



Republic of the Philippines
 Sandiganbayan
 Quezon City

FIFTH DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff,

SB-17-CRM-0942 to 0977

- versus -

Present:

DATU SAJID ISLAM UY
AMPATUAN, ET AL.,

LAGOS, J., Chairperson,
MENDOZA-ARCEGA, and
CORPUS-MAÑALAC, JJ.

Accused.

Promulgated:

24 May 2021 *Jed*

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RESOLUTION

CORPUS – MAÑALAC, J.:

This has reference to the motion filed on March 31, 2020 by accused Datu Sajid Uy Ampatuan, praying for the Court to direct the prosecution “to clarify the documents they were referring to when the signature of accused Ampatuan were signed by another person, stamped or computer-generated.”

The motion is an offshoot of the admissions made by the prosecution during the February 14, 2020 hearing on Ampatuan’s “*Motion for Examination by Questioned Documents Expert.*” During the said hearing, the prosecution conceded that the signatures of accused Ampatuan on the assailed documents in SB-CRM-0762 to 0777 are forgeries, while the said accused’s signatures in the questioned documents in SB-17-CRM-0942-0977 are computer-generated or stamped. In view of the said admissions, and finding that the contemplated examination of documents will serve no purpose, the Court denied the motion in its Resolution dated February 21, 2020.

In the instant motion, however, accused Ampatuan claims that while the prosecution made admissions with regard to the documents in which the signatures of accused Ampatuan are forgeries or stamped/computer-generated, allegedly there appears some qualifications on it. The accused

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thus asks "confirmation from the Prosecution on the admissions made at the time, with regard to the documents they presented before this Honorable Court," identified as follows:

Informali on No.	Alleged Violatio n	Amount Involve d	DV No.	Date of DV	Payable to	DV'S Remark	Purchase Request Remark	Purchase Order Remark
0944	Art. 171 of RPC	P483,58 6	100- 2009 -05- 255	May 26, 2009	HENRY MERCHANDISI NG	Signed by a different person (not accused Ampatua n) Exh "Q"	Signed by a different person (not accused Ampatua n) Exh "Q- 3"	Signed by a different person (not accused Ampatua n) Exh "Q- 4"
0945	Art. 171 of RPC	P504,31 6	100- 2009 -06- 41	May 5, 2009	HENRY MERCHANDISI NG	Stamped Exh "R"	Computer - generated Exh "R- 3"	Computer - generated Exh "R- 4"
0946	Art. 171 of RPC	P524,40 4	100- 2009 -06- 43	May 5, 2009	HENRY MERCHANDISI NG	Stamped Exh "S"	Computer - generated Exh "S- 3"	Computer - generated Exh "S- 4"
0947	Art. 171 of RPC	P464,46 8	100- 2009 -08- 44	May 5, 2009	HENRY MERCHANDISI NG	Computer - generated Exh "T"	Computer - generated Exh "T- 3"	Computer - generated Exh "T- 4"
0948	Art. 171 of RPC	P494,31 0	100- 2009 -08- 45	May 5, 2009	HENRY MERCHANDISI NG	Signed by a different person (not accused Ampatua n) Exh "U"	Signed by a different person (not accused Ampatua n) Exh "U- 3"	Signed by a different person (not accused Ampatua n) Exh "U- 4"

Handwritten signature/initials

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0949	Art. 171 of RPC	P221,34 0	100- 2009 -08- 47	May 5, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan); Exh "W"	Signed by a different person (not accused Ampatuan); Exh "Y- 3"	Signed by a different person (not accused Ampatuan); Exh "Y-4"
0950	Art. 171 of RPC	P491,44 0	100- 2009 -08- 47	May 5, 2009	HENRY MERCHANDISE NG	Stamped Exh "W"	Computer - generated Exh "W- 1"	Stamped Exh "W- 4"
0951	Art. 171 of RPC	P445,74 0	100- 2009 -05- 289	May 5, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan); Exh "X"	Computer - generated Exh "X- 3"	Computer - generated Exh "X- 4"
0952	Art. 171 of RPC	P512,53 0	100- 2009 -08- 43	May 26, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan); Exh "Y"	Computer - generated Exh "Y- 3"	Signed by a different person (not accused Ampatuan); Exh "Y- 4"
0953	Art. 171 of RPC	P498,58 0	100- 2009 -03- 268	May 26, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan); Exh "Z"	Signed by a different person (not accused Ampatuan); Exh "Z- 3"	Signed by a different person (not accused Ampatuan); Exh "Z- 4"
0954	Art. 171 of RPC	P507,22 0	100- 2009 -05- 261	May 26, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan); Exh "AA"	Computer - generated Exh "AA- 3"	Computer - generated Exh "AA- 4"

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0955	Art 171 of RPC	P511,32 6	100- 2009 -05- 262	May 2 8, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh "BB"	Computer - generated Exh "BB- 3"	Stamped Exh "BB- 4"
0956	Art 171 of RPC	P470,78 0	100- 2009 -05- 253	May 28, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh "CC"	Computer - generated Exh "CC- 3"	Computer - generated Exh "CC- 4"
0957	Art 171 of RPC	P419,50 0	100- 2009 -05- 257	May 28, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh "DD"	Computer - generated Exh "DD- 3"	Stamped Exh "DD- 4"
0958	Art 171 of RPC	P523,20 1	100- 2009 -07- 298	July 31, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh "EE"	Computer - generated Exh "EE- 3"	Computer - generated Exh "EE- 4"
0959	Art 171 of RPC	P408,92 7	100- 2009 -07- 405	July 31, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh "FF"	Computer - generated Exh "FF- 3"	Stamped Exh "FF- 4"
0960	Art 171 of RPC	P493,26 2	100- 2009 -07- 406	July 31, 2009	HENRY MERCHANDISE NG	Signed by a different person (not accused Ampatuan in Exh	Computer - generated Exh "GG- 3"	Stamped Exh "GG- 4"

Handwritten signature

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						"GG"		
0961	Art. 171 of RPC	P487.26 0	100- 2009 -07- 503	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "HH"	Stamped Exh "HH- 3"	Stamped Exh "HH- 4"
0962	Art. 171 of RPC	P489.63 0	100- 2009 -07- 505	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "II"	Stamped Exh "II- 3"	Computer - generated Exh "II- 4"
0963	Art. 171 of RPC	P484.10 0	100- 2009 -07- 505	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "JJ"	Stamped Exh "JJ- 1	Stamped Exh "JJ- 4
0964	Art. 171 of RPC	P498.79 1	100- 2009 -07- 505	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "KK"	Stamped Exh "KK- 3"	Computer - generated Exh "KK- 4
0965	Art. 171 of RPC	P500.62 5	100- 2009 -07- 507	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "LL"	Stamped Exh "LL- 3"	Computer - generated Exh "LL- 4
0966	Art. 171 of RPC	P473.78 5	100- 2009 -07- 508	July 31, 2009	HENRY MERCHANDISE NG	Stamped Exh "MM"	Stamped Exh "MM- 3"	Stamped Exh "MM- 4"
0967	Art. 171 of RPC	P505.30 0	100- 2009 -08- 255	August 12, 2009	HENRY MERCHANDISE NG	Stamped Exh "NN"	Stamped Exh "NN- 3"	Stamped Exh "NN- 4"
0968	Art. 171 of RPC	P624.12 6	100- 2009 -08- 264	August 12, 2009	HENRY MERCHANDISE NG	Stamped Exh "OO"	Stamped Exh "OO- 3"	Stamped Exh "OO- 4"
0969	Art. 171 of RPC	P472.10 0	100- 2009 -08- 263	August 12, 2009	HENRY MERCHANDISE NG	Stamped Exh "PP"	Stamped Exh "PP- 1"	Stamped Exh "PP- 2"
0970	Art. 171 of RPC	P499.29 0	100- 2009 -08- 237	August 12, 2009	HENRY MERCHANDISE NG	Stamped Exh "QQ"	Stamped Exh "QQ- 1"	Stamped Exh "QQ- 2"
0971	Art. 171 of RPC	P362.46 2	100- 2009 -08- 239	August 15, 2009	HENRY MERCHANDISE NG	Stamped Exh "RR"	Stamped Exh "RR- 1"	Stamped Exh "RR- 2"

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0972	Art. 171 of RPC	P433,26 0	100- 2009 -08- 239	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "SS"	Stamped Exh "SS- 1"	Stamped Exh "SS- 2"
0973	Art. 171 of RPC	P455,37 0	100- 2009 -08- 240	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "TT"	Stamped Exh "TT- 1"	Stamped Exh "TT- 2"
0974	Art. 171 of RPC	P438,05 7	100- 2009 -08- 241	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "UU"	Stamped Exh "UU- 1"	Stamped Exh "UU- 2"
0975	Art. 171 of RPC	P500,17 4	100- 2009 -08- 242	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "VV"	Stamped Exh "VV- 1"	Stamped Exh "VV- 2"
0976	Art. 171 of RPC	P416,57 4	100- 2009 -08- 243	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "WW"	Stamped Exh "WW-1"	Stamped Exh "WW-2"
0977	Art. 171 of RPC	P456,83 1	100- 2009 -08- 244	August 128, 2009	HENRY MERCHANDISI NG	Stamped Exh "XX"	Stamped Exh "XX- 1"	Stamped Exh "XX- 2"

In its *Comment*, the prosecution confirms and maintains its position during the February 14, 2020 hearing that “accused Ampatuan’s signatures appearing in specific documents he mentioned in his motion (Exhibits “Q to XX-4”) are stamped or computer-generated, which logically, are not his original signature (as additional stipulation).” The prosecution also comments that it cannot make any admission or stipulation on whether or not the documents mentioned in his motion specifically Exhibits Q, Q-3, Q-4, U, U-3, U-4, V, V-3, V-4, X, Y, Y-4, Z, Z-3, Z-4, AA, BB, CC, DD, EE, FF, GG were signed by another person and not by said accused as what the said accused claims to be. The prosecution denies said claim for lack of knowledge as to the truth thereof.

In other words, what the prosecution admits is the fact that accused Ampatuan’s “physical” signatures appearing on the questioned documents Exhibits “Q” to “XX-4” are not his “original signature” but stamped or computer-generated. There is no admission, however, that it was another person and not accused Ampatuan who was the author of the stamped or computer-generated signatures in Exhibits Q, Q-3, Q-4, U, U-3, U-4, V, V-3, V-4, X, Y, Y-4, Z, Z-3, Z-4, AA, BB, CC, DD, EE, FF, GG.

At this point, the Court could not understand what accused Ampatuan exactly wants the prosecution to clarify. The admission of the prosecution during the February 14, 2020 hearing relative to SB-17-CRM-0942-0977 was plain and simple, *viz*:

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ATTY. CASTRO:

As per the other prosecutor, Your Honor, but on the second one, Your Honor, on the second set of cases, they have not yet stipulated, Your Honor. They are only saying that they are questionable but to be determined by an expert witness.

PROS. QUINTELA:

But, Your Honor that has been the theory from the very beginning.

JUSTICE ARCEGA:

That is their manifestation. Okay.

JUSTICE MAÑALAC:

But to settle the issue can you not also possibly stipulate on the falsity of the signatures?

PROS QUINTELA:

We can only stipulate that the signatures are stamp[ed].

JUSTICE ARCEGA:

Stamp[ed].

ATTY. CASTRO:


Computer-generated.

PROS QUINTELA:

And limited only to the documents being questioned by the accused in his Judicial Affidavit, Your Honor, because he is testifying in this case and the prosecution is about to conduct its cross and in his Judicial Affidavit, Your Honor, he already enumerated the documents he is questioning of which his signatures are being questioned. So, just in case, Your Honor, it should be limited only to those documents.

X x x x [TSN, February 14, 2020, pp. 6-7]

Nonetheless, the prosecution in its *Comment* has categorically defined the extent of its admissions.




WHEREFORE, considering the aforesaid *Comment* of the prosecution on the requested clarification and admission, accused Ampatuan's prayer in his motion is sufficiently addressed, and therefore, necessitates no further action from the Court.

SO ORDERED.


MARYANN E. CORPUS - MAÑALAC
Associate Justice

WE CONCUR:


RAFAEL R. LAGOS
Chairperson
Associate Justice


MARIA THERESA V. MENDOZA - ARCEGA
Associate Justice