



REPUBLIC OF THE PHILIPPINES
San Miguel
Quezon City

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

CRIM. CASE NO. SB-19-CRM-0098

For: Violation of Sec. 3(e), RA 3019

LEANDRO B. VERCELES, JR.,
ET AL.,

Accused.

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DECISION

At the hearing this morning, Prosecutor Carmela A. Ablaza appeared for the prosecution. Atty. Arnulfo V. Pelagio appeared for accused Derek Gerard Glass, who is also present.

On September 5, 2023, the arraignment of accused Glass, who is charged with **Violation of Section 3(e) of Republic Act No. 3019, otherwise known as the "Anti-Graft and Corrupt Practices Act**, was deferred to September 11, 2023, in view of his motion to plea bargain, pursuant to Section 2, Rule 116 of the Revised Rules of Criminal Procedure, by pleading guilty to the lesser offense of **Frauds against the public treasury and similar offenses, defined and penalized under paragraph 1, Article 213 of the Revised Penal Code**, an offense which is necessarily included in the crime charged. According to the prosecution, the consent of the Ombudsman as well as that of the complainant, the Field Investigating Office-Task Force Abono, of the Office of the Ombudsman, need be secured first to enable it to respond to accused Glass' motion.

At the arraignment this afternoon, Atty. Pelagio reiterated accused Glass' motion to be allowed to plead guilty to the lesser offense of **Frauds against the public treasury and similar offenses, defined and penalized under paragraph 1, Article 213 of the Revised Penal Code**. Prosecutor Ablaza manifested that the prosecution just filed in court its Comment/Manifestation (to the Motion to Enter into Plea Bargain),

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attaching the Ombudsman's authorization to enter into a plea bargaining agreement with accused Glass.

Upon being arraigned, accused Glass, assisted by Atty. Pelagio, entered a plea of guilty to the lesser offense of **Frauds against the public treasury and similar offenses, defined and penalized under paragraph 1, Article 213 of the Revised Penal Code.**

WHEREFORE, in light of all the foregoing, accused Derek Gerard Glass is hereby found guilty beyond reasonable doubt of **Frauds against the public treasury and similar offenses, defined and penalized under paragraph 1, Article 213 of the Revised Penal Code**, and is hereby sentenced to pay a fine of **One Thousand Pesos (₱1,000.00)**, with subsidiary penalty in case of insolvency.

There being no more civil liability involved, no pronouncement as to the civil liability of the accused is here made.

SO ORDERED.

September 11, 2023, Quezon City, Philippines


EFREN N. D. LA CRUZ
Associate Justice/Chairperson


GERALDINE FAITH A. ECONG
Associate Justice


ARTHUR O. MALABAGO*
Associate Justice

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ATTESTATION

I attest that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


EFRÉN N. DELA CRUZ
Chairperson, First Division

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, and the Division's Chairperson's Attestation, it is hereby certified that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


AMPARO M. CABOTAJE-TANG
Presiding Justice