



Republic of the Philippines

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 14 July 2022.

Present:

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

Justice ZALDY V. TRESPESES----- Member

Justice GEORGINA D. HIDALGO----- Member

The following resolution was adopted:

Crim. Case No. SB-20-CRM-0010 to 0011 - People vs. TERESITA L. PANLILIO, ET AL.

This resolves the following:

- 1) Prosecution's "FORMAL OFFER OF DOCUMENTARY EVIDENCE WITH MOTION TO MARK EXHIBITS" dated and received by the Court on June 13, 2022;¹ and
- 2) Accused Teresita L. Panlilio's "COMMENTS/OBJECTIONS [To the Prosecution's Formal Offer of Evidence]" dated July 1, 2022 and received by the Court on July 5, 2022.²

TRESPESES, J.

Acting on the Formal Offer of Documentary Evidence with Motion to Mark Exhibits³ filed by the prosecution and accused Teresita L. Panlilio's Comment/Objections, the Court resolves as follows:

ADMIT Exh. A to A-9 (Original copy of the Complaint Affidavit of the Field Investigation Office), over the objection of accused Panlilio that it was not authenticated by any of the prosecution witnesses, as the existence, due execution and authenticity were admitted by both accused during pre-trial per Pre-trial Order dated 6 January 2022.⁴ This is without prejudice to the evidentiary weight that may be accorded thereto in the final disposition of the case.

¹ Record, Vol. 3, pp. 17-73.

² Record, Vol. 3, pp. 79-95.

³ The Court has already granted the motion to mark exhibits per Resolution dated 14 June 2022 (Record, Vol. 3, p. 74.

⁴ Record, Vol. 2, pp. 392-403.

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ADMIT Exh. B to B-7 (Personal Data Sheet of Teresita Legaspi Panlilio), although not properly authenticated by any of the prosecution witnesses, as its existence, authenticity and due execution were admitted by accused Panlilio during the pre-trial⁵ and there being no objection interposed by said accused as to its admissibility.

ADMIT Exhs. C, C-1 and C-2 (Certificate of Registration of Singi, Agui-It, Manlukugan, Matango, Sabang Multi-Purpose Cooperative, Letter dated 21 April 2008 and Excerpts of the By-Laws of SAMMSMPC showing its authorized capital), **Exhs. E to E-2** (Memorandum of Agreement between DAR and SAMMS Multi-Purpose Cooperative); **Exh. G** (Disbursement Voucher No. 08-09-7579), **Exh. H** (Check No. 662113 dated 3 September 2008), **Exh. I** (Undated official Receipt No. 0022 of SAMMS Multi-Purpose Cooperative), as they were identified by prosecution witness Hasel Ann Flameño as the same documents she photocopied and certified after comparing with the documents from their file. Although they appear to be mere photocopies, Flameño said that when she assumed her position in 2016, the said documents were already on file in their office and that after diligent search only photocopies were found. They were stipulated as to existence, authenticity and due execution by accused Almadrones.⁶

ADMIT Exh. K (Certification of Rhodora M. Sabacayan), **Exh. M** (Certification of Jaime C. Roa), **Exh. N** (Certification of Rommel C. Maslog), **Exh. O** (Certification of Frederick Labis), **Exh. P** (Certification of Leonardo L. Uy), **Exh. Y** (Certification of Lionell T. Masagca), as they were identified by the persons who issued the said Certifications.⁷ The objections raised by accused Panlilio to the admission of these documents pertain more to the probative value rather than their admissibility.

ADMIT Exh. J to J-1 (Certification of Marrieta Roa Abogado), **Exh. L** (Certification of Danilo A. Lagbas, Jr.), **Exh. Q to Q-1** (Certification of Angelo G. Capistrano, Jr.), **Exh. R to R-1** (Certification of Emmanuel S. Mugot), **Exh. S** (Certification of Johnny G. Sumaylo), **Exh. T** (Certification of Milan A. Balacuit), **Exh. U** (Certification of Enerito J. Acain), **Exh. V** (Certification of Cora Z. Sayre), **Exh. W** (Certification of Alexander N.

⁵Record, Vol. 2, pp. 392-403 (Per Pre-trial Order dated 6 January 2022)

⁶Record, Vol. 2, pp. 392-403 (Per Pre-trial Order dated 6 January 2022)

The Court also notes that during the preliminary conference held on 8 July 2021, Exhs. C, E, G, H and I were designated as accused Almadrones's Exhs. 25, 2, 26, 27 and 28. However, Exhibits, 25, 2, 26, 27, and 28 described in the Joint Stipulations of Facts and Issues are not the same as Exhs. C, E, G, H and I.

⁷ TSN dated 23 March 2022 for Rhodora M. Sabacajan, TSN dated 6 April 2022 for Jaime C. Roa and Rommel C. Maslog, TSN dated 20 April 2022 for Leonardo L. Uy, TSN dated 4 May 2022 for Frederick Labis and TSN dated 8 June 2022 for Lionell T. Masagca.

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Oblimar, Gloria V. Jajalla and Erico N. Capinpuyan), all certified copies by the Ombudsman, as the defense stipulated during the hearing held on 4 May 2022 that: (1) the witnesses can identify the Certifications they issued and (2) the Certifications were issued in their capacity as public officials of their respective municipalities.⁸ In view of the stipulations, the prosecution dispensed with the presentation of the witnesses. The objections raised by accused Panlilio pertain not to the admissibility but on the probative value of the said exhibits.

ADMIT Exh. X (Letter dated 6 February 2007 from Augusto Baculio to Datu Nasser Pangandaman, Al Haj),⁹ certified copy by the Ombudsman, as it is common with accused Almadrones's Exh. 1 and stipulated by both accused as to existence, due execution and authenticity.¹⁰

The Court notes that accused Arnel V. Almadrones did not file any comment or objection despite sufficient time given¹¹ hence, its filing is deemed waived.

It should be noted that the admission of these exhibits is subject to the Court's appreciation of their probative value and as to the purposes for which they were offered during the final disposition of the case. In view of the admission of the documentary exhibits, the prosecution is deemed to have rested its case.

The parties are reminded of the setting for the presentation of defense evidence on **July 20, 2022 at 8:30 in the morning at the Fourth Division Courtroom.**

SO ORDERED.

Quezon City, Philippines.


ZALDY V. TRESPESES
Associate Justice

⁸ Record, Vol. 2, pp. 477-479.

⁹ JA Folder, pp. 55 (Judicial Affidavit of Hasel Ann I. Flameño.

¹⁰ Record, Vol. 2, pp. 392-403.

¹¹ Atty. Yanto, counsel for accused Almadrones, received the prosecution's formal offer of evidence on 29 June 2022.

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WE CONCUR:


MA. THERESA DOLORES C. GOMEZ-ESTOESTA

Associate Justice

Chairperson


GEORGINA D. HIDALGO

Associate Justice