's *Compliance (In re: Death of accused Ella)*,<sup>2</sup> manifesting their non-objection to the dropping of the criminal charge against accused Ella by reason of his death, but without prejudice to the right of the State to recover civil liabilities against accused Ella's estate.

It appears from the Certificate of Death attached to the *Endorsement* and to the prosecution's *Compliance* that one Bautista Hernandez Ella passed away on February 01, 2018, before the *Information* was filed on July 13, 2018. The Court deems the death of accused Bautista Hernandez Ella sufficiently established.

In view of the foregoing, pursuant to Article 89 of the Revised Penal Code, the Court hereby **DISMISSES** Criminal Case No. SB-18-CRM-00498 in so far as accused Bautista Hernandez Ella is concerned, without prejudice to the right of the State to recover civil liabilities against accused Ella's estate.

**SO ORDERED.**

APPROVED:

**FERNANDEZ, SJ, J.,** *Chairperson*

**MIRANDA, J.**

**VIVERO, J.**

<sup>1</sup> Dated March 25, 2019, received through mail on April 2, 2019, Record, Vol. 2, p. 382.

<sup>2</sup> with attached original copy of a Certificate of Death of one Bautista Hernandez Ella issued by the Philippine Statistics Authority; Dated June 24, 2019, filed on June 25, 2019.