



Republic of the Philippines
SANDIGANBAYAN
 Quezon City

THIRD DIVISION

REPUBLIC OF THE PHILIPPINES,
Petitioner,

-versus-

CIVIL CASE NO:
SB-12-CVL-0002
*For Forfeiture of Unlawfully
 Acquired Properties*


**DANILO B. LACUNA and
 MELANIE H. LACUNA,**
Respondents.

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Present:

CABOTAJE-TANG, A.M.,
P.J./Chairperson
FERNANDEZ, S.J.* J. and
FERNANDEZ, B. R. J.

Promulgated:

JANUARY 8, 2021 

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R E S O L U T I O N

FERNANDEZ B. R., J.

For consideration is the Motion dated August 2, 2020 of respondents-movants Danilo B. Lacuna and Melanie H. Lacuna, seeking a reconsideration of the Decision dated July 7, 2020 of this Court.

In their Motion for Reconsideration, the respondents-movants maintain that the petitioner Republic failed to prove



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the spirit of Republic Act No. 1379, specifically requiring that the property to be forfeited must be found to have been unlawfully acquired. To consider them as ill-gotten wealth, based on the Statement of Assets, Liabilities and Net Worth (SALN), the originals of which were neither presented nor admitted by them, was an unjust implementation of the law and amounts to the confiscation of property without due process.

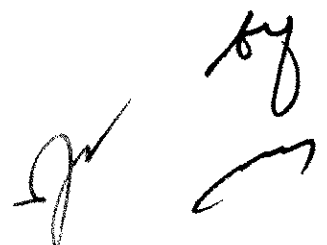
Finding some parallelism, the respondents-movants argue that, if the forfeiture cases of the Marcos family were dismissed despite amassing wealth beyond their means, they (respondents-movants) should be accorded the same treatment as what was forfeited was merely two (2) real properties allegedly used as their family home. They also insist that there was compliance with Section 5 of R. A. No. 1379 in the acquisition of the two (2) real properties.

They further emphasize the position of the petitioner Republic that the combined income of the respondents-movants was not enough for them to purchase property, to be misplaced because respondent-movant Melanie Lacuna, being a private individual, is not required by law to file a SALN, thus, her savings was not reflected in the SALN of co-respondent-movant Danilo Lacuna.

Additionally, the respondents-movants posit that the SALNs were not competent proof that the two (2) real properties were acquired illegally because these same SALNs were inadmissible and should be treated as hearsay since the originals were not presented. Likewise, respondent-movant Melanie Lacuna alleged anew that she should have never been made a party to the case because this Court had no jurisdiction over her.

Although elated by the computation made by this Court, the respondents-movants, however, disproved the allegation of the petitioner Republic that they (respondents-movants) amassed ill-gotten wealth from 1998-2004. They insist that the real properties acquired in 1987 and 1991 should have been declared lawfully acquired as they were purchased using legitimate sources.

In the interim, the respondents-movants filed an *ex parte* Manifestation dated August 4, 2020, reserving to file a

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supplemental pleading to the subject Motion for Reconsideration. Although this remained unacted, no other pleading was subsequently filed by the respondents-movants.

When given time (Minutes, October 1, 2020), the petitioner Republic, in its Opposition dated November 8, 2020, maintained that a preponderance of evidence as required in Section 2 of R. A. No. 1379 was successfully established. Hence, the Biyaya and the Saklolo properties, among others, were rightfully declared forfeited in favor of the State.

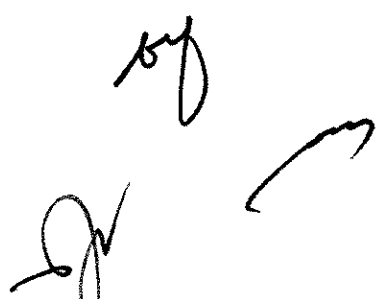
The petitioner Republic emphasized that it presented other evidence, aside from the SALNs of respondent-movant Danilo Lacuna, which this Court admitted. It further insists that the Biyaya and the Saklolo properties were not exempt from execution, arguing chiefly that Article 161 of the Civil Code of the Philippines provides - *for purposes of availing of the benefits of a family home as provided for in this chapter, a person may constitute, or be the beneficiary of, only one family home.*

It added that the reference made on the dismissal of the Marcos cases by the other divisions of this Court is misplaced and cannot be binding precedents.

We now rule.

After a second look, in light of the subject Motion of the respondents-movants, this Court finds that the arguments raised were substantive reiterations of the positions earlier posed by the respondents-movants. These same arguments were already passed upon by this Court in the assailed Decision and it finds no significant basis to either amend, modify, alter or even reverse its earlier findings.

We should also underscore, as correctly argued by the petitioner Republic, that decisions of the *Sandiganbayan* in the Marcos cases are not binding precedents. The doctrine of *stare decisis* becomes operative only when judicial precedents are set by pronouncements of the Supreme Court to the exclusion of lower courts (UCPB vs Spouses Uy, GR No. 204039, January 10, 2018). Likewise, any decision rendered by the other divisions of this Court have no binding effect on the decisions rendered by this Division.

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Lastly, this Court further emphasizes that the lack of any administrative liability on the part of respondent Danilo B. Lacuna does not automatically mean a lack of civil liability on his part. In *Catacutan vs. People* (G.R. No. 175991, August 31, 2011), citing *Paredes vs. Court of Appeals* (G.R. No. 169534, July 30, 2007), the Supreme Court ruled that - -

It is indeed a fundamental principle of administrative law that administrative cases are independent from criminal actions for the same act or omission. Thus, an absolution from a criminal charge is not a bar to an administrative prosecution, or *vice versa*. One thing is administrative liability; quite another thing is the criminal liability for the same act.

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Thus, considering the difference in the quantum of evidence, as well as the procedure followed and the sanctions imposed in criminal and administrative proceedings, the findings and conclusions in one should not necessarily be binding on the other. Notably, the evidence presented in the administrative case may not necessarily be the same evidence to be presented in the criminal case.

WHEREFORE, premises considered, the Motion for Reconsideration dated August 2, 2020 of respondents-movants Danilo B. Lacuna and Melanie H. Lacuna, is hereby **DENIED** for lack of merit.


SO ORDERED.



BERNEDITO R. FERNANDEZ
Associate Justice



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We concur:


AMPARO M. CABOTAJE-TANG
Presiding Justice/ Chairperson


SARAH JANE T. FERNANDEZ*
Associate Justice

*Sitting as Special Member as per Administrative Order No. 262-2018 dated April 30, 2018.

