



REPUBLIC OF THE PHILIPPINES

## Sandiganbayan

Quezon City

### Fifth Division

PEOPLE OF THE PHILIPPINES,  
*Plaintiff-Appellee,*

Crim. Case Nos. SB-21-A/R-0053  
FOR: Falsification under Art.  
171 of the Revised Penal  
Code

— versus —

ARNELO G. PERALTA and LENY  
C. BALUYO,  
*Accused-Appellants,*

Present:  
LAGOS, J., *Chairperson*  
MENDOZA-ARCEGA, and  
CORPUS-MAÑALAC, JJ.

Promulgated:

September 08, 2022

X-----x  
*Gerard J. Lagos*

### RESOLUTION

**LAGOS, J.:**

This resolves the separate *Motions for Reconsideration* filed by: (1) accused-appellant Arnelo G. Peralta<sup>1</sup> on June 3, 2022; and (2) Leny C. Baluyo<sup>2</sup>, on June 24, 2022, both seeking to reverse and set aside the *Decision* of this Court dated May 12, 2022, and that a new one be entered acquitting them of the crime of falsification of public document defined and penalized under Article 171 of the Revised Penal Code, the dispositive portion of which reads, as follows:

<sup>1</sup> Record, pp. 195-198

<sup>2</sup> Id., pp. pp. 213-221

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“**WHEREFORE**, in view of the foregoing, the appeal separately filed by accused-appellants ARNELO PERALTA y GOMEZ and LENY BALUYO y CALLOPE are hereby **DENIED** for lack of merit. Accordingly, the judgment conviction of both accused-appellants PERALTA and BALUYO by proof beyond reasonable doubt rendered by the RTC, 5<sup>th</sup> Judicial Region, Branch 14, Ligao City on February 19, 2020 is **AFFIRMED** with modification of their sentence to an indeterminate penalty of four (4) years, two (2) months and one (1) day of *prision correccional*, as minimum, to six (6) years and one (1) day of *prision mayor* as maximum, and to pay a FINE of Three Thousand Pesos (Php 3,000.00), including the accessory penalties provided under the law.

**“SO ORDERED.”**

In the *Minute Resolution*<sup>3</sup> dated June 24, 2022, plaintiff-appellee was given a period of ten (10) days from notice within which to file a *Consolidated Comment/Opposition* to the *Motion for Reconsideration* respectively filed by accused-appellants Arnelo Peralta and Leny C. Baluyo. Thereafter, the incidents shall be deemed submitted for resolution.

On July 18, 2022, the Court in a *Minute Resolution*,<sup>4</sup> acting on the *Manifestation and Motion* filed by the plaintiff-appellee, dated July 11, 2022, alleging that the Office of the Special Prosecutor (OSP) has not yet received a copy of accused-appellant Baluyo’s *Motion for Reconsideration (MR)*, and it appearing from accused-appellant Baluyo’s *MR* that it was the Office of the Solicitor General (OSG) which was furnished a copy of thereof, the OSP was given a period of ten (10) days from receipt thereof within which to file its *Consolidated Comment/Opposition* to the motions for reconsiderations filed by accused-appellants Peralta and Baluyo; thereafter, the incidents shall be deemed submitted for resolution.

On August 31, 2022, the incidents regarding the separate *Motions for Reconsideration* of both accused-appellants Peralta and Baluyo were brought to the attention of the Court considering that as of that date, no *Consolidated Comment/Opposition* was received by the Court from the Office of the Special Prosecutor (OSP), the case was deemed submitted for resolution.

On September 2, 2022, the Court received the OSP’s *Consolidated Comment/Opposition*, dated August 18, 2022, filed by registered mail on August 22, 2022, alleging that a copy of Baluyo’s *MR* was received on August 9, 2022, hence, the plaintiff-appellee has until August 19, 2022 within which to file the required pleading.

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<sup>3</sup> Records,, p. 223

<sup>4</sup> Id., p. 233

### **Accused-appellant Peralta's Motion for Reconsideration**

Accused-appellant Peralta argues in his *Motion for Reconsideration* that the testimonies of prosecution witnesses who allegedly heard the admission made by him were not corroborated by the minutes of the said special session as it neither bear his express admission nor his signature thereon was identified by the Barangay Secretary, Daisy Talavera, who wrote the same. He further insists that assuming there was indeed an admission made during the special session, the same constitutes as an extrajudicial confession without the assistance of counsel, which he claims, was analogous to a custodial investigation. Although he admits that he was not under custody of police officers, accused-appellant Peralta asserts that he is in a situation where he was being compelled to make an admission.

On the admission of Treasurer Leny C. Baluyo, accused-appellant contends that this should not be taken against him on the ground that it partakes of the nature of an extra-judicial confession binding only on the confessant under the *res inter alios acta* rule, hence, inadmissible against his or her co-accused because it is considered hearsay against them.

Lastly, accused-appellant argues that the prosecution failed to prove his guilt beyond reasonable to sustain his conviction based on circumstantial evidence because the prosecution merely relied on the alleged admission of accused-appellant Peralta which, as discussed earlier was an extra-judicial admission made without the assistance of counsel of his choice, hence inadmissible as evidence against him. He adds that there was no corroborating evidence to support his alleged admission considering that the CD recording, as a corroborating evidence sought to be presented by the prosecution, was correctly ruled as inadmissible by the trial court for failure of the prosecution to authenticate the same.

### **Accused-appellant Baluyo's Motion for Reconsideration**

Accused-appellant Leny C. Baluyo, for her part, contends in her *Motion for Reconsideration* that it was a reversible error for the Honorable Court to disregard the reason she offered why she made that admission before the City Prosecutor during the preliminary investigation on April 13, 2015. She asserts that during trial, she explained that she was made to admit by her co-accused Peralta who presented her in the preliminary investigation under threat of removing her as *barangay* treasurer if she will not admit to it and she will not be paid or given the money to pay off the loan he obtained which was secured by her property. In relation to the said loan allegedly obtained by accused-appellant Peralta, she explains that when he (Peralta) asked for her help in order to return the missing amount intended to fund the projects, she agreed to be the co-maker of the loan, he being her superior

and to have the land owned by her family covered by Emancipation Patent No. 323175 to serve as security for the loan. Accused-appellant Baluyo thus contends that the admission made during the preliminary investigation of her co-accused Peralta before the Office of the City Prosecutor of Ligao City was done under duress and without the benefit of assistance of counsel.

She explains further that during the preliminary investigation, she was not assisted by counsel who can assist and explain to her the nature and import of the questions of the investigating prosecutor. Not being a lawyer or a law student, she will not be able to know whether the question is incriminatory or not, and whether or not to answer the question asked, thus, she submits that it is akin to custodial investigation. While in custodial investigation a police officer is asking the questions to determine the participation of the prospective accused, in her preliminary investigation, on the other hand, the questioning is done by a lawyer trained to elicit answers from a witness. After intense pressuring, she mistakenly admitted to assisting in the falsification, and she was never thereafter informed of her rights against self-incrimination. She adds that a sense of fair play would have had the investigating officer informed her of the consequences of such actions which, during that time, she was not assisted by counsel. She submits that her admission during the preliminary investigation should be treated as inadmissible as evidence or properly rebutted as she made it under duress, mistake and ignorance of the true state of facts.

### **OSP's Consolidated Comment/Opposition**

The OSP, on the other hand, counters in its *Consolidated Comment and/or Opposition* to the separate *Motions for Reconsideration* of accused-appellants Peralta and Baluyo that the said motions for reconsiderations failed to advance any cogent reason to disturb the Honorable Court's decision affirming the judgment of conviction rendered by the RTC against Peralta and Baluyo as both motions merely rehashed the same grounds and arguments already passed upon and rejected by the Honorable Court; that the Honorable Court correctly affirmed the RTC's judgment finding Peralta and Baluyo guilty beyond doubt of falsification of public or official documents.

Explaining further by quoting Section 3, Rule 133 of the Rules of Court that "[A]n extrajudicial confession shall not be sufficient ground for conviction, unless corroborated by evidence of *corpus delicti*", the OSP points out that *corpus delicti* in its legal sense refers to the fact of the commission of the crime, not to the physical body of the deceased or to the ashes of a burned building. Citing the case of *Arturo G. Rimorin, Sr. vs. People, G.R. No. 146481, April 30, 2003*, the *corpus delicti* may be proven by the credible testimony of a sole witness, not necessarily by physical evidence such as those aforementioned.

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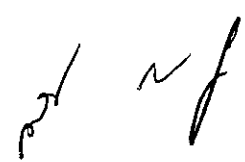
The OSP argues that Peralta's declaration heard by the *barangay kagawads* and other officials, particularly the *kagawads* whose signatures were falsified, that "he fabricated the bidding documents and forged the signatures of the BAC members" was an admission given during the especial session purposely to determine the truth about the sham procurements in Brgy. Allang, Ligao City, Albay. The prosecution witnesses had personal knowledge of Peralta's admission or utterance during said meeting. They knew that the crime of falsification of public documents was committed and the same was committed by Peralta and Baluyo.

The OSP adds that the prosecution witnesses, Quiles, Cañotal and Buemia, had personal knowledge of the falsification, precisely because it was their signatures which were forged because they knew for a fact that they did not sign the documents in question, and there was no bidding conducted for the purported procurements.

Anent Baluyo's admission during the preliminary investigation before the City Prosecution Office, the OSP points out that she was not under arrest or under custodial investigation, hence, the situation does not fall under Section 12(1) of Article III of the Constitution where the counsel of his choice is required. She attended the preliminary investigation as a witness for Peralta and knowingly took the blame and admitted perpetuating the crime; that her defense that she merely made the admission through mistake and duress is incredulous, quoting the Court's observation that if not true, why admit one's participation in the commission of the crime charged when she knew fully well that by her admission, the criminal indictment will surely prosper against her?

## **DISCUSSION AND RULING**

After a thorough evaluation of the allegations, issues and arguments adduced by accused-appellants Peralta and Baluyo in respect of their respective *Motions for Reconsideration* and the Consolidated *Comment/Opposition* thereon by the prosecution, the Court finds that the issues raised on the probative value of testimonies of prosecution witnesses, right to counsel of both accused-appellants during their extra-judicial confessions, *res inter alios acta* rule as to disclosure of Baluyo that the questioned documents were falsified, and the arguments in support thereof are mere rehash and a repetition of the same issues and arguments raised in their *Appeal*, and which have already been exhaustively passed upon and duly resolved by the Court.



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Accused-appellant Peralta questions anew in his *Motion for Reconsideration* the testimonies of the three(3) prosecution witnesses, all of whom were BAC members who claimed that the signatures written above their respective printed names in the procurement documents were imitated or falsified. He attempts to discredit their testimonies by arguing that the same were not corroborated by the *Minutes* of the special session of the *Sangguniang Barangay* as it did not contain his alleged admission, his signature thereon was not identified by the *Barangay* Secretary who wrote the minutes.

The accused-appellant Peralta's argument is devoid of merit.

Basically, the argument focuses on the credibility of the witnesses of the prosecution as well as on the findings of facts of the trial court after considering the totality of evidence presented, offered, admitted and weighed as to their probative value. The trial court, in its decision on February 19, 2020, categorically stated that the admission of Peralta was duly recorded in the *Minutes* (Exhibit "NNN") of the special session of Barangay Allang on December 14, 2014, which he reiterated when he testified in court. The said *Minutes* of the meeting was given probative value by the trial court on the issue raised whether there was indeed an admission by accused-appellant Peralta during the special session. His stand now before the Court is dubious in the sense that while he denied that he made an admission in his *Appeal* and *Motion for Reconsideration*, his testimony in the trial court, on the other hand, reveals otherwise because he attempted to explain his admission, albeit unconvincingly, when he said it was to avoid a heated argument among the *barangay kagawads*.

It is well-settled rule that factual findings of the trial court involving the credibility of witnesses are accorded utmost respect since trial courts have first-hand account on the witness' manner of testifying in court and their demeanor during trial. The appellate court shall not supplant its own interpretation of the testimonies for that of the trial judge since he is in the best position to determine the issue of credibility.<sup>5</sup> The prosecution witnesses, being members of the Barangay Bids and Awards Committee (BAC), were well within their rights to question their alleged participation and signatures of approval in the BAC proceedings when in truth and in fact there were no proceedings held at all for the alternative mode of procurement (shopping) on the dates indicated in the questioned procurement documents; otherwise, they will be exposed to accusations of gross negligence for giving unwarranted benefits to the winning bidder in a sham bidding process.

To recall, the said prosecution witnesses testified that they heard his admission during the special session of the *Sangguniang Barangay* on

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<sup>5</sup> People vs. PO1 Lumikid, G.R. No. 242695, June 23, 2020, citing People vs. Ramos, et. al. 715 Phil 193, 208 (2013)

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December 14, 2014 in the presence of the other barangay kagawads, and other appointed *barangay* officials that he was the one who imitated or falsified their signatures and apologized to them and promised that the said projects will be implemented immediately.<sup>6</sup> The rule is that any person, otherwise competent as a witness, who heard the confession, is competent to testify as to the substance of what he heard if he heard and understood all of it. An oral confession need not be repeated verbatim, but in such case it must be given in its substance.<sup>7</sup>

Rule 130, Section 27 of the Revised Rules of Evidence, as amended, defines an admission as an “act, declaration or omission of a party as to a relevant fact.” Confession, on the other hand, under Section 34, is the “declaration of an accused acknowledging his guilt of the offense charged, or of any offense necessarily included therein.” Both may be given in evidence against the person admitting or confessing. On the whole, a confession, as distinguished from an admission, is a declaration made at any time by a person, voluntarily and without compulsion or inducement, stating or acknowledging that he had committed or participated in the commission of the crime.<sup>8</sup> Evidently, accused-appellant Peralta’s alleged declaration that he was the one who imitated or falsified the signatures of the three (3) BAC members and apologized to them and promised to immediately implement the project was a confession.

The rationale for the admissibility of a confession is that if it is made freely and voluntarily, a confession constitutes evidence of a high order since it is supported by the strong presumption that no sane person or one of normal mind will deliberately and knowingly confess himself to be the perpetrator of a crime, unless prompted by truth and conscience.<sup>9</sup> Essentially, the admissibility of a confession in evidence hinges on its voluntariness. The term “voluntary” means that the accused speaks of his free will and accord, without inducement of any kind, and with a full and complete knowledge of the nature and consequences of the confession, and when the speaking is so free from influences affecting the will of the accused, at the time the confession was made, that it renders it admissible in evidence against him.<sup>10</sup>

Here, there is no evidence that the confession of accused-appellant Peralta was induced by the expectation of any promised benefit, reward or immunity, or by fear of any threatened injury, or by exertion of any improper influence. No one from among the *barangay kagawads* of the *Sangguniang Barangay* (other than the three (3) witnesses whose signatures were allegedly falsified), the appointed *barangay* officials who were present

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<sup>6</sup> Records, Exhibit “A” (Quiles), pp.5-6; Exhibit “B”(Cañotal), p.11; Exhibit “C”(Buemia), p.19.

<sup>7</sup> People vs. Tawat, G.R. No. 62871, May 25, 1984, 129 SCRA 431, citing 23 C.J.S 196.

<sup>8</sup> People vs. Satorre, G.R. No. 133858, August 12, 2003

<sup>9</sup> U.S. vs. De los Santos, 24 Phil. 329, 358;

<sup>10</sup> People vs. Satorre, supra, Note 8; 2 Wharton’s Criminal Evidence. Sec. 631a

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during the special session on December 14, 2014 came forward to testify in court that he was coerced, threatened of bodily harm or abuse. In fact, it was a spontaneous utterance in reaction to the disclosure of Leny C. Baluyo, the *barangay* treasurer, that the transactions were hidden from the other *barangay kagawads* to surprise them of the project.

The rule that an “extrajudicial confession made by an accused, shall not be sufficient ground for conviction, unless corroborated by evidence of *corpus delicti*” under Rule 133, Section 3 of the Revised Rules of Evidence, as amended, basically means that there should be some evidence tending to show the commission of the crime apart from the confession.<sup>11</sup> It does not mean that all the elements of the crime must clearly established by evidence independent of that confession. It only means that there should be some evidence tending to show the commission of the crime apart from the confession.<sup>12</sup>

*Corpus delicti* means the body or substance of the crime, and maybe defined in its primary sense as the fact that a crime actually has been committed. When applied to a particular offense, it means the actual commission by someone of the particular crime charged.<sup>13</sup> In its legal sense, it does not refer to the ransom money in the crime of kidnapping for ransom<sup>14</sup> or the body of the person murdered.<sup>15</sup> It is made up of two (2) elements: (1) that a certain result has been produced, for example, a man has died or a building has been burned; and (2) that some person is criminally responsible for the act.<sup>16</sup>

To prove the *corpus delicti*, it is sufficient for the prosecution to be able to show that (1) a certain fact has been proven- say, a person has died or a building has been burned; and (2) a particular person is criminally responsible for the act.<sup>17</sup> When *corpus delicti* is established, then a defendant’s connection with the crime may be established by confession alone.<sup>18</sup>

In the instant case, the prosecution has competently established the *corpus delicti* that the crime of falsification of public documents was actually committed through the testimonies of its witnesses and the evidence of the forged or falsified procurement documents bearing the falsified signatures above the printed names of the complainants (*Abstract of Canvass and Award, the Minutes of the BAC Meeting, the BAC Resolution*

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<sup>11</sup> People vs. Mojica, 10SCRA 515; People vs. de Villa 16 SCRA 419; People vs. Manobo, 18SCRA

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<sup>12</sup> People vs. Comendador, 100 SCRA 155; People vs. Abrera, G.R. No. 2003. May 28, 1966

<sup>13</sup> 98 C.J.S., 181

<sup>14</sup> People vs. Mittu, 333 SCRA 121, June 8, 2000

<sup>15</sup> People vs. Oliva, 341 SCRA 78, September 26, 2000

<sup>16</sup> 14 Am Jur., 758, People vs. Barlis, ,et.al., G.R. No. 101003, March 24, 1994

<sup>17</sup> Rimorin Sr. vs. People, G.R. No.146481, April 30, 2003, citing People vs. Cabodoc, 331 Phil. 491, October 15, 1996

<sup>18</sup> Crabb vs. State, 120 So. 569, 570, 152 Miss.602 (9 Words & Phrases, p. 759, Per. Ed.)



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and Purchase Orders). The PNP Forensic Document Examination Officer Liray testified by comparatively showing in separate charts that the genuine signatures of complainants-*kagawads* in documents submitted by them, on one hand, and their questioned signatures in the procurement documents, on the other hand, were not written by one and the same person.

As a result of the fact of commission of the crime charged which purportedly approved the procurement/purchase of certain items/supplies, public funds were released by the *Barangay* Treasurer Baluyo by the issuance of the checks payable to the supposed winning supplier, Domain CA General Merchandise. The items/supplies allegedly purchased pursuant to said false or fabricated documents were nowhere to be found in the offices of the barangay when inspected by COA on December 1, 2014. Public faith on the said public documents was thus undermined and the truth as solemnly proclaimed therein was destroyed which essentially are the reason behind the punishment of falsification of public document under Article 171 of the Revised Penal Code.<sup>19</sup>

Accused-appellant Baluyo, on the other hand, seeks to reconsider the denial of her appeal on the ground that her alleged admission of having participated in imitating or falsifying the questioned procurement documents during the preliminary investigation on April 13, 2015 before the City Prosecutor Office was done under duress and without the benefit of counsel.

It must be noted that independent of her extra-judicial confession, the circumstances evidencing her complicity in the actual commission of the crime of falsification of public documents were, however, established by the prosecution. She testified in her direct examination that as Barangay Treasurer, she kept custody of the “blank forms” which are used in the transactions of the Barangay Allang. She was fully aware that since many projects of the Barangay were not implemented by *Punong Barangay* Peralta, the members of the BAC were not inclined or hesitant to sign the “blank forms”, so when he (Peralta) requested for copies of the same, she acceded to his request.<sup>20</sup>

When cross-examined by the prosecution, she explained that the “blank form” is a ready-made form, that is, it is only to be filled-up by stating the purpose for its issuance or indicating the item to be purchased.<sup>21</sup> When said “blank forms” were returned to her, she said that they were already filled-up and signed.<sup>22</sup> She also acknowledged that before the check could be issued in favor of a supplier, there should be some procedure first like canvassing and bidding. She knew that these “forms” will be signed by the members of the BAC, and thereafter submitted to the *Punong Barangay*

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<sup>19</sup> Goma and Umale vs. Court of Appeals and People, G.R. No. 168437, January 8, 2009

<sup>20</sup> Records, p. 315, Judicial Affidavit of Leny C. Baluyo dated Nov. 20, 2018, p. 3

<sup>21</sup> TSN, February 6, 2019, p.19

<sup>22</sup> Ibid. p. 18-19

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for his signature.<sup>23</sup> When the procurement documents were returned to her by accused-appellant Peralta which, as earlier stated, were already filled-up and signed, then she issued the *Punong Barangay* Certification, after which, she issued the checks in the name of the supplier.<sup>24</sup>

Clearly, the totality of circumstances show that right from the start, Barangay Treasurer Baluyo was privy to the scheme of her *Punong Barangay*, yet she easily accommodated his request for copies of the “blank forms” which refer to the procurement forms, i.e., *Abstract of Canvass and Award*, the *Minutes of the BAC Meeting*, the *BAC Resolution* and *Purchase Orders*, wherein the accomplishment, preparation or the filling-in of the details thereof as accountable forms fall within the tasks and responsibilities of the Barangay Bids and Awards Committee (BAC). She knew that except for his approval signature as the Head of the Procuring Entity (HoPE), accused-appellant Peralta has no business in the preparation and filling-in of the details thereof.

As Barangay Treasurer, the unusual request of accused-appellant Peralta should have alarmed her or caused her to doubt about his plan or scheme, yet she accommodated, tolerated and participated in the subsequent irregular acts of accused-appellant Peralta of imitating or falsifying the signatures of the BAC members. If indeed she did not participate in the act of falsifying the procurement and the eventual release of public funds to the supplier, she could have registered her objection in writing pursuant to Section 342 of the Local Government Code of 1991 to avoid liability for illegal or improper use or application of government funds or property by reason of her having acted upon the direction of a superior officer, elective or appointive. Unfortunately, there is nothing in the records that she objected in writing to the direction of her superior, the accused-appellant Peralta.

As the Barangay Treasurer of Barangay Allang, Legaspi City, accused-appellant Baluyo falls within the definition of an accountable public officer under Section 340, Title V, Chapter 4 of the Local Government Code of 1991 (RA 7160).<sup>25</sup> Local government officials become accountable public officers either (1) because of the nature of their functions; or (2) on account of their participation in the use or application of public funds.<sup>26</sup> As Barangay Treasurer, she keeps custody of barangay funds and properties; collect and issue official receipts for taxes, fees,

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<sup>23</sup> Records, TSN, February 6, 2019, p.16

<sup>24</sup> Records, p. 315, Judicial Affidavit of Leny C. Baluyo, dated Nov. 20, 2018 p.3

<sup>25</sup> “Section 340. *Persons Accountable for Local Government Funds.* – Any officer of the local government unit whose duty permits or requires the possession or custody of local government funds shall be accountable and responsible for the safekeeping thereof in conformity with the provisions of this Title. Other local officials, though not accountable by the nature of their duties, may likewise be similarly held accountable and responsible for local government funds through their participation in the use or application thereof.”

<sup>26</sup> *Frias, Sr. v. People*, 561 Phil. 55, 64 (2007).

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contributions, monies, materials, and all other resources accruing to the barangay treasury and deposit the same in the account of the barangay; disburse funds in accordance with the financial procedures provided in the Code, and; certify as to the availability of funds whenever necessary, among other functions and duties.<sup>27</sup> As correctly observed by the trial court, her duty public duty must prevail over the concept of “pakikisama” or maintaining goodwill with her Barangay Captain.”

It must be noted that conspiracy exists when two or more persons come to an agreement concerning the commission of a felony and decide to commit it. Conspiracy does not need to be proven by direct evidence and may be inferred from the conduct —before, during, and after the commission of the crime — indicative of a joint purpose, concerted action, and concurrence of sentiments. In conspiracy, the act of one is the act of all. Conspiracy is present when one concurs with the criminal design of another, as shown by an overt act leading to the crime committed. It may be deduced from the mode and manner of the commission of the crime.<sup>28</sup>

In the present case, the records established with moral certainty that accused-appellant Peralta and her co-accused-appellant Baluyo acted in concert to achieve a common objective.

The Court finds no cogent reason to dwell any further on accused-appellant Baluyo’s argument on her right to counsel when she was investigated during the clarificatory hearing on April 13, 2015 at the Office of the City Prosecutor as the said issue was exhaustively dealt with in the decision of the Court. She was not under custodial investigation as contemplated by the provisions of Section 12(1) and (3) of Article III of the Constitution. She was not under custody or otherwise deprived of freedom of action in any significant way.<sup>29</sup> As pointed out by the Supreme Court in *Perez vs. People, G.R. No. 164763, February 12, 2008*, the right to counsel is not imperative in administrative investigations because such inquiries are conducted merely to determine whether there are facts that merit disciplinary measures against erring public officers and employees, with the purpose of maintaining the dignity of government service.

All things considered, there being no new or additional arguments or compelling reason raised by both accused-appellants to warrant a reconsideration of the assailed *Decision* of the Court denying his appeal from the judgment of conviction rendered by the trial court against them, the denial of the separate *Motions for Reconsideration* for lack of merit is in order.

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<sup>27</sup> Section 395(1), (2),(3) and (6), Local Government Code of 1991

<sup>28</sup> *People v. Pajaro, et al.*, 577 Phil. 441, 455 (2008)

<sup>29</sup> *Sebastian Sr. vs. Garchitorena, G.R. No. 114028, October 18, 2000, 343 SCRA 463, 470 (2000)*

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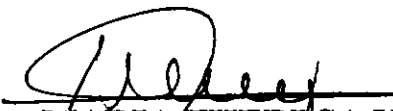
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**WHEREFORE**, in view of the foregoing, the separate *Motions for Reconsideration* filed by Arnelo Peralta and Leny C. Baluyo are **DENIED** for lack of merit.

**SO ORDERED.**

  
**RAFAEL R. LAGOS**  
Chairperson  
Associate Justice

**WE CONCUR:**

  
**MARIA THERESA V.  
MENDOZA-ARCEGA**  
Associate Justice

  
**MARYANN E.  
CORPUS- MAÑALAC**  
Associate Justice