



REPUBLIC OF THE PHILIPPINES
Sandiganbayan
QUEZON CITY

SEVENTH DIVISION

MINUTES of the proceedings held on February 6, 2024.

Present:

MA. THERESA DOLORES C. GOMEZ-ESTOESTA ----- Chairperson
ZALDY V. TRESPESES ----- Associate Justice
BAYANI H. JACINTO ----- Associate Justice*

The following resolution was adopted:

CRIMINAL CASE NOS. SB-20-CRM-0019 TO 0022

PEOPLE v. NARCISO B. NIETO, ET AL.

Before the Court are the following:

1. Accused Nieto's "FORMAL OFFER OF EXHIBITS" dated January 22, 2024; and
2. Prosecution's "COMMENT/ OPPOSITION (Re: Formal Offer of Evidence dated 22 January 2024)" dated February 1, 2024.

GOMEZ-ESTOESTA, J.:

This resolves accused Narciso Nieto's *Formal Offer of Exhibits*¹ and the prosecution's *Comment/Opposition* thereto.²

Accused Nieto's Exhibit "1" is common with the prosecution's Exhibit "C", which this court took judicial notice of,³ and is thus ADMITTED. This court notes that accused Nieto's Exhibits "1-A", "1-B" and "1-C" are sub-

* Vice Associate Justice Georgina D. Hidalgo per AO 021-2024 dated Feb 6, 2024.

¹ *Records*, Vol. 3, pp. 527-532.

² *Records*, Vol. 3, pp. 537-552.

³ Pre-Trial Order dated January 10, 2022, *Records*, Vol. 3, pp. 20-28; Resolution dated September 5, 2023, *Records*, Vol. 3, p. 458.

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markings made on pages 15, 18, and 19, respectively, of Exhibit "1". The prosecution's objections on the probative value of Exhibit "1" and its sub-markings will be considered in the ultimate disposition of these cases.

Exhibits "5" and "5-a" are sub-markings on the prosecution's Exhibit "A-427a", which is a page of the Memorandum of Agreement offered as Exhibits "A-424a" to "A-428a" and admitted⁴ by this court, and are thus ADMITTED. The prosecution's objections on the probative value of these exhibits will be considered in the ultimate disposition of these cases.

Exhibits "5-b" and "5-c" are sub-markings on the prosecution's Exhibit "A-400a". This is one page of the Memorandum of Agreement marked as Exhibit "A-397a" to "A401a", which the prosecution did not offer. While Exhibits "5-B" and "5-C" appear to be photocopies, the prosecution has no objection on this ground. Notably, Exhibit "A-400a" is the same as Exhibit "A" (page 400), which was offered and admitted.⁵ Over the prosecution's objections on their probative value, and subject to this court's evaluation in the ultimate disposition of these cases, Exhibits "5-B" and "5-C" are ADMITTED.

Per this Court's Resolution dated January 19, 2024,⁶ the prosecution is **DIRECTED** to manifest within five (5) days from receipt of this Resolution if it will present rebuttal evidence, which is **TENTATIVELY SET** on February 29, 2024 at 8:30 in the morning at the Seventh/Fourth Division Courtroom.

SO ORDERED.


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

WE CONCUR:


ZALDY V. TRESPESES
Associate Justice


BAYANI H. JACINTO
Associate Justice

⁴ Resolution dated October 16, 2023, *Records*, Vol. 3, p. 467.

⁵ The prosecution offered Exhibit "A" (pages 397 to 401), which was admitted notwithstanding that it was a photocopy, there being no objection on this ground (Resolution dated October 16, 2023, *Records*, Vol. 3, p. 467).

⁶ *Records*, Vol. 3, p. 526.