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construction to its completion. To repeat, these questions pertain to the merits of the case, which is on appeal. It must be stressed that the only issue in these proceedings is whether there are "good reasons" to justify the execution of the judgment pending appeal.

In sum, petitioners have failed to present adequate reasons to show that the Court of Appeals committed reversible errors in overturning the trial court's Order. As movants, they have the burden of showing why the lower court's Decision should be executed without awaiting the result of the appeal. Absent such justification, execution pending appeal cannot be granted.

WHEREFORE, the Petition is hereby *DENIED*. Costs against petitioner.

SO ORDERED.

Melo,(Chairman), Vitug, Purisima, and *Gonzaga-Reyes, JJ.*, concur.

EN BANC

[A.M. No. 99-7-20-SC. August 27, 1999]

RESOLUTION DESIGNATING BRANCH 10 OF THE REGIONAL TRIAL COURT OF CEBU CITY AS A SPECIAL COURT FOR DRUGS CASES WHERE IMPOSABLE PENALTY IS LOWER THAN DEATH

WHEREAS, public policy and public interest demand that criminal cases involving violations of the Dangerous Drugs Act of 1972 (R.A. No. 6425), as amended, be expeditiously resolved;

WHEREAS, presently drugs cases where the imposable penalty is death are assigned to designated heinous crimes courts;

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WHEREAS, it has been reported that a number of drugs cases whose imposable penalty is lower than *death* are pending in the various branches of the Regional Trial Court (RTC) in urban areas, and it is the consensus of many that the designation of one of such branches as a special court to try and decide drugs cases where the imposable penalty is lower than *death* may immediately address the problem of delay in the resolution of drugs cases.

WHEREAS, a pilot area for such special court may be Cebu City where there are pending drugs cases in the several branches of the RTC thereat.

NOW, THEREFORE, pursuant to Sec. 5(3), Art. VIII of the Constitution, Branch 10 of the RTC of Cebu City, presided over by Honorable Judge *SOLIVER C. PERAS*, is hereby *DESIGNATED* as a Special Court for drugs cases, which shall hear and decide all criminal cases involving violations of the Dangerous Drugs Act of 1972 (R.A. No. 6425), as amended, where the imposable penalty is lower than *death*, and which are pending before, or are cognizable by, the various branches of the RTC sitting in Cebu City.

For the purpose hereof, the following guidelines are hereby adopted:

1. The Judges of the various branches of the RTC sitting in Cebu City, other than the Branches designated as heinous crimes courts, shall make, within ten days from receipt of a copy of this Resolution, an inventory of all criminal cases involving violations of the Dangerous Drugs Act of 1972 (R.A. No. 6425), as amended. The inventory shall indicate the case number, the date the information therein was filed, the date the accused was arraigned, and the current status of each case, *i.e.*, whether it is for arraignment, pre-trial, or decision.

   Copies of the inventory shall be furnished the Office of the Chief Justice, the Office of the Court Administrator, the Executive Judge of the Regional Trial Court of Cebu City, and Honorable Judge Soliver C. Peras.

2. The aforementioned criminal cases which are for arraignment or pre-trial or where the reception of evidence for the defense

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has not yet been commenced shall be transferred to Branch 10, together with their corresponding records, which shall be duly receipted for by the Clerk of Court of Branch 10. The transfer shall be effected within thirty days following the submission of the inventory mentioned in No. *1*. The rest of drugs cases shall remain with the original branches concerned and should be given utmost priority by the Presiding Judges thereof.

3. Insofar as assignments of cases are concerned, Branch 10 shall be credited with drugs cases transferred to it pursuant to the immediately preceding paragraph. Accordingly, Branch 10 should be excluded in the raffle of cases conducted subsequent to the transfer to it of the drugs cases. The branches which shall have transferred drugs cases to Branch 10 shall be given appropriate replacements therefor through raffle. The Executive Judge of the RTC of Cebu City shall adopt an effective system to implement this provision on replacements.

4. All informations for violations of the Dangerous Drugs Act, as amended, where the imposable penalty is lower than *death*, filed after 30 August 1999 with the RTC of Cebu City, shall forthwith be assigned to Branch 10 of said court.

This Resolution shall take effect on 1 September 1999.

Promulgated this 3rd day of August 1999.

Davide, Jr., C.J., Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Pardo, Buena, Gonzaga-Reyes, and *Ynares-Santiago, JJ.*, concur.