



REPUBLIC OF THE PHILIPPINES

Sandiganbayan
QUEZON CITY

Sixth Division

PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

RAUL RODRIGUEZA LEE,
TERESITA DAGNALAN-PALADIN,
MANUEL SERRANO LAURORA,
FELICISIMO DOLENDO
BRONDIAL, and ENRICO T.
VELASCO,

Accused.


SB-13-CRM-0309

For: Violation of Section 3(e) of
Republic Act No. 3019.

PRESENT:

FERNANDEZ, SJ, J., *Chairperson*
FERNANDEZ, B,* J. and
VIVERO, J.

Promulgated:

JUL 22 2021 

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PEOPLE OF THE PHILIPPINES,
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- versus -

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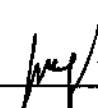
SB-13-CRM-0310

For: Viol. of Sec. 3(e) of R.A. No.
3019



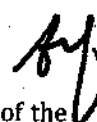
PRESENT:

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* Per *Administrative Order No. 330-2017* dated 27 September 2017, Special Member in view of the inhibition of J. Karl Miranda   

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RESOLUTION

VIVERO, J.:

This resolves the following:

- (a) *Motion for Reconsideration (Re: Joint Decision Promulgated on 26 February 2021)* dated 15 March 2021 filed by accused RAUL RODRIGUEZA LEE, MANUEL SERRANO LAURORA, and FELICISIMO DOLENDO BRONDIAL; and
- (b) *Comment/Opposition (Re: Motion for Reconsideration (of Joint Resolution dated 26 February 2021 by accused Lee, Laurora and Brondial)* dated 24 June 2021 filed by the prosecution.

The *Motion for Reconsideration* of accused Lee, Laurora, and Brondial are based on the following grounds, to wit:

1. Accused Lee did not act with manifest partiality and give unwarranted benefit to FETVI and/or accused Velasco;
2. Accused Laurora and Brondial are not guilty of gross inexcusable negligence or manifest partiality in the performance of their official duties;
3. The Honorable Court erred when it ruled that all of the accused caused undue injury to the government; and
4. Accused Paladin did not conspire with accused Lee in giving unwarranted benefits to accused Velasco and/or FETVI and is not guilty of gross inexcusable negligence.

The prosecution, in its *Comment/Opposition* argues, thusly:

1. The Court is correct in concluding that accused Lee acted with manifest partiality and gave unwarranted benefit to FETVI and/or accused



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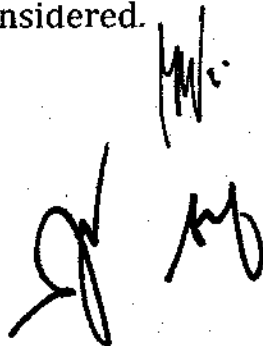
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- Velasco for the purchase of 300 units of second hand computers;
2. Accused Laurora and Brondial committed gross inexcusable negligence when they inspected the delivered computer units and certified 'OK" the Inspection and Acceptance Report;
 3. The Court is correct when it ruled that the act of accused Lee, Paladin, Laurora and Brondial caused undue injury to the government;
 4. The Court is correct in finding that accused Lee acted with manifest partiality when he awarded the contract for the purchase of 3 sets of VSAT Cyberstream Satellite Cignal to FETVI, despite the fact that the latter is not the exclusive distributor of the VSAT Cyberstream Satellite and the purchase was made without the recommendation of the Bids and Awards Committee (BAC);
 5. The Court is correct in considering the MOA and JVA as evidence to show that accused Lee gave unwarranted benefit to FETVI in the discharge of his official function; and
 6. The Court is correct in finding that accused Paladin conspired with accused Lee in giving unwarranted benefit to FETVI and is guilty of gross inexcusable negligence.

THE COURT'S RULING

After a careful study, the Court finds the *Motion for Reconsideration* to be bereft of merit as it did not present any new arguments which would warrant a reconsideration of the Court's *Decision* dated 26 February 2021.

The arguments raised by the accused had already been examined, considered, and passed upon by the Court in arriving at the *Decision* being sought to be reconsidered.



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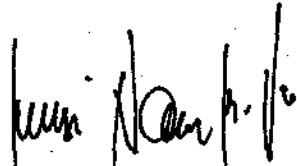
In *Mendoza-Ong v. Sandiganbayan*,¹ the Supreme Court ruled, thus:

x x x the Court notes that the motion contains merely a reiteration or rehash of arguments already submitted to the Court and found to be without merit. Petitioner fails to raise any new and substantial arguments, and no cogent reason exists to warrant a reconsideration of the Court's Resolution. It would be a useless ritual for the Court to reiterate itself.

To reiterate, for lack of substantial arguments presented in the *Motion for Reconsideration* that would warrant a departure from the judgment of conviction, the prayer of accused to take a second look on the Court's ruling is denied.

WHEREFORE, the *Motion for Reconsideration (Re: Joint Decision Promulgated on 26 February 2021)* filed by accused RAUL RODRIGUEZA LEE, MANUEL SERRANO LAURORA, and FELICISIMO DOLENDO BRONDIAL is hereby DENIED for lack of merit.

SO ORDERED.

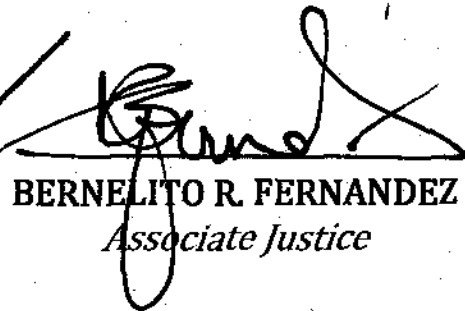


KEVIN NARCE B. VIVERO
Associate Justice

WE CONCUR:



SARAH JANE T. FERNANDEZ
Associate Justice
Chairperson



BERNELITO R. FERNANDEZ
Associate Justice

¹ G.R. Nos. 146368-69, 18 October 2004.