



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

FOURTH DIVISION

PEOPLE OF THE PHILIPPINES, **SB-19-CRM-0154 to 0156**
Plaintiff, For: Violation of Sec. 3(e) of R.A.
No. 3019, as amended

Present:

-versus-

Musngi, J., Chairperson
Pahimna, J.
Jacinto, J.

Promulgated:

REYNALDO DE LEON LINGAT,
ET AL.

Accused.

JAN 31 2024

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RESOLUTION

JACINTO, J.:

This resolves the following:

- (i) Accused Orlando Hular Habitan's (Habitan) *Motion with Leave of Court to File Demurrer to Evidence* dated 11 January 2024¹; and
- (ii) Accused Pedro S. Del Espiritu, Virgilio G. Alonzo, and Danny E. Fajardo's *Motion to Admit Motion for Leave of Court to File Demurrer to Evidence* dated 22 January 2024.²

In his original *Motion*, accused Habitan merely alleges that "the evidence presented by the Prosecution is not strong and insufficient to prove his guilt."

¹ Filed on 12 January 2024, Records, Vol. VIII, pp. 266-268 and the alleged "correct" Motion attached to Reply and Motion to Admit Attached Correct Copy of Motion for Leave to File Demurrer to Evidence (on the Comment-Opposition Motion (sic) to File Demurrer to Evidence Habitan), filed on 23 January 2024, id., pp. 432-438.

² Id., pp. 402-406. Attached to the Motion to Admit is their Motion for Leave of Court to File Demurrer to Evidence, id., pp. 407-426.

In its *Comment/Opposition*,³ the prosecution points out that accused Habitan's *Motion* does not comply with Section 23, Rule 119 of the Rules of Court as it failed to specify the grounds therefor and instead, he merely makes a broad allegation that the prosecution's evidence did not sufficiently establish his guilt.

In turn, accused Habitan filed a *Reply*, explaining that his counsel inadvertently sent the wrong copy or file of the motion. The inadvertence attributed to the time zone difference between Hawaii and Manila, where counsel was at that time. Consequently, he prays that the Court admit the copy of the *Motion* attached to his *Reply* where he now alleges that: (i) the prosecution failed to prove manifest partiality, evident bad faith or gross inexcusable negligence on his part; (ii) there is no evidence that the mahogany saplings were overpriced or that any party suffered unwarranted benefits, advantage or preference or that he acted with bad faith, manifest partiality or gross inexcusable negligence; and (iii) there is no conspiracy between the supplier and other accused. He adds that he was not part of the Procurement Committee.

On the part of accused Del Espiritu, Alonzo, and Fajardo, they admit that they had until 15 January 2024 to file their *Motion for Leave of Court to File Demurrer to Evidence*. However, due to heavy workload of their counsel, they were only able to file the same through electronic mail on 22 January 2024. Thus, they pray that some consideration be accorded to them and that their *Motion* be admitted and considered by the Court.

RULING

The Court finds no merit in both motions.

Section 23, Rule 119 of the Rules of Court categorically provides that **a motion for leave of court to file demurrer to evidence shall specifically state its grounds and shall be filed within a non-extendible period of five (5) days after the prosecution rests its case.**

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³ *Comment/Opposition to the Motion with Leave of Court to File Demurrer to Evidence* dated 22 January 2024, Records, Vol. VIII, pp. 428-431.

Accused Habitan's motion fails to articulate the specific grounds he relies upon in his *Demurrer*. Even the "correct" copy of his motion does not specify the grounds he relies upon as required in Sec. 23 of Rule 119.

In the same manner, accused Del Espiritu et al.'s *Motion* must also fail. The same Rule provides that the five-day period within which to file a motion for leave to file demurrer to evidence is non-extendible.

We stress that rules of procedure, especially those prescribing the time within which certain acts must be done, have often been held as absolutely indispensable to the prevention of needless delays and to the orderly and speedy discharge of business.⁴ Like all rules, they are required to be followed except only for the most persuasive of reasons when they may be relaxed to relieve a litigant of an injustice not commensurate with the degree of his thoughtlessness in not complying with the procedure prescribed.⁵

Here, the accused not only failed to adhere to the requisites outlined in Sec. 23, Rule 119 of the Rules of Court, but also encountered two shortcomings: (i) an "inadvertent" submission of a different file before the Court due to personal obligations of counsel; and (ii) a failure to meet the filing deadline attributed to the trite justification of a "heavy workload" of counsel.

To emphasize, [p]ersonal obligations and heavy workload do not excuse a lawyer from complying with his obligations particularly in timely filing the pleadings required by the Court. Indeed, if the failure of the petitioner's counsel to cope with his heavy workload should be considered a valid justification to sidestep the reglementary period, there would be no end to litigations so long as counsel had not been sufficiently diligent or experienced.⁶

Finally, this Court stresses that procedural rules serve as instruments for maintaining an orderly and expeditious administration of justice. Consequently, the liberal application or suspension of these rules should be considered an exception rather than the norm. The Court recognizes the judicial imperative that rules prescribing specific timelines for actions or proceedings are crucial to preventing unnecessary delays and ensuring the efficient discharge of judicial responsibilities. While courts possess the

⁴ *Lazaro v. Court of Appeals*, G.R. No. 137761, 6 April 2000.

⁵ *Galang v. Court of Appeals*, G.R. No. 76221, 29 July 1991.

⁶ *Sioland Development Corp. v. Fair Distribution Center Corp.*, G.R. No. 199539, 9 August 9, 2023.

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RESOLUTION

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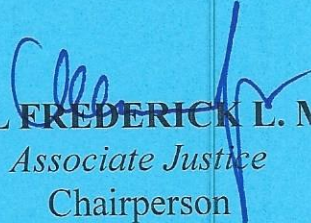
discretion to relax compliance with procedural rules, even those of a mandatory nature, in order to balance the need for swift resolution of litigation with the parties' right to due process, such relaxation requires justification based on factors such as: (a) matters of life, liberty, honor or property; (b) the existence of special or compelling circumstances; (c) the merits of the case; (d) a cause not entirely attributable to the fault or negligence of the party favored by the suspension of the rules; (e) a lack of any showing that the review sought is merely frivolous and dilatory; and (f) the fact that the other party will not be unjustly prejudiced thereby.⁷ Regrettably, none of these justifying reasons are present in this case.

WHEREFORE, in view of the foregoing, accused Orlando Hular Habitan's *Motion with Leave of Court to File Demurrer to Evidence* dated 11 January 2024 and accused Pedro S. Del Espiritu, Virgilio G. Alonzo, and Danny E. Fajardo's *Motion to Admit Motion for Leave of Court to File Demurrer to Evidence* dated 22 January 2024, are **DENIED** for lack of merit.

SO ORDERED.


BAYANI H. JACINTO
Associate Justice

WE CONCUR:


MICHAEL FREDERICK L. MUSNGI
Associate Justice
Chairperson


LORIFEL LACAP PAHIMNA
Associate Justice

⁷ *Pimentel v. Adiao*, G.R. No. 222678, 17 October 2018, citing *Sanchez v. Court of Appeals*, G.R. No. 152766, 20 June 2003.