



**REPUBLIC OF THE PHILIPPINES
SANDIGANBAYAN
QUEZON CITY**

THIRD DIVISION

**PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee**

**Crim. Cases No. 27234-
27429**

**For: Violation of Section
3(e) of R.A. No. 3019, as
amended**

-versus-

**CAPT. WALTER E. BRIONES,
et al.,
Accused-Appellant.**

X-----X.

Present:

**Cabotaje-Tang, A. M., P.J.,
Chairperson
Fernandez, B., J and
Moreno, R., J.**

PROMULGATED:

November 3, 2012

X-----X

RESOLUTION

CABOTAJE-TANG, P.J.:

For resolution is accused-movant Ermina L. Castillos' Motion for Reconsideration with Compliance dated September 22, 2022.¹

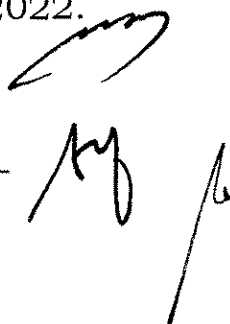
In her aforesaid motion, the accused-movant seeks a reconsideration of the Court's Decision promulgated on September 16, 2022, convicting her of violating Section 3 (e) of Republic Act (R.A.) No. 3019, as amended, in Criminal Cases Nos. 27263 and 27363. She argues that she was already dropped as one of the accused in these cases by virtue of the prosecution's *Manifestation/Compliance and Motion to Revive Cases and To Admit Amended Informations, Drop Name(s) of the Accused in the Informations and Correct the Typographical Errors in the Informations dated September 21, 2003 (Manifestation/Compliance)* and which was granted by the Court in its Resolution dated January 31, 2005.²

Accused-movant points out that the Amended Informations in Criminal Cases Nos. 27263 and 27363 no longer included her as an accused therein. Thus, she should not have been convicted in the said cases as she was neither arraigned nor tried in the said cases.³

In its Comment dated October 11, 2022, the prosecution does not interpose any objection to the said motion and confirmed that the Amended Informations in Criminal Cases Nos. 27263 and 27363 no longer included the accused-movant therein as one of the accused.⁴

The Court finds the subject motion for reconsideration meritorious.

As correctly pointed out by the accused-movant, and confirmed by the prosecution, she was no longer included as an accused in the Amended Informations in Criminal Cases Nos. 27263 and 27363; hence, her name should not have been included in the dispositive portion of Criminal Cases Nos. 27263 and 27363 in the subject Decision promulgated on September 16, 2022.



¹ pp. 798-866, Record, Vol. 20

² pp. 799-802, Record, Vol. 20

³ pp. 801-803, Record, Vol. 20

⁴ pp. 990-991, Record, Vol. 20

WHEREFORE, the Court **GRANTS** accused Erminia L. Castillo’s Motion for Reconsideration with Compliance dated September 22, 2022, of the Court’s Decision promulgated on September 16, 2022, for being meritorious.


Accused-movant’s name, “Erminia L. Castillo,” is **ORDERED DELETED**, opposite Criminal Cases Nos. 27263 and 27363, from the dispositive portion of the Court’s Decision promulgated on September 16, 2022, and the said Decision is hereby **MODIFIED** accordingly. The Hold Departure Orders issued against her in the said criminal cases are **LIFTED**.

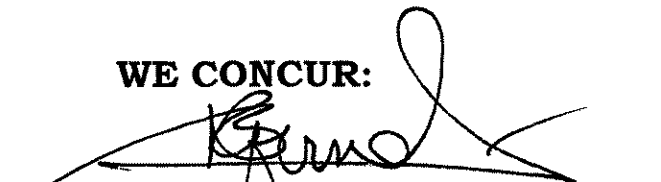
Moreover, the prayer for the withdrawal of the original cash bond posted by the accused-movant under Official Receipt No. 1662764 dated April 18, 2002 and her additional cash bond under Official Receipt Mo. 8047971 dated September 21, 2022 is **GRANTED**. The cash bonds are hereby **ORDERED RELEASED** to her subject to the usual accounting and auditing requirements.

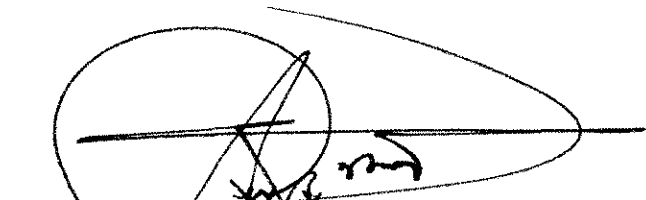
Accused-movant’s Compliance regarding the Court’s directive to post an additional cash bond is **NOTED**.

SO ORDERED.

Quezon City, Metro Manila


AMPARO M. CABOTAJE-TANG
Presiding Justice
Chairperson

WE CONCUR:

BERNELITO R. FERNANDEZ
Associate Justice


RONALD B. MORENO
Associate Justice