



Republic of the Philippines

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 11 July 2022.

Present:

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

Justice ZALDY V. TRESPESES ----- Associate Justice

Justice GEORGINA D. HIDALGO ----- Associate Justice

Crim. Case No. SB-16-CRM-0249 to 0250 - People vs. ROZZANO RUFINO B. BIAZON, et al.,

This resolves the prosecution's "Ex Parte Manifestation/Motion" dated 27 June 2022.¹

TRESPESES, J.

For resolution is the prosecution's Ex Parte Manifestation/Motion with respect to the Court's Resolution dated 14 June 2022² granting accused Zenaida Cruz-Ducut's (Ducut) Motion for Suspension of Proceedings.

In the said Resolution, the Court found merit in the prosecution's alternative motion³ that, should Ducut's motion be granted, there must be compliance with the doctor's recommendation for Ducut's yearly submission to medical examination. The Court accordingly stated in the penultimate paragraph of the dispositive portion of the Resolution:

Dr. Neil Michel Apollo Santos, Medical Specialist III or any medical specialist of the National Center for Mental Health, is hereby **DIRECTED** to conduct mental examination of accused Zenaida Ducut within the month of June of every year, and to forthwith submit a copy of the resulting medical report to the Court.

The prosecution now seeks the modification of the phrasing of the said paragraph of the dispositive portion of the said Resolution in order to reflect that the directive is specifically addressed to Ducut. It also apparently seeks to be furnished a copy of the yearly medical report, including results of tests conducted on Ducut. Thus, the prosecution moves that the subject paragraph of the dispositive portion of the Resolution be modified to read as follows:

¹ Record, Vol. 15, pp. 521-523.

² Id. at 466-486.

³ Id. at 402, Prosecution's "Supplemental Comment/Opposition (to the Motion to Suspend Proceedings and Supplemental Motion filed by accused Zenaida Cruz-Ducut)" dated 31 May 2022.

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Accused Zenaida Cruz-Ducut is hereby directed to submit herself to annual medical examination within the month of June every year before the National Center for Mental Health and to forthwith submit a copy of all the resulting medical reports, including all the results of the tests conducted, to the Court, copy furnished the prosecution.

The prosecution's manifestation/motion is noted and granted.

While the directive to the National Center for Mental Health to conduct yearly mental examination on Ducut evidently presupposes Ducut's submission to such examinations, it is not amiss to modify its phrasing to emphasize that Ducut must, perforce, submit thereto.

The Court, moreover, finds that it is proper for the prosecution to be furnished a copy of the resulting yearly medical report on Ducut, including all the results of the tests conducted on her. This will enable the prosecution to likewise monitor if and when Ducut's medical condition improves sufficiently for the purpose of reviving the archived case against her.

WHEREFORE, in view of the foregoing, the prosecution's Ex Parte Manifestation and Motion, the same is hereby **NOTED** and **GRANTED**.

The penultimate paragraph of the dispositive portion of the Court's Resolution dated 14 June 2022 is hereby modified to read as follows:

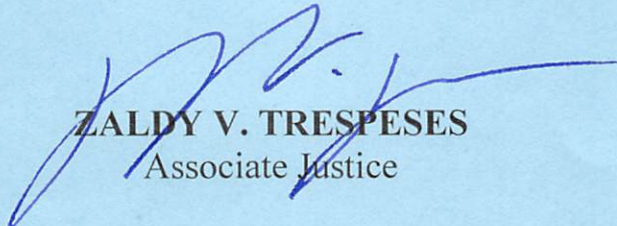
WHEREFORE, in view of the foregoing, the "Motion for Suspension of Proceedings" filed by accused Zenaida Cruz-Ducut is **GRANTED**.

XXX

Accused Zenaida Cruz-Ducut is hereby **DIRECTED** to submit herself to annual medical examination within the month of June every year before the National Center for Mental Health, while her counsel is **DIRECTED** to forthwith submit a copy of all the resulting medical reports, including all the results of the tests conducted, to the Court, copy furnished the prosecution.

XXX.

SO ORDERED.


ZALDY V. TRESPESES
Associate Justice

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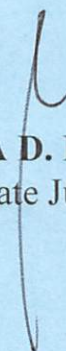
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WE CONCUR:


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


GEORGINA D. HIDALGO
Associate Justice

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