



Republic of the Philippines
SANDIGANBAYAN
Quezon City

SIXTH DIVISION

**PEOPLE OF THE
PHILIPPINES,**

Plaintiff,

SB-15-CRM-0284 to 0285

For: Violation of Sections 3 (e) and
3 (g) of Republic Act No. 3019

-versus-

**CELESTINO MARTINEZ
III, ET AL.**

Accused,

PRESENT:

FERNANDEZ, SJ, *J. Chairperson*
MIRANDA, &
VIVERO, JJ.

Promulgated: **MAY 30 2022**

X-----X

RESOLUTION

MIRANDA, J.:

This resolves the Show Cause Order issued by the Court on February 22, 2022 together with the Manifestation dated February 28, 2022 and the manifestation in open court during the proceedings on February 28, 2022 both by accused Celestino A. Martinez III (Martinez).

In the Urgent Motion to Defer Promulgation of Decision dated February 17, 2022, accused Martinez sought the deferment of the promulgation of decision in these cases on the following grounds:

- 1) Accused Martinez received the notice of promulgation of decision only on February 15, 2022 or a week before the scheduled hearing. He needs more time to arrange his travel from Cebu to Manila considering his immuno-compromised health condition and the rate of COVID infections in Manila.
- 2) His doctor advised him to rest for two months after his last chemotherapy in January 2022 as he is still experiencing continued numbness on both hands and feet. Accused Martinez claimed that he has remained mostly within the walls of his house, except for medical procedures to monitor his health condition.
- 3) He was scheduled to receive his second dose of vaccine against COVID on the same week as the scheduled promulgation of decision in these cases; and
- 4) He is running for a seat in Congress. The promulgation of decision in these cases, whether favorable or not to him, may unduly influence the voters leading to a result that is not truly reflective of the will of the people.

Meanwhile, during the hearing on February 22, 2022, this Court ordered accused Martinez to explain the post on the Facebook page "MAS OK CONG TINING" showing his attendance in public gatherings despite his claimed immuno-compromised health condition.¹

In his manifestation, accused Martinez claimed that he has no intention to misrepresent his health condition, and that the photos in his Facebook account were taken in 2021. He explained that his public appearances despite his ongoing battle against cancer were compelled by the underhandedness employed by his political enemies.

These assertions were, however, contradicted by various social media posts in January and February 2022 showing his recent attendance in public gatherings.² In fact, accused Martinez admitted joining a bike ride with other government officials. During the hearing on February 28, 2022, he said:

AJ Miranda: ...Okay, Atty. Ruth, could you please show the Court picture 2A (picture 2A was being shown on the screen). This is a post by Mr. Dante Mayor?



¹ pp. 19-20, TSN dated February 22, 2022.

² pp. 15-21, TSN dated February 28, 2022.

Martinez: Yes, Your Honor.

AJ Miranda: **Morning ride with Cong Tining, Celestino Martinez, Mayor Carlo Martinez at DILG Bogo City. Now, it shows on the right hand the screenshot of the bike statistics 28.42 kilometers on February 5.**

Martinez: **Yes, Your Honor. I joined them, Your Honor on this ride, Your Honor.**

AJ Miranda: Ahh, you joined them?

Martinez: Yes, Your Honor. I joined them on this ride, but I did not finish the whole route, Your Honor. I stopped in the middle, Your Honor.

AJ Miranda: Ohh, yun na nga eh, so it's not because bawal kang makihalo sa ibang tao. You know Sir, it's okay with us. You just tell the truth, the Court will understand.³

A final word. The Court reminds lawyers and litigants alike to observe honesty and maintain respect due to the court and to never seek to mislead the court in the determination of issues before it. Lawyers owe candor, fairness, and good faith to the court.⁴ Particularly, Rule 10.01 of the Code of Professional Responsibility mandates that, "lawyers shall not do any falsehood, nor consent to the doing of any in court; nor shall lawyers mislead, or allow the court to be misled by any artifice." To reiterate, a lawyer is, first and foremost, an officer of the court. His duty is not to his client but primarily to the administration of justice.⁵ Thus, any means, not honorable, fair and honest, even in the pursuit of his devotion to his client's cause, is condemnable and unethical.⁶

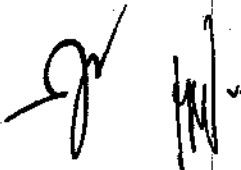


³pp. 18-19, *Ibid*; Emphasis supplied.

⁴ Canon 10 of the Code of Professional Responsibility.

⁵ *Rural Bank of Calape, Inc. (RBC) Bohol v. Atty. Florido*, A.C. No. 5736, June 18, 2010.

⁶ *Ibid*.



RESOLUTION
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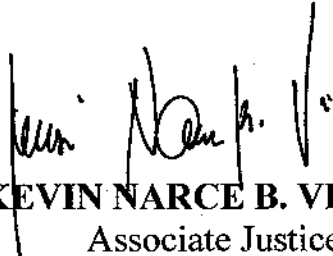
WHEREFORE, the Manifestation dated February 28, 2022 is **NOTED**.

SO ORDERED.


KARL B. MIRANDA
Associate Justice

WE CONCUR:


SARAH JANE T. FERNANDEZ
Associate Justice
Chairperson


KEVIN NARCE B. VIVERO
Associate Justice