



REPUBLIC OF THE PHILIPPINES

Sandiganbayan
Quezon City

Seventh Division

MINUTES of the proceedings held on March 22, 2022.

Present:

<i>Justice MA. THERESA DOLORES C. GOMEZ-ESTOESTA--</i>	<i>Chairperson</i>
<i>Justice ZALDY V. TRESPESES -----</i>	<i>Member</i>
<i>Justice GEORGINA D. HIDALGO-----</i>	<i>Member</i>

The following resolution was adopted:

Crim. Case No. SB-18-CRM-0293 – People of the Philippines vs. Apolinario T. Camsol, et al.

This resolves the following:

1. All accused (except Camsol)'s "FORMAL OFFER OF EVIDENCE" dated March 7, 2022;¹
2. Prosecution's "COMMENT/OPPOSITION" (to FORMAL OFFER OF EVIDENCE)" dated March 10, 2022;²
3. All accused (except Camsol)'s "MANIFESTATION AND MOTION TO ADMIT EXHIBITS (WITH DEEP APOLOGY)" dated March 14, 2022;³ and
4. Prosecution's "COMMENT/OPPOSITION (to Manifestation and Motion to Admit Exhibits)" dated March 15, 2022.⁴

HIDALGO, J.:

After due consideration of the accused's Formal Offer of Evidence and the prosecution's Comments/Oppositions, the Court resolves to **ADMIT:**

Exhibits "12-Camsol" to "27 Camsol" (with submarkings) and "155-Aban" (Attendance Sheet, Summary of Distribution, Names and Signatures of Farmer-Beneficiaries, and Memorandum No. 06). Admitting the existence and authenticity of these exhibits,⁵ the prosecution interposed

¹ Record, Vol. 3, pp. 204-298.

² Id. at 300-302.

³ Id. at 303-308.

⁴ Id. at 310-312.

⁵ Id. at 192, 301. See the Court's Resolution dated March 1, 2022 and prosecution's Comment/Opposition dated March 10, 2022.

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no objection.

Over the prosecution's objection to their admissibility for lack of identification and authentication, the Court resolves to **ADMIT**:

Exhibits "160 Aban," "163 Aban," and "161 Aban" to "161-A Aban" (Invitation from Mr. Aban to the Barangay Captains, Distribution Scheme, and Minutes of Meeting dated June 15, 2004, respectively). In their Manifestation and Motion to Admit Exhibits (with Deep Apology), accused Suyat, et al. state that due to inadvertence and case workload, Exhibits "9 Camsol," "10 Camsol," and "11 Camsol" to "11-A Camsol" were not substituted with Exhibits "160 Aban," "163 Aban," and "161 Aban" to "161-A Aban," respectively, in their submitted exhibits. In its January 10, 2022 Resolution,⁶ the Court already granted accused's previous motion for substitution of said documents considering the prosecution's lack of objection. By virtue of said Resolution, the substitution of the correct exhibits is in order. Also, accused's Formal Offer of Evidence still indicated the markings Exhibits "9 Camsol," "10 Camsol," and "11 Camsol" to "11-A Camsol." Since they are one and the same documents, the Court considers Exhibits "160 Aban," "163 Aban," and "161 Aban" to "161-A Aban" to be the proper markings in the resolution of accused's Formal Offer of Evidence. Nonetheless, these documents are admitted for they were issued or signed by accused Asano Aban himself in his capacity as Municipal Agricultural Officer and identified by him in his Judicial Affidavit dated September 17, 2021.⁷ The prosecution's Comment/Opposition (to Manifestation and Motion to Admit Exhibits), claiming that accused's Manifestation was filed out of time, thus, has no more leg to stand on in view of the Court's January 10, 2022 Resolution, granting accused's previous motion for substitution.

Exhibits "39 Suyat," "40 Suyat," "42 Suyat," "50 Suyat," and "56 Suyat" (Purchase Order, Inspection and Acceptance Report, Disbursement Voucher, Purchase Request, and Notice of Disallowances, respectively), being the same documents (Exhibits "I," "J," "L," "D," and "P," respectively) of the prosecution which were already admitted in the Court's January 9, 2020 Resolution,⁸ relating to the prosecution's Formal Offer of Documentary Evidence.

Exhibits "38 Suyat" and "107 A Endi." Exh. "38" (Abstract of Bids for Quotation) was signed by accused Suyat herself in her capacity as Municipal Treasurer and identified in her Judicial Affidavit dated June 5, 2020;⁹ while Exh. "107 A Endi" (Committee Report) was identified in Court

⁶ Id. at 158-159.

⁷ Judicial Affidavits, Vol. 1, pp. 156-157.

⁸ Record, Vol. 3, pp. 20-22.

⁹ Judicial Affidavits, Vol. 1, p. 78.

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by Florencio Vicente,¹⁰ who signed the same document in his capacity as Chairman of the Committee on Infrastructure, Sangguniang Bayan, Buguias, Benguet.

Exhibit “109 Endi” (Special Office Order No. 01, S. 2004 re: reorganization of the composition of the Municipal Bids and Awards Committee [BAC]). Although this is a certified photocopy from records on file, co-accused Anecita Suyat testified that she was a member of the Municipal BAC,¹¹ thus in effect confirming the existence of said Office Order, which included Suyat’s name as the Municipal Treasurer. More so, the Office Order, being a document issued by the Office of the Municipal Mayor, is a self-authenticating public document and requires no further authentication in order to be presented as evidence in court.¹²

Over the prosecution’s objection to its admissibility for lack of identification and authentication, and that the Joint Affidavit is hearsay as it was not identified by the affiants during trial, the Court resolves to **ADMIT**:

Exhibit “164-Aban” (Joint Affidavit of Denial of Barangay Captains). This exhibit was already covered by the stipulation of the parties on the fact that there was a meeting among Barangay Chairpersons to discuss preferred insecticides/pesticides to be purchased as proposed by them;¹³ hence, the authentication by the Barangay Chairpersons of their Joint Affidavit in Court was dispensed with.

Notwithstanding the admission of all the exhibits of the accused, their evidentiary and/or probative value shall be left to the determination and appreciation of this Court in the final disposition of this case.

WHEREFORE, and considering the foregoing, the Manifestation and Motion to Admit Exhibits (with Deep Apology) filed by accused Anecita Suyat, Marcelino Endi, and Asana Aban is **NOTED** and **GRANTED**. Consequently, the Court hereby orders that Exhibits “9 Camsol,” “10 Camsol,” and “11 Camsol” to “11-A Camsol” be substituted with **Exhibits “160 Aban,” “163 Aban,” and “161 Aban” to “161-A Aban,”** respectively.

With the prosecution’s manifestation that it will not be presenting rebuttal evidence, the parties are directed to submit their respective Memoranda within thirty (30) days from electronic receipt of this Resolution on accused’s Formal Offer of Evidence.¹⁴

¹⁰ Record, Vol. 3, p. 145, Minutes dated November 29, 2021.

¹¹ Judicial Affidavits, Vol. 1, p. 75. Judicial Affidavit dated June 5, 2020.

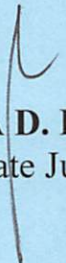
¹² *Patula vs. People*, G.R. No. 164457, April 11, 2012, 669 SCRA 135, 156.

¹³ TSN, September 27, 2021, p. 43; Minutes dated September 27, 2021, record, Vol. 3, pp. 126-127.


¹⁴ Per the Court’s Resolution dated March 1, 2022, record, Vol. 3, pp. 191-193.

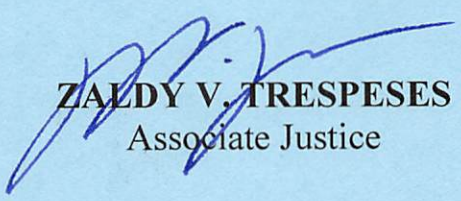
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SO ORDERED.


GEORGINA D. HIDALGO
Associate Justice

WE CONCUR:


MA. THERESA DOLORES C. GOMEZ-ESTOESTA
Associate Justice
Chairperson


ZALDY V. TRESPESSES
Associate Justice