FIRST DIVISION

[G.R. Nos. 274863 and 275057-59. July 02, 2025]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. DANTE MANZANO DE GUZMAN, ACCUSED-APPELLANT.

D E C I S I O N

HERNANDO, J.:

The present appeal[1] (appeal) challenges the April 30, 2024 Decision[2] and the June 26, 2024 Resolution[3] of the Sandiganbayan (SB) in SB-19-CRM-0101 to 0104.

The Sandiganbayan found accused-appellant Dante M. De Guzman (De Guzman) guilty beyond reasonable doubt in SB-19-CRM-0101 to 0104 for Violation of Section 3 (e) of Republic Act No. 3019,[4] as amended.

Factual Antecedents

De Guzman served as the City Councilor of District III, Quezon City, with Salary Grade 27, for the years 2007 to 2010.[5]

Records show that, sometime in 2008 and 2009, the Quezon City Government entered into four separate contracts for the procurement of 141 custom-design tents, 1,177 kiddie raincoats, 1,177 rainboots, food supplies, and sports equipment (collectively, procured items).[6] These procured items were included in the Project Procurement Management Plans (PPMP) of De Guzman's office.[7]

Each transaction involving the procured items was initiated by a purchase requests[8] signed by De Guzman, followed by a public bidding,[9] and culminated with the award of the contract to the winning bidder.[10] Thus, the contracts were awarded as follows: (1) Remix Trading Corporation for the tents; BAC Enterprises for the food supplies; and (3) JAT General Merchandise for the kiddie raincoats and rainboots.[11]

Once awarded, individual purchase orders[12] were issued to the respective suppliers.[13] Together with personnel from De Guzman's office, the General Services Office (GSO) inspected the procured items in Cubao.[14] After the inspection, the GSO issued the corresponding acceptance and inspection report[15] for the procured items.[16] The

GSO's report was followed by the approval of disbursement vouchers,[17] which were necessary for the issuance of checks to the suppliers.[18] The suppliers then issued official receipts[19] as proof of payment.[20]

Subsequently, the Office of the Ombudsman (Ombudsman) received an anonymous letter-complaint denouncing the anomalous transactions involving the hiring of ghost employees and implementation of ghost projects by certain councilors of Quezon City, including De Guzman.[21]

Upon investigation, the Ombudsman discovered distribution lists[22] showing that the procured items were received by indicated area coordinators for distribution to the indicated *barangays* of District III, Quezon City, and signed by De Guzman.[23]

The Ombudsman therefore concluded that De Guzman, through his staff, received the procured items for distribution to the various *barangays* of District III, Quezon City.[24] However, the items were never distributed[25] nor received by the indicated area coordinators in the distribution lists.[26] Worse, De Guzman allegedly made it appear that the persons named in the distribution lists received the items, when he knew that the said persons were not the area coordinators of the indicated *barangays* and the items were not received by them.[27]

Ruling of the Ombudsman

The investigation led to the filing of a Complaint-Affidavit[28] on November 4, 2015 by the Field Investigation Office of the Ombudsman.[29] In turn, De Guzman filed his Counter-Affidavit[30] dated February 8, 2016.

On September 4, 2017, the Ombudsman found probable cause for four counts each, of Violation of Section 3 (e) of Republic Act No. 3019, as well as Falsification of Public Documents and Malversation of Public Property under the Revised Penal Code.[31] The dispositive portion of the Ombudsman Resolution[32] reads:

> **WHEREFORE**, finding probable cause for four (4) counts each of Malversation of Public Property, Falsification of Public Documents and Violation of Section 3 (e) of [Republic Act No.] 3019, as amended against respondent **DANTE M. DE GUZMAN**, let the corresponding informations be filed with the Sandiganbayan.
>
> **SO ORDERED.**[33] (Emphasis in the original)

Thus, in 12 separate Informations,[34] the Ombudsman charged De Guzman with four counts of Violation of Section 3 (e) of Republic Act No. 3019, four counts of Falsification of Public Documents under Article 171 of the Revised Penal Code, and

four counts of Malversation of Public Property under Article 217 of the Revised Penal Code.[35]

The accusatory portions of the similarly worded Amended Informations[36] in SB-19-CRM-0101 to 0104 for violation of Section 3 (e) of Republic Act No. 3019, as amended, which varied in dates, procured items, disbursement vouchers, and amounts, state:

SB-19-CRM-0101

> That on April 4, 2008, or sometime prior or subsequent thereto, in Quezon City, Philippines and within the jurisdiction of this Honorable Court, accused **DANTE MANZANO DE GUZMAN**, a high[-]ranking public officer, being then a City Councilor of Quezon City, District III, Salary Grade 27, while in the performance of his official duties, committing the offense in relation to his office, and taking advantage of his official functions, acting with evident bad faith, manifest partiality and/or gross inexcusable negligence, did then and there willfully, unlawfully and criminally cause undue injury to the Quezon City Government by causing the purchase of and receiving **141 CUSTOM-MADE DESIGN TENTS** in the amount of **Three Million Four Hundred Eighty-Nine Thousand Seven Hundred Fifty Pesos ([PHP] 3,489,750.00)** from the Quezon City Government, covered by Disbursement Voucher with GF No. 00823, for distribution to the various *barangays* [sic] of District III, Quezon City, but which were not actually distributed to and received by [sic] the beneficiaries of said barangays [sic], thereby causing undue injury to the government in the aforesaid amount.
>
> CONTRARY TO LAW.[37] (Emphasis in the original)

SB-19-CRM-0102

> That on August 4, 2008, or sometime prior or subsequent thereto, in Quezon City, Philippines and within the jurisdiction of this Honorable Court, accused **DANTE MANZANO DE GUZMAN**, a high[-]ranking public officer, being then a City Councilor of Quezon City, District III, Salary Grade 27, while in the performance of his official duties, committing the offense in relation to his office, and taking advantage of his official functions, acting with evident bad faith, manifest partiality and/or gross inexcusable negligence, did then and there willfully, unlawfully and criminally cause undue injury to the Quezon City Government by causing the purchase of and receiving **1,177 KIDDIE RAINCOATS AND 1,177 RAINBOOTS** in the amount of **Nine Hundred Ninety-Four Thousand Five Hundred Sixty-Five Pesos ([PHP] 994,565.00)** from the Quezon City Government, covered by Disbursement Voucher with GF No. 01840, for distribution to the various *barangays* [sic] of District III, Quezon City, but which were not actually distributed to and received by [sic] the beneficiaries

of said *barangays* [sic], thereby causing undue injury to the government in the aforesaid amount.

CONTRARY TO LAW.[38] (Emphasis in the original)

SB-19-CRM-0103

That on September 28, 2008, or sometime prior or subsequent thereto, in Quezon City, Philippines and within the jurisdiction of this Honorable Court, accused **DANTE MANZANO DE GUZMAN**, a high[-]ranking public officer, being then a City Councilor of Quezon City, District III, Salary Grade 27, while in the performance of his official duties, committing the offense in relation to his office, and taking advantage of his official functions, acting with evident bad faith, manifest partiality and/or gross inexcusable negligence, did then and there willfully, unlawfully and criminally cause undue injury to the Quezon City Government by causing the purchase of and receiving **FOOD SUPPLIES** in the amount of **Three Hundred Fifty-Two Thousand Nine Hundred Eighty-Six Pesos and 7/100 ([PHP] 352,986.07)** from the Quezon City Government, covered by Disbursement Voucher with GF No. 02025, for distribution to the various *barangays* [sic] of District III, Quezon City, but which were not actually distributed to and received by [sic] the beneficiaries of said *barangays* [sic], thereby causing undie injury to the government in the aforesaid amount.

CONTRARY TO LAW.[39] (Emphasis in the original)

SB-19-CRM-0104

That on October 22, 2009, or sometime prior or subsequent thereto, in Quezon City, Philippines and within the jurisdiction of this Honorable Court, accused **DANTE MANZANO DE GUZMAN**, a high[-]ranking public officer, being then a City Councilor of Quezon City, District III, Salary Grade 27, while in the performance of his official functions, committing the offense in relation to his office, and taking advantage of his official functions, acting with evident bad faith, manifest partiality and/or gross inexcusable negligence, did then and there willfully, unlawfully and criminally cause undue injury to the Quezon City Government by causing the purchase of and receiving **SPORTS SUPPLIES** in the amount of **Two Million Seven Hundred Ninety-One Thousand Two Hundred Sixty Pesos and 40/100 ([PHP] 2,791,260.40)** from the Quezon City Government, covered by Disbursement Voucher No. 11507 with GF No. 09-01506, for distribution to the various *barangays* [sic] of District III, Quezon City, but which were not actually distributed to and received by [sic] the beneficiaries of said *barangays* [sic], thereby causing undue injury to the government in the aforesaid amount.

CONTRARY TO LAW.[40] (Emphasis in the original)

Proceedings Before the Sandiganbayan

Acting on the 12 Informations, the Sandiganbayan issued a Warrant of Arrest[41] and, among others, ordered the Bureau of Immigration to hold the departure of De Guzman in its Minute Resolution[42] dated May 27, 2019.

De Guzman posted bond on June 17, 2019.[43]

Upon arraignment on September 25, 2019, De Guzman pleaded "NOT GUILTY" to the 12 Informations.[44] Pre-trial then ensued, as evidenced by the Pre-Trial Order[45] dated March 2, 2020.

On April 30, 2024, the Sandiganbayan issued its assailed Decision.[46]

The anti-graft court thoroughly evaluated all the documentary and testimonial evidence presented by both parties.[47] Consequently, the Sandiganbayan found De Guzman guilty beyond reasonable doubt for violation of Section 3 (e) of Republic Act No. 3019, and acquitted him for the crimes of Falsification of Public Documents and Malversation of Public Property under the Revised Penal Code.[48]

Thus, the dispositive portion of the Sandiganbayan's assailed Decision states:

> **ACCORDINGLY**, judgment is hereby rendered as follows:
>
> 1. In SB-19-CRM-0101 to 0104, accused Dante M. De Guzman is hereby found **GUILTY** beyond reasonable doubt of Violation of [Section 3 (e)] of Republic Act No. 3019, and is sentenced to suffer the penalty of imprisonment of six years and one month, as minimum, to eight years, as maximum, for each of the four counts in these cases. He shall further suffer perpetual disqualification from public office.
>
> 2. In SB-19-CRM-0105 to 0112, accused Dante M. De Guzman is hereby **ACQUITTED** for failure of the prosecution to prove his guilt beyond reasonable doubt.
>
> 3. Accused De Guzman is held liable to pay the Quezon City [G]overnment the amount of PHP 6,411,261.01 plus interest of six percent per annum, to be reckoned from the date of the finality of this Decision until full payment, by way of his civil liability.
>
> Let the hold departure order against him by reason of SB-19-CRM-0105 to 0112 be lifted and set aside, and his bond release[d], subject to the usual accounting and auditing procedure.
>
> **SO ORDERED.**[49] (Emphasis in the original)

Dissatisfied, De Guzman filed a Motion for Reconsideration, while the prosecution filed its Comment/Opposition to De Guzman's motion.[50]

In its Resolution[51] dated June 26, 2024, the Sandiganbayan found no merit in De Guzman's motion.[52]

The Sandiganbayan emphasized: (1) that the specific place of inspection of the procured items and the failure to indicate such information in the inspection report was not fatal;[53] and (2) that De Guzman failed to prove that his signatures in the purchase requests were forged.[54]

Thus, the dispositive portion of the Sandiganbayan's assailed Resolution states:

> **ACCORDINGLY**, accused De Guzman's *Motion for Reconsideration* is hereby **DENIED** for lack of merit.
>
> **SO ORDERED.**[55] (Emphasis in the original)

Hence, this appeal.[56] Accused-appellant argues that the assailed Decision and Resolution of the Sandiganbayan are contrary to law, applicable jurisprudence, and the evidence on record.[57]

In a Resolution dated October 16, 2024, this Court ordered the parties to submit their respective briefs within 30 days from notice.

The records show that both parties have not filed their supplemental briefs and have not elaborated further on the relevant issues of the instant case. Thus, We dispense of such requirement and proceed to resolve the case at bar.

Issue

The issue before the Court is whether accused-appellant is guilty beyond reasonable doubt for violation of Section 3 (e) of Republic Act No. 3019.

Our Ruling

We find no merit in the appeal. The Sandiganbayan did not err in convicting accused-appellant for violation of Section 3 (e) of Republic Act No. 3019.

The Sandiganbayan is the special anti-graft appellate collegiate court that has jurisdiction over criminal and civil cases involving graft and corrupt practices and other offenses committed by public officers and employees, including those in government-owned or government-controlled corporations.[58] Its factual findings are generally accorded great weight and respect, and therefore conclusive upon this Court.

Appeals from the Sandiganbayan are limited to questions of law.[59] While there are recognized exceptions in jurisprudence,[60] We find that none are present in the case at bar.

Thus, We sustain the factual findings of the Sandiganbayan.

This Court rules that accused-appellant, as then City Councilor of Quezon City, violated Section 3 (e) of Republic Act No. 3019 when he caused the purchase of 141 custom-design tents, 1,177 kiddie raincoats, 1,177 rainboots, food supplies, and sports equipment, received the procured items, then failed to distribute them to the intended beneficiaries of District III, Quezon City. Consequently, accused-appellant defrauded and caused undue injury to the Quezon City Government.

Violations of Republic Act No. 3019 must be grounded on graft and corruption.[61] It is essential that there is evidence of corruption and personal gain obtained through wrongful means.[62]

Accordingly, Section 3 (e) of Republic Act No. 3019 states:

> SECTION 3. *Corrupt practices of public officers*.—In addition to acts or omissions of public officers already penalized by existing law, the following shall constitute corrupt practices of any public officer and are hereby declared to be unlawful:
>
> . . . .
>
> (e) **Causing any undue injury to any party, including the Government**, or giving any private party any unwarranted benefits, advantage or preference **in the discharge of his official, administrative or judicial functions through manifest partiality, evident bad faith or gross inexcusable negligence**. This provision shall apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions. (Emphasis supplied)

In jurisprudence, We held that the prosecution must sufficiently establish the following elements to sustain a conviction under Section 3 (e) of Republic Act No. 3019: (1) the offender is a public officer; (2) the act was done in the discharge of the public officer's official, administrative, or judicial functions; (3) the act was done through manifest partiality, evident bad faith, or gross inexcusable negligence; and (4) the public officer caused undue injury to any party, including the government, or gave any unwarranted benefits, advantage or preference.[63]

Here, a judicious review of the records proves the undisputed existence of all the elements of violation of Section 3 (e) of Republic Act No. 3019.

***First*, accused-appellant was a public officer. Accused-appellant** was then the City Councilor of District III, Quezon City.

***Second*, accused-appellant discharged official functions when he entered into four separate contracts for the procurement of goods, then failed to distribute the procured items.** Accused-appellant's official acts eventually led to the purchase of 141 custom-design tents, 1,177 kiddie raincoats, 1,177 rainboots, food supplies, and sports equipment. Thereafter, accused-appellant failed to distribute the procured items to its intended beneficiaries in District III, Quezon City.

***Third*, accused-appellant acted with gross inexcusable negligence.**

The third element pertains to the three distinct modes by which the offense in Section 3 (e) of Republic Act No. 3019 is committed. In *Fonacier v. Sandiganbayan*,[64] We discussed the three distinct modes:

> "Partiality" is synonymous with "bias" which "excites a disposition to see and report matters as they are wished for rather than as they are." "Bad faith does not simply connote bad judgment or negligence; it imputes a dishonest purpose or some moral obliquity and conscious doing of a wrong; a breach of sworn duty through some motive or intent or ill will; it partakes of the nature of fraud." **"Gross negligence has been so defined as negligence characterized by the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully** [sic] **and intentionally with a conscious indifference to consequences in so far as other persons may be affected. It is the omission of that care which even inattentive and thoughtless men never fail to take on their own property." These definitions prove all too well that the three modes are distinct and different from each other. Proof of the existence of *any* of these modes in connection with the prohibited acts under Section 3(e) should suffice to warrant conviction.**
>
> The use of the three phrases "manifest partiality," "evident bad faith" and "gross inexcusable negligence" in the same information does not mean that the indictment charges three distinct offenses but only implies that the offense charged may have been committed through any of the modes provided by the law. . . (Emphasis supplied)

We agree with the anti-graft court that the prosecution proved the third element beyond reasonable doubt. In its assailed Decision, the Sandiganbayan held that:

> The prosecution proved that (1) the food supplies, kiddie raincoats and rainboots, and sports supplies were included in the PPMPs of [accused--appellant's] office for 2007, 2008, and 2009, respectively; (2) he requested the purchase of the tents, food supplies, kiddie raincoats and rainboots, and sports supplies in Purchase Requests No. 017491, No. 018222, No. 019642, and No. 027185, respectively; (3) public bidding was conducted for the said

> items; (4) contracts for the supply of the said items were awarded to the respective suppliers (5) the said suppliers delivered the items; (6) the [accused-appellant's] staff received the said items; (7) the said suppliers were eventually paid; and (8) it was made to appear that the items were received by the [accused-appellant's] area coordinators for distribution to the different *barangays* [sic] in District III, Quezon City, but it turned out that the items were not in fact received by the said area coordinators.[65]
>
> . . . .
>
> [Accused-appellant] failed to cause the distribution of the subject items to the intended beneficiaries despite receiving the same. As previously discussed, he caused the purchase of the subject items by submitting pertinent purchase requests for the items included in the PPMPs of his office. All of the purchase requests indicate that the items are for the use of, or for distribution to, the different *barangays* [sic] of District III, Quezon City. After the said items were delivered and issued to [accused-appellant's] staff, he had the duty to cause the distribution of said items to the different *barangays* [sic] of District III, Quezon City because he caused the procurement of said items for such purpose. But the subject items were not distributed and could no longer be located and accounted for. The previously-mentioned distribution lists appear to have been prepared and falsified to conceal the non-distribution of the subject items.[66]
>
> **[Accused-appellant]'s failure to cause the distribution of the subject items to the different *barangays* [sic] of District III, Quezon City was attended by gross inexcusable negligence.** Although he was not expected to personally distribute each of the subject items to the intended beneficiaries, he was duty-bound to ensure that the same were distributed because he caused the procurement of the items for the purpose of distributing them to his constituents. **[Accused-appellant]'s failure to cause the distribution of the subject items and seeming lack of concern about them shows his indifference to consequences as other persons may be affected.**[67] (Emphasis supplied)

When accused-appellant argued that his signature was forged, the Sandiganbayan ruled that he failed to discharge the burden of proving forgery by clear, positive, and convincing evidence.[68] The Sandiganbayan ruled that the documents presented by De Guzman (such as his own Counter-Affidavit and Rejoinder-Affidavit, checks, a board resolution, secretary's certificates, an identification card, a passport, and a marriage certificate) were not of the same nature as the documents containing the questioned signatures (purchase requests and documents related to the procurement of goods).[69] Therefore, accused-appellant's signatures in the purchase requests and other procurement-related documents were written official acts of accused-appellant when he was a public officer.[70] Thus, the same were public documents and its due execution and authenticity are presumed.[71]

We also agree that accused-appellant received the procured items. To prove this, the prosecution presented several witnesses explaining that the procured items were delivered and inspected by key personnel and staff.[72] The Sandiganbayan further noted that even if "the person who actually received the procured items cannot be determined, the fact that the items were received by accused[-appellant's] staff for their office will necessarily make accused[-appellant] accountable for the said items because he was the head of office..."[73]

Furthermore, We agree that the prosecution proved that the procured items were not distributed to the intended beneficiaries despite accused-appellant's receipt thereof. This was proven though the various distribution lists[74] showing that the procured items were allegedly received by the listed area coordinators for the different *barangays* in District III, Quezon City.[75] We quote the Sandiganbayan:

> But even without the testimonies of witnesses Pacunla and Gallardo, **by merely examining the said documents, it can be concluded that the signatures therein are forgeries and the said documents were falsified**. As seen below, **the names of the area coordinators in the distribution list for the tents, the distribution list for the kiddie raincoats and rainboots, and the distribution list for the food supplies, are the same, but the signatures above the names for each distribution list are different, indicating that someone just wrote signatures above the names to make it appear that the area coordinators received the pertinent items**[.]
>
> **The distribution list for the sports supplies has a different set of names, but it appears that "T. Garcia" in that list may be the same as "Terry DS Garcia" in the other distribution lists, and the signatures pertaining to that name in the four distribution lists are different.**[76] (Emphasis supplied)

In jurisprudence, We held that a public officer is guilty of gross inexcusable negligence when there is a serious breach of duty that is committed flagrantly, palpably, and with willful indifference, regardless of whether such breach of duty was done with malicious intent.[77]

Accused-appellant's failure to cause the distribution of the procured items to the different *barangays* of District III, Quezon City, coupled with his seeming lack of concern, prove that he acted with gross inexcusable negligence.

***Fourth*, accused-appellant caused undue injury to the Quezon City Government.**

As discussed above, the procured items were properly delivered to accused-appellant and his office. However, owing to accused-appellant's gross inexcusable negligence, these procured items could not be located or could not be accounted for after its proper turnover to accused-appellant's custody.

Consequently, the Quezon City Government suffered undue injury amounting to PHP 6,411,261.01, representing the amounts paid by the Quezon City Government for the procured items.[78]

Taken altogether, the prosecution proved beyond a reasonable doubt all the elements of violation of Section 3 (e) of Republic Act No. 3019.

ACCORDINGLY, the appeal is **DISMISSED**. The Sandiganbayan's April 30, 2024 Decision and the June 26, 2024 Resolution in SB-19-CRM-0101 to 0104 are **AFFIRMED**. Accused-appellant Dante M. De Guzman is **GUILTY** beyond reasonable doubt of violation of Section 3 (e) of Republic Act No. 3019.

DISPENSE compliance with the October 16, 2024 Resolution regarding submission of supplemental briefs.

SO ORDERED.

Gesmundo, C.J. (Chairperson), Zalameda, Rosario, and *Marquez, JJ.*, concur.

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[1] *Rollo*, pp. 5-7.

[2] *Id.* at 11-114. The April 30, 2024 Decision in SB-19-CRM-0101 to 0112 was penned by Associate Justice Sarah Jane T. Fernandez, and concurred in by Associate Justices Karl B. Miranda and Kevin Narce B. Vivero of the Sixth Division, Sandiganbayan, Quezon City.

[3] *Id.* at 117-126. The June 26, 2024 Resolution in SB-19-CRM-0101 to 0112 was penned by Associate Justice Sarah Jane T. Fernandez, and concurred in by Associate Justices Karl B. Miranda and Kevin Narce B. Vivero of the Sixth Division, Sandiganbayan, Quezon City.

[4] Anti-Graft and Corrupt Practices Act (1960).

[5] *Rollo*, p. 15.

[6] *Id.* at 11, 93.

[7] *Id.* at 93.

[8] *Rollo*, p. 93; SBN *rollo*, vol. 1, pp. 61-64.

[9] *Rollo*, p. 93; SBN *rollo*, vol. 1, pp. 65-76.

[10] *Rollo*, p. 93; SBN *rollo*, vol. 1, pp. 77-89.

[11] *Rollo*, pp. 93-94.

[12] *Rollo*, p. 93; SBN *rollo*, vol. 1, pp. 94, 98, 102, 106.

[13] *Rollo*, p. 94.

[14] *Id.*

[15] *Rollo*, p. 94; SBN *rollo*, vol. 1, pp. 112-115.

[16] *Rollo*, p. 94.

[17] *Rollo*, p. 94; SBN *rollo*, vol. 1, pp. 90-93.

[18] *Rollo*, p. 94.

[19] *Rollo*, p. 94; SBN *rollo*, vol. 1, pp. 95, 97, 99, 101, 103, 105, 107-108, 111.

[20] *Rollo*, p. 94.

[21] *Id.*

[22] *Rollo*, p. 93; SBN *rollo*, vol. 1, pp. 120-123, 128-130, 175.

[23] *Rollo*, p. 94.

[24] *Id.* at 11.

[25] *Id.*

[26] *Id.* at 94.

[27] *Id.* at 12.

[28] SBN *rollo*, vol. 1, pp. 53-59, exclusive of annexes.

[29] *Id.* at 38.

[30] *Id.* at 207-224, exclusive of annexes.

[31] *Id.* at 50.

[32] *Id.* at 53-59. The September 4, 2017 Resolution of the Office of the Ombudsman in OMB-C-C-15-0446 was penned by Graft Investigation and Prosecution Officer II Roseann Claudine M. Paison, reviewed by Director-PIAB-D Nellie P. Boguen-Golez, recommended by Assistant Ombudsman, PAMO II Marilou B. Ancheta-Mejica, and approved by Ombudsman Conchita Carpio-Morales.

[33] *Id.* at 50.

[34] *Rollo*, pp. 11-15; SBN *rollo*, vol. 1, pp. 1-37.

[35] *Rollo*, pp. 11-12.

[36] SBN *rollo*, vol. 2, pp. 1-12.

[37] *Id.* at 1-2.

[38] *Id.* at 4-5.

[39] *Id.* at 7-8.

[40] *Id.* at 10-11.

[41] SBN *rollo*, vol. 1, p. 251.

[42] *Id.* at 247-250.

[43] *Rollo*, p. 15; SBN *rollo*, vol. 1, pp. 356-357.

[44] SBN *rollo*, vol. 1, p. 255.

[45] *Rollo*, p. 15; SBN *rollo*, vol. 2, pp. 128-A-128-S.

[46] *Rollo*, pp. 11-114.

[47] *Id.* at 16-93.

[48] *Id.* at 113.

[49] *Id.* at 113-114.

[50] *Id.* at 117.

[51] *Id.* at 117-126.

[52] *Id.* at 125.

[53] *Id.* at 122.

[54] *Id.* at 123.

[55] *Id.* at 126.

[56] *Id.* at 5-7.

[57] *Id.* at 5.

[58] **Villanueva v. People**, 920 Phil. 122, 130 (2022) [Per J. Hernando, Second Division]. (Citations omitted)

[59] **Feliciano v. People**, 899 Phil. 138, 147 (2021) [Per J. Gaerlan, First Division].

[60] **Villanueva v. People**, 920 Phil. 122, 130 (2022) [Per J. Hernando, Second Division].

[61] **Martel v. People**, 895 Phil. 270, 307 (2021) [Per J. Caguioa, *En Banc*]. *See also* **People v. Asuncion**, 922 Phil. 251, 275 (2022) [Per J. Rosario, Second Division]. (Citations omitted)

[62] **People v. Asuncion**, 922 Phil. 251, 275 (2022) [Per J. Rosario, Second Division].

[63] *Id.* at 268. (Citations omitted)

[64] 308 Phil. 660, 693-694 (1994) [Per J. Vitug, *En Banc*]. (Citations omitted)

[65] *Rollo*, pp. 96-97.

[66] *Id.* at 106.

[67] *Id.* at 106-107.

[68] *Id.* at 102.

[69] *Id.*

[70] *Id.* at 125. (Citation omitted)

[71] *Id.* (Citation omitted)

[72] *Id.* at 102-104.

[73] *Id.* at 104.

[74] *Id.* at 105-106.

[75] *Id.*

[76] *Id.*

[77] **Martel v. People**, 895 Phil. 270, 305 (2021) [Per J. Caguioa, *En Banc*]. (Citations omitted)

[78] *Rollo*, p. 108.

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