



REPUBLIC OF THE PHILIPPINES

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on June 29, 2023.

Present:

<i>Justice MA. THERESA DOLORES C. GOMEZ-ESTOESTA</i>	--	<i>Chairperson</i>
<i>Justice ZALDY V. TRESPESES</i>	-----	<i>Member</i>
<i>Justice GEORGINA D. HIDALGO</i>	-----	<i>Member</i>

The following resolution was adopted:

SB-19-A/R-0013 - People v. Bonuso Montañez Libay

In a Decision promulgated on September 4, 2020, this court resolved the appeal filed by accused-appellant Bonuso Montañez Libay, the dispositive portion of which reads as follows:

WHEREFORE, premises considered, the appeal is hereby **PARTLY GRANTED**. Consequently,

- 1) In **Criminal Case No. 14-311037** for Violation of Section 3(e) or Republic Act No. 3019, this Court **REVERSES** the judgment of the Regional Trial Court, Branch 41, Manila, dated February 6, 2018 convicting the accused-appellant, and thereby **ACQUITS** him of the crime charged.
- 2) In **Criminal Case No. 14-311038**, for Violation of Section 3(b) of Republic Act No. 3019, this Court **AFFIRMS** the RTC judgment with **MODIFICATION** as to the penalty.

The *fallo* of the Assailed Decision is hereby **AMENDED** to read:

“WHEREFORE, the prosecution having established the guilt of the accused **BONUSO MONTAÑEZ LIBAY** beyond reasonable doubt of Violation of Section 3 [paragraph (b)], R.A. 3019 (otherwise known as *The Anti-Graft and Corrupt Practices Act*), he is hereby sentenced to suffer an indeterminate penalty of six (6) years and one (1) month, as minimum, to nine (9) years, as maximum. Furthermore, Libay shall suffer perpetual disqualification from public office.

Anent, the charge of Violation of Section 3(e), RA 3019, Libay is hereby **ACQUITTED** for failure of the prosecution to prove his guilt beyond reasonable doubt.

SO ORDERED.”

No pronouncement as to civil liability *ex delicto*.

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SO ORDERED.¹

In a Resolution promulgated on January 15, 2021, the court denied accused-appellant Libay's "Motion for Partial Reconsideration", the dispositive portion of which reads as follows:

WHEREFORE, and in view of our observations above, accused-appellant's Motion for Reconsideration is **DENIED**.

SO ORDERED.²

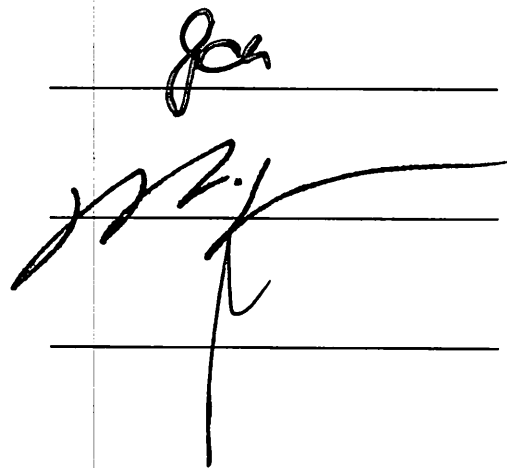
Accused-appellant, through counsel, received the above-mentioned Resolution on January 21, 2021.³ It appearing from the record that he no longer questioned the said Decision and Resolution before the Supreme Court, the same have already attained finality. Accordingly, **LET** an *Entry of Judgment* issue in this case. Moreover, **LET** the trial records be remanded to the court of origin, the Regional Trial Court, Branch 41, Manila, for proper disposition.

SO ORDERED.³

GOMEZ-ESTOESTA, J.

TRESPESES, J.

HIDALGO, J.



Three horizontal lines with handwritten signatures written over them. The first signature is 'J. Gomez-Estoesta', the second is 'J. Trespeses', and the third is 'J. Hidalgo'.

¹ Record, pp. 138-154.
² *Id.* at 223-227.
³ *Id.* at 233 (dorsal)