

REPUBLIC OF THE PHILIPPINES

**Sandiganbayan**  
QUEZON CITY

**SIXTH DIVISION**

**MINUTES of the Proceedings held on March 10, 2022**

**PRESENT:**

<b>Hon. SARAH JANE T. FERNANDEZ</b>	-	<b>Chairperson</b>
<b>Hon. KARL B. MIRANDA</b>	-	<b>Associate Justice</b>
<b>Hon. KEVIN NARCE B. VIVERO</b>	-	<b>Associate Justice</b>

The following resolution was adopted in the following case:

***Crim. Case No. SB-19-CRM-0051 – PEOPLE VS. GELACIO MANALANG, ET AL.***

This resolves the following:

- (1) ***Motion to Dismiss Due to the Death of Accused Gelacio R. Manalang***<sup>1</sup> filed on October 13, 2021 by the law office of Platon Martinez Flores San Pedro & Leano, through Attys. Israfel D. Fagela and Ralph Samuel T. Yu, counsel of accused Gelacio R. Manalang;
- (2) ***Motion to Resolve (Re: Motion to Dismiss Due to the Death of Accused Gelacio R. Manalang)***<sup>2</sup> filed on February 18, 2022 by the law office of Platon Martinez Flores San Pedro & Leano, through Attys. Israfel D. Fagela and Ralph Samuel T. Yu, counsel of accused Gelacio R. Manalang; and
- (3) ***Compliance***<sup>3</sup> filed by the prosecution on March 9, 2022.

In the ***Motion to Dismiss Due to the Death of Accused Gelacio R. Manalang***, Attys. Fagela and Yu manifested that accused Gelacio R. Manalang died on June 24, 2021. In compliance with the Court's Order on July 7, 2021, they submitted the *Certificate of Death* issued by the Philippine Statistics Authority (PSA). The counsels of accused Manalang prayed for the: (1) dismissal of the instant case due to the death of accused Manalang; (2) release of accused Manalang's bailbond posted for his provisional liberty; and (3) lifting of the *Hold Departure Order* issued against the said accused by reason of the instant case.

In the ***Motion to Resolve (Re: Motion to Dismiss Due to Death of Accused Gelacio R. Manalang)***, the counsels for accused Manalang reiterated their prayer and moved for the resolution of their motion considering that the period for the prosecution to submit its compliance has already lapsed.

<sup>1</sup> Dated October 12, 2021; filed through electronic mail on October 13, 2021  
<sup>2</sup> Dated February 16, 2022; filed through electronic mail on February 18, 2022  
<sup>3</sup> Dated March 9, 2022; filed through personal filing and electronic mail on even date

The Court **NOTES** the prosecution's **Compliance** and its manifestation that the Philippine Statistics Authority furnished, on March 8, 2022, the Office of the Special Prosecutor with the attached authenticated *Certificate of Death* of accused Gelacio R. Manalang.

The PSA-issued *Certificate of Death* with Registry No. 2021-2274 shows that one GELACIO ROMAN MANALANG passed away on June 24, 2021. In view thereof, it appears that the death of accused GELACIO ROMAN MANALANG has been sufficiently established.

**WHEREFORE**, pursuant to Article 89 of the Revised Penal Code, the case against accused GELACIO ROMAN MANALANG is hereby ordered **DISMISSED**, without prejudice to the filing of a separate civil action against his estate, should circumstances warrant the same.

The cash bond of accused GELACIO ROMAN MANALANG in the amount of Thirty Thousand Pesos (Php30,000.00), as evidenced by Official Receipt No. 5497814 V dated April 25, 2019, is hereby **ORDERED** released to his heirs, subject to the usual accounting and auditing procedures.

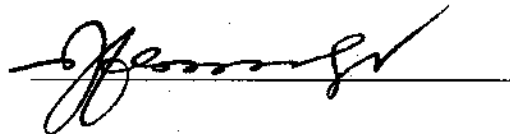
The *Hold Departure Order* dated April 1, 2019<sup>4</sup> issued against Gelacio Roman Manalang is hereby **LIFTED**.

Furnish the Bureau of Immigration with a copy of this **Resolution**.

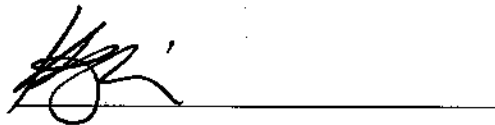
**SO ORDERED.**

**APPROVED:**

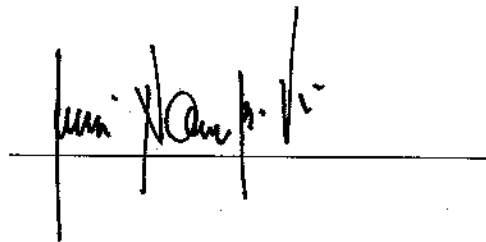
**FERNANDEZ, S.J., J., Chairperson**



**MIRANDA, J.**



**VIVERO, J.**



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<sup>4</sup> Records, Vol. 1, page 264