



Republic of the Philippines

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 18 August 2022.

Present:

Justice ZALDY V. TRESPESES ----- Acting Chairperson

Justice GEORGINA D. HIDALGO ----- Member

*Presiding Justice AMPARO M. CABOTAJE-TANG** ----- Member*

The following resolution was adopted:

Crim. Case No. SB-22-CRM-0117 - People vs. MARC RED ARCADIO MARINÑAS, et al.

This resolves the following:

1. Accused Jeffrey Dale Salameda Ignacio's "ENTRY OF APPEARANCE WITH OMNIBUS MOTION" dated August 15, 2022;

TRESPESES, J.

This resolves the Entry of Appearance with Omnibus Motion filed by accused Jeffrey Dale Salameda Ignacio ("accused"), through counsel.

The Public Attorney's Office – Quezon City District Office enters their appearance on behalf of accused who terminated his engagement with a private counsel.

Records show that the Information against accused was filed on 06 June 2022, before he received a copy of the Ombudsman's Consolidated Resolution on 10 June 2022. Accused claims that he and his previous counsel were unaware of the filing of the Information with this Court at the time of receipt of the Consolidated Resolution.

Therefore, accused's previous counsel filed a Motion for Reconsideration with the Office of the Ombudsman within the reglementary period but without moving for leave from this Court to file the same.

Accused seeks leave from this Court as regards his Motion for Reconsideration pending before the Office of the Ombudsman and asks that

* Special member per A.O. No. 138-2022 dated June 20, 2022 in view of the inhibition of Associate Justice Ma. Theresa Dolores C. Gomez-Estoesta

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the Office of the Ombudsman be directed to resolve the same within the same period as the other previously filed motions to avoid further delay.

OUR RULING

We **note** the counsel's entry of appearance and resolve to **grant** accused's omnibus motion.

The Court holds that once the Information is filed in court, the filing of a motion for reconsideration of the resolution of the preliminary investigation is allowed provided that accused obtain leave from the court in accordance with Sec. 7, Rule II of Administrative Order No. 07, or the Rules of Procedure of the Ombudsman which reads:

Section 7. Motion for reconsideration. —

- a) Only one motion for reconsideration or reinvestigation of an approved order or resolution shall be allowed, the same to be filed within five (5) days from notice thereof with the Office of the Ombudsman, or the proper Deputy Ombudsman as the case may be, *with corresponding leave of court in cases where information has already been filed in court.*
- b) The filing of a motion for reconsideration/reinvestigation shall not bar the filing of the corresponding information in Court on the basis of the finding of probable cause in the resolution subject of the motion.

Acting on the omnibus motion, which prays for leave, and finding merit in the reasons given, it appearing further that accused's motion for reconsideration of the Consolidated Resolution was timely filed with the Ombudsman, the same is hereby granted as prayed for.

WHEREFORE, premises considered, the "ENTRY OF APPEARANCE"¹ dated August 15, 2022 of the Public Attorney's Office – Quezon City District Office as counsel for accused Jeffrey Dale Salameda Ignacio is **NOTED**. Copies of relevant notices, orders, resolutions, and other court processes shall henceforth be furnished to the accused through his counsel at the electronic and/or mailing address provided in the Entry of Appearance.

Further, accused's Omnibus Motion is **GRANTED**.

¹ Filed together with his Omnibus Motion

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Accordingly, the prosecution is given leave to act on accused Ignacio's motion for reconsideration. Since the Court has already granted leave to several accused per Resolution dated 6 July 2022, the prosecution is directed to resolve within the same period herein accused's motion together with the other previously filed motions to avoid further delay.

SO ORDERED.

Quezon City, Philippines



ZALDY V. TRESPESES

Associate Justice

Acting Chairperson

WE CONCUR:



GEORGINA D. HIDALGO

Associate Justice



AMPARO M. CABOTAJE-TANG

Presiding Justice

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