



REPUBLIC OF THE PHILIPPINES  
**Sandiganbayan**  
Quezon City

**SIXTH DIVISION**

MINUTES of the proceedings held on **August 27, 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-15-CRM-0068 to 0071 –**

**PEOPLE vs. NICANOR C. DE LEON, ET AL.**

The Court resolves to **DENY** the *Motion for Partial Reconsideration*<sup>1</sup> filed by accused Nicanor C. De Leon and Pacita N. De Leon (Spouses De Leon). As pointed out by the prosecution in its *Comment/Opposition (Re: Accused Spouses De Leon's Motion for Partial Reconsideration)*,<sup>2</sup> the arguments in the Motion of accused Spouses De Leon are a mere reiteration of their objections in their *Objections to Prosecution's Formal Offer of Evidence*. This Court had already considered such arguments, and found them to be without merit when it admitted into evidence the prosecution's exhibits in the Resolution dated July 1, 2019.<sup>3</sup>

Furthermore, in *Notarte v. Notarte*,<sup>4</sup> the Supreme Court held that in case of doubt as to the relevance, competence, or admissibility of exhibits offered by a party, it is safer to be liberal, and to admit the same, unless such exhibits are plainly irrelevant, immaterial or incompetent. To wit:

Even assuming that the MTC had reservations about the relevancy of some exhibits offered by the respondent, still, it should have admitted the same subject to judicial evaluation as to their probative value. In connection with evidence which may appear to be of doubtful relevancy, incompetency, or admissibility, this Court has held that:

[I]t is the safest policy to be liberal, not rejecting them on doubtful or technical grounds, but admitting them unless plainly irrelevant, immaterial or incompetent, for the reason that their rejection places them beyond the consideration of the court, if they are thereafter found relevant or competent; on the other hand, their admission, if they turn out later to be irrelevant or incompetent, can easily be remedied by completely discarding them or ignoring them.

<sup>1</sup> Dated July 20, 2019; Record, Vol. 5, pp. 30-32

<sup>2</sup> Dated and filed on July 29, 2019

<sup>3</sup> Record, Vol. 5, pp. 20-21

<sup>4</sup> G.R. No. 180614, August 29, 2012

Although this Court admitted the prosecution's exhibits into evidence, it has yet to determine the probative value of the same. If the aforementioned exhibits later turn out to be incompetent, this Court will disregard the same in resolving the present cases.

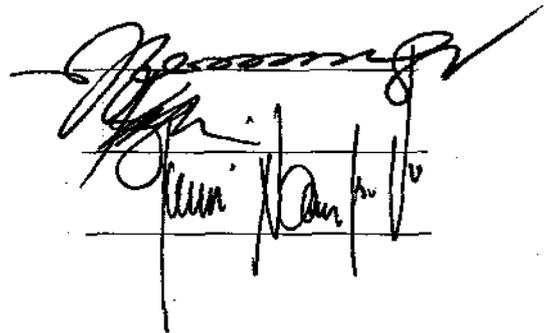
**SO ORDERED.**

**APPROVED:**

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

**MIRANDA, J.**

**VIVERO, J.**

Handwritten signatures of the court members. The top signature is the most prominent and appears to be for the Chairperson, Fernandez, SJ, J. Below it are two other signatures, likely for Miranda, J. and Vivero, J. The signatures are written in black ink on a white background.