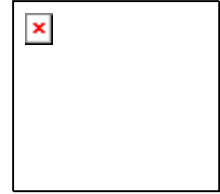




Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
**OFFICE OF THE SPECIAL PROSECUTOR**  
5<sup>th</sup> Floor, Sandiganbayan Centennial Building  
Commonwealth Avenue corner Batasan Road, Quezon City



**HIGH PROFILE CASES FILED**  
**AT THE SANDIGANBAYAN**  
As of September 30, 2011

**FIRST DIVISION**  
**(Prosecution Bureaus I & VI)**

**1. Crim. Case No. 27808**

**People of the Philippines versus Frisco F. San Juan, Carmelita de Leon-Chan, Daniel T. Dayan, Salvador P. Malbarosa, Leo V. Padilla, Elpidio G. Damaso, Ernest Frederick O. Villareal, Benjamin V. Cariño, Joemari D. Gerochi, Angelito M. Villanueva, Martin S. Sanciego, Jr., Rodolfo T. Tuazon, Manuel R. Beriña, Jr., Theron Victor V. Lacson, Jaime R. Millan, Bernardo T. Viray, Raphael Pochollo A. Zorilla, Ernesto L. Enriquez, Cristina Amposta-Mortel, and Manuel E. de la Paz, Arturo S. Layug, Benilda E. Mendoza, Epifanio L. Pureza, Jose G. Capistrano, Ma. Cecilia de la Rama, and Jesusito D. Legaspi.**

**Offense Charged:** Violation of Republic Act No. 3019, Sec. 3(e)

**Date Information Filed:** 6 June 2003

**Short description:**

Accused members of the “old” and “new” Board of PEA with PEA officers, COA auditors, and private contractor entered into construction agreement involving the Pres. Diosdado Macapagal Boulevard and implemented the same through simplified bidding despite lack of funds, and approved variation orders, contract price adjustment, and final bill of quantities without the required presidential approval resulting in overpriced payments to accused

contractor Jesusito D. Legaspi in the aggregate amount of more than P837 Million.

**Amount Involved:** ₱ 532, 926,420.39

**Present Status:**

During the September 15, 2011 scheduled hearing, the Court directed the prosecution to submit its Rejoinder to the Reply of accused. Due to the pending incident, the presentation of defense evidence was cancelled and reset on October 6, 2011.

Prosecution filed its Rejoinder on September 20, 2011.

**2. Crim. Case Nos. 28001 & 28002 (2 Counts)**

**People of the Philippines versus Herminio T. Disini.**

**Offense Charged:** Corruption of Public Officials (Article 212 in relation to Article 210, RPC/Violation of Sec. 4(a), Republic Act 3019)

**Date Information Filed:** 1 July 2004

**Short Description:**

Accused Disini is charged with promising and giving gifts to Ferdinand E. Marcos of shares of stocks and subcontracts in exchange for the award of construction of Phil. Nuclear Power Plant Project to Burns and Roe and Westinghouse. Accused Disini is also charged with requesting and receiving US \$1M from Burns and Roe and US \$17M from Westinghouse in exchange for accused Disini's securing and obtaining the contract for the Phil. Nuclear Power Plant Project for the two (2) companies.

**Amount Involved:** US\$1 Million & US\$17 Million

**Present Status:**

**May 2011** – Case records had been elevated to the Supreme Court. Proceedings suspended.

**August 9, 2011** – Petitioner Disini filed “Motion for Hon. Justice Diosdado M. Peralta to Recuse” with the Supreme Court, Third Division.

**August 19, 2011** – Petitioner filed Motion for Leave to File Consolidated Memorandum with the Supreme Court, Third Division.

N.B. – Civil case handled by the PCGG is pending before the First Division.

**SECOND DIVISION**  
**(Prosecution Bureaus II & VII)**

**3. Criminal Case No. SB-11-CRM-0260**

**People vs. Luis Ramon a.k.a. “Chito” Lorenzo, et al.**

**Offense Charged:** Plunder

**Date Information Filed:** 4 July 2011

**Short Description:**

Accused public officers who by themselves and/or in conspiracy with and/or through accused business associates, dummies, nominees, agents, subordinates and/or other persons, committing the offense in relation to their official positions, taking undue advantage of the same and of their authority, relationship, connection, or influence, did then and there willfully, unlawfully, and criminally amass, accumulate and acquire directly or indirectly, ill-gotten wealth in the aggregate amount of P265,642,930.45 more or less out of P723M public funds released on February 3, 2004 covered by SARO No. E-04-0164 under the Farm Input Farm Implement Program (FIFIP) of the Dept. of Agriculture pursuant to RA 8435 otherwise known as the Agriculture and Fisheries Modernization Act, thereby unjustly enriching themselves at the expense and to the damage of the Filipino people and the Republic of the Phils. in the aforesaid amount.

**Status:**

Defense counsel filed Motion for Judicial Determination and/or Re-Determination of Probable Cause with Urgent Prayer to Hold in Abeyance the Issuance of Warrant of Arrest and/or Recall Warrant if one is already issued and with Alternative Motion to Allow Posting of Bail dated July 12, 2011.

Defense Counsel filed Motion to Dismiss for Lack of Probable Cause and to Hold in Abeyance the Issuance of a Warrant of Arrest against accused Joselito Flordeliza dated July 18, 2011.

The Prosecution is given a period of 10 days from July 15, 2011 within which to file its Comment and/or Opposition to the "Omnibus Motion" filed by accused Luis "Ramon P. Lorenzo, Jr." and defense counsels are likewise given a period of 10 days from receipt thereof within which to file their Reply.

Motion set for hearing on August 17, 2011.

The Prosecution filed on July 26, 2011 its Consolidated Comment (to accused Lorenzo's Motion dated July 8, 2011 and to accused Bolante and Poliquit's Motion dated July 13, 2011).

Accused Jaime Paule by counsel filed Motion to Suspend Proceedings and/or Issuance of Warrant of Arrest dated July 28, 2011.

The Prosecution filed on August 1, 2011 its Consolidated Comment (to accused Llarena's Motion dated July 12, 2011 and accused Joselito Flordeliza's Motion dated July 18, 2011).

Accused Luis Ramon Lorenzo, Jr. by counsel filed Reply (to the Pros. Consolidated Comment and Supplemental Comment) dated August 4, 2011.

Accused Bolante and Poliquit through counsel filed Manifestation dated August 4, 2011.

The Prosecution filed Manifestation on August 8, 2011.

**FOURTH DIVISION**  
**(Prosecution Bureaus IV & IX)**

**4. Criminal Case No. 24643**

**People vs. Amado Lagdameo, et al.**

**Offense Charged:** Violation of Sec. 3(e), R.A. 3019

**Date Information Filed:** 19 May 1998

**Short Description:**

Accused Amado Lagdameo and Wainwright R.Rivera, General Manager and Chairman of the Board, respectively, of the PEA, in conspiracy with other accused, entered in a Joint-Venture Agreement with Amari Coastal Bay Corporation for the development of the three (3) islands already reclaimed by the government and an additional area of 250 to 350 hectares still under water whereby:

1.) The government contributed to the joint-venture of the three (3) islands for which the government would be reimbursed for the reclamation cost at P1,200.00 per square meters;

2.) Amari would reclaim an additional area of 250 to 350 hectares at its own expense; and

3.) The sharing scheme on the net marketable areas as developed are as follows:

|  | <u>Gov't.</u> | <u>Amari</u> |
|--|---------------|--------------|
| a.) Area covered by the 3 islands          | 30%           | 70%          |
| b.) Additional area of 250 to 350 hectares | 20%           | 80%          |

Allegedly, for the reclamation of the three islands alone, the government was put in a disadvantage since at that time the reclamation cost was already at P2,500.00 per square meter.

**Status:** Defense evidence.

**5. Criminal Case Nos. 28098 & 28251**

**People vs. Danilo C. Planta, et al. (DPWH)**

**CC No. 28098**

Date Information Filed: March 4, 2005

**Short Description:**

For Estafa thru Falsification of official/commercial documents

During the period of March to December 2001, Danilo Planta in conspiracy with all the other accused falsified vouchers, checks and other supporting documents purportedly in payment of repairs and/or purchase of spare parts despite knowledge that neither such repairs or purchase of spare parts were ever made. They falsely stated therein that payments were due thereon and thus, accused Planta was able to unlawfully cause the undue release of public funds and obtain undue payments in the amount of P25,027,392.40.

**CC No. 28251**

Date Information Filed: June 9, 2005

**Short Description:**

For Violation of Section 3(e) of RA 3019

During the period of March to December 2001, Danilo Planta in conspiracy with all the other accused conspiring, confederating and mutually helping one another, acting with evident bad faith, manifest partiality or at the very least gross inexcusable negligence, did then and there, willfully, unlawfully and criminally cause undue injury to the government by falsifying or cause to be falsified documents, purportedly for emergency repairs of various DPWH vehicles and/or purchase of spare parts in the amount of P25,027,392.40, causing undue injury to the government in the aforestated amount.

**Status:**

Continuation of presentation of defense evidence. Next setting Oct. 12 & 13, 2011.

## **6. Criminal Case Nos. 28099 & 28252**

### **People vs. Nelson Umali, et al. (DPWH)**

#### **CC No. 28099**

Date Information Filed: March 4, 2005

#### **Short Description:**

For Estafa thru Falsification of official/commercial documents

During the period of March to December 2001, Nelson B. Umali in conspiracy with all the other accused falsified vouchers, checks and other supporting documents purportedly in payment of repairs and/or purchase of spare parts despite knowledge that neither such repairs or purchase of spare parts were ever made. They falsely stated therein that payments were due thereon and thus, accused Umali was able to unlawfully cause the undue release of public funds and obtain undue payments in the amount of P7,519,023.00.

#### **CC No. 28252**

Date Information Filed: June 9, 2005

#### **Short Description:**

For Violation of Section 3(e) of RA 3019

During the period of March to December 2001, Nelson B. Umali in conspiracy with all the other accused conspiring, confederating and mutually helping one another, acting with evident bad faith, manifest partiality or at the very least gross inexcusable negligence, did then and there, willfully, unlawfully and criminally cause undue injury to the government by falsifying or cause to be falsified documents, purportedly for emergency repairs of various DPWH vehicles and/or purchase of spare parts in the amount of P7,519,023.00 causing undue injury to the government in the aforestated amount.

#### **Status:**

Continuation of presentation of defense evidence. Next setting Sept. 26 & 27, 2011.

**7. Criminal Case No. 0197**

**People vs. Lt. Col. Jacinto Ligot, Jr., et al. (DPWH)**

**Offense Charged:**

Forfeiture of Unlawfully Acquired Properties under RA 1379, as amended

**Date Information Filed:** 11 September 2005

**Short Description:**

Forfeiture/recovery of the ill-gotten wealth of respondents amounting to at least P135,280,822.11 and the value of the other properties.

**Status:**

Continuation of presentation of respondent's evidence. Next setting on October 17 & 18, 2011.

**FIFTH DIVISION**  
**(Prosecution Bureaus V & X)**

**8. Criminal Case No. 23539 (Megadike Case)**

**People vs. Florante Soriquez, et al (MPR-PMO)**

**Offense Charged:** Violation of Sec. 3 (e) R.A. 3019

**Short Description:**

Accused were charged with conspiring with one another in consenting, permitting and allowing Atlantic Erectors, Inc. to disregard and/or deviate from the plans and specifications of Contract Package No. 25 in constructing the Transverse Section of the Pasig-Potrero River Diking System (Megadike) in violation of the material provisions of the contract thereby allowing the contractor to collect and receive the amount of P38,289,708.61 despite violation and breach of the contract, and which resulted to a substantial portion of the transverse dike collapsing thereby causing prejudice and damage to the government.



**Status:**

Accused who also filed Petition for Review on Certiorari which is pending with SC.

Accused, Soriquez, David, Maniago, Gonzales and Riveras's Motion for Reconsideration of Decision promulgated on January 14, 2011 are denied.

Accused Soriquez's Reply with Motion to Reopen the case dated March 9, 2011 is likewise denied.

Execution of judgment is set on November 11, 2011.

Note: this case will be excluded from the list next month.

**9. Criminal Case No. 20185**

**People vs. Cesar P. Nazareno, et al (PNP)**

**Offense Charged:** Violation of R.A. 3019

**Status:**

Submitted for Decision.

Per court calendar dated June 3, 2011.

Prosecution, on 26 August 2011, received Court Resolution dated 18 August 2011 Granting accused Alfredo D. Lotho's Motion for Leave to Travel Abroad from October 10 to October 21, 2011 subject to the usual terms and conditions.

Prosecution, on 01 September 2011, received a copy of a Compliance filed by accused Leo A. Marzan, informing the Court with the conditions imposed by the Court relative to his travel abroad, is hereby Noted.

**10. Criminal Case No. 23721 (Ozone Disco Fire)**

**People vs Alfredo Macapugay, et al.**

**Information Filed:** 30 September 2002

**Offense Charged:** Violation of R.A. 3019

**Short Description:**

Accused officials of the Quezon City, Office of the City Engineer/Building officials are charged herein for having acted in concert with the private owners/stockholders of the Ozone Dance Club by issuing to said establishment building, occupancy & renovation permits despite its non-compliance with the legal requirements prior to the issuance of such permits and in the absence of the mandated prior ocular inspection, annual and random inspections. The complained acts of the public officials resulted in the fire that ravaged Ozone Dance Club as a consequence of electrical deficiencies resulting to the death of 162 persons and physical injuries to 93 others. No amount involved.

**Status:** Submitted for decision

**11. Criminal Case No. SB-10-CRM-0099**

**People vs. Romulo Neri**

**Information filed:** 28 May 2010

**Offense charged:** Violation of Sec. 3 (h) of RA 3019 as amended in relation to Sec 13, Art VII of the 1987 Constitution

**Short Description:**

Accused, then Director General of the National Economic and Development Authority, involved himself in the business transaction between the Philippine Government and Zhing Xing Telecommunications Equipment, Inc of China for the

implementation of the Philippine Broadband Network (PBN) Project which required the approval of NEDA.

**Status:**

Prosecution manifested that they will coordinate with the DOJ for financial support for travel to Shinshen, China where they intend to conduct interviews with possible witnesses.

Prosecution, on 23 August 2011, received a copy of the Compliance, to one of the conditions to the Order of the Honorable Court dated 15 July 2011 granting him permission to the travel to Hongkong from August 15, 2011 to August 17, 2011, filed by counsel of accused Neri.

Prosecution, on 18 August 2011, prayed for postponement on the ground that its witness, Mr. Madriaga cannot be found at his given address and was informed by the Field Investigator of their office that said witness already sold his house and lot in Paranaque. As prayed for, and without the objection of the part of counsel of the accused Neri, continuation of presentation of evidence for the prosecution is set on October 17 and 19, 2011, both at 8:30 in the morning.

**12. Criminal Case Nos. SB-11-CRM-0121; 0122; 0123 & 0124**

**People vs. Agnes Vicenta Salayo Torres Devenadera, et al.**

**Information filed:** 01 July 2011

**Offense charged:** Violation of Sec. 3(e) of RA 3019; &  
Malversation (Art. 217 RPC)

**Short Description:**

Accused Devenadera, a high ranking public officer being then Government Corporate Counsel, and accused Faller, Corporate Attorney IV, in conspiracy with Capili, Assistant Gov't Corporate Counsel, and Cruz, Accountant III of OGCC, are being indicted 1) for having received the amounts of P500,000.00 and P200,000.00, respectively, out of the GOCC's Trust Liability Fund, as their Attorney's fees for having handled the GSIS Foreclosure Project, when in factm the payment of such attorney's fees was not

authorized; 2) for having received the amount of P100,000.00 and P30,000.00, respectively, allegedly for the purchase of reading materials to aid them in their official functions but no such purchase of reading materials was made.

**Status:**

Accused Devanadera, Faller and Capili filed with the Court their separate Motions for Reconsideration on the Resolution of the Office of the OMB recommending their indictment for Malversation and Violation of Sec. 3(e) of R.A. 3019

On July 16, 2011, the Court ordered the prosecution to resolve the above Motions for Reconsideration filed by the accused within forty-five (45) days from said date.

On July 28, 2011, the prosecution requested for an additional period of 45 days, or until September 15, 2011, within which to submit its resolution on the above motions.

Prosecution, on 03 October 2011, received Court Resolution dated 22 September 2011, the Court resolved to GRANT the prosecutor's Motion for Extension of Time dated 12 September 2011 and is hereby given an additional period of 45 days or until 30 October 2011 within which to resolve accused's Motion for Reconsideration

***Cases where same individuals are involved,  
being heard on different divisions:***

**13. People vs. Antonio P. Belicena, et al.**

**1. 1<sup>st</sup> Division**

**a. Criminal Case Nos. 25782 – 25788**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

[Seven (7) counts]

Information filed: 6 January 2000

Amount Involved: ₱ 6,689,639.00

Status:

The continuation of the presentation of defense evidence scheduled on September 19, 2011 was cancelled and reset on November 21 and 28, 2011 due to illness of accused Andutan.

**b. Criminal Case Nos. 26371 – 26373**

Offense Charged: Falsification of Public Documents

[Three (3) counts]

Information filed: 6 December 2000

Status:

Accused Estolano filed a Motion for Leave to File a Demurrer to the Prosecution's Evidence dated September 28, 2011, with notice of hearing dated October 13, 2011.

**c. Criminal Case Nos. SB-09-CRM-0040 & 0048; SB-09-CRM-0045 & 0054; SB-09-CRM-0058**

Offense Charged:

**SB-09-CRM-0040** – Violation of Sec. 3(e), RA 3019

**SB-09-CRM-0048** – Estafa thru Falsification of Public Documents (Art. 315, in relation to Art. 171, RPC)

**SB-09-CRM-0045** – Violation of Sec. 3(e), RA 3019

**SB-09-CRM-0054** – Estafa thru Falsification of Official/Public Documents (Art. 315, in relation to Art. 171, RPC)

**SB-09-CRM-0058** – Violation of Sec. 3(e), RA 3019

Information filed: 17 March 2009

Amount Involved: ₱ 115,916,310.00

Status:

The result of the reinvestigation is still pending approval of the Honorable Ombudsman.

**d. Criminal Case Nos. SB-09-CRM-0087; 0088; 0097; 0098; 0101; 0102; 0107; 0108; 0117; 0118; 0127 & 0128**

Offense Charged:

**SB-09-CRM-0117** – Violation of Sec. 3(e), RA 3019

**SB-09-CRM-0118** – Estafa thru Falsification of Public Documents (Art. 315, Par 2(a), in relation to Art. 171, RPC)

**SB-09-CRM-0127** – Violation of Sec. 3(e), RA 3019

**SB-09-CRM-0128** – Estafa thru Falsification of Public Documents (Art. 315 Par 2(a), in relation to Art. 171, RPC)

Information filed: 25 March 2009

Amount Involved: ₱ 115,916,310.00

Status:

The result of the reinvestigation is still pending approval of the Honorable Ombudsman.

**2. 2<sup>nd</sup> Division**

**a. Criminal Case Nos. 26160 – 71**

Offense Charged: Estafa thru Falsification of Public Documents and Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 8 August 2000

Status:

Continuation of presentation of Prosecution's Evidence on August 10 and 11, 2011.

**b. Criminal Case No. 27233**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 3 October 2001

Status:

Continuation of presentation of Prosecution's Evidence on August 17, 2011.

**c. Criminal Case Nos. 27854 - 55**

Offense Charged: Estafa thru Falsification of Public Documents and Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 21 August 2003

Status:

Continuation of presentation of Prosecution's Evidence on September 8 & 29, 2011.

**d. Criminal Case Nos. SB-06-CRM-003 & 004 (formerly CC #s 28408-096)**

Offense Charged: Violation of Sec. 3(j) of R.A. No. 3019; and Falsification of Public/Official Documents

Information filed: 13 January 2006

Status:

Continuation of presentation of Prosecution's Evidence on July 4, 2011.

With the conclusion of the direct examination of prosecution witness Orlando Alvarez of Mitsubishi Motors, the cross-examination is set on August 3 and September 1, 2011.

Considering that accused Andutan through counsel filed a Motion to Cancel the scheduled hearing and without objection from the prosecution which readily manifested the inability of its witness to appear on August 3 and September 1, 2011, continuation of presentation of prosecution's evidence is reset to September 19 and October 18, 2011.

**e. Criminal Case Nos. SB-06-CRM-0381-0382**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019 and Estafa [Art. 315, par. 2(a) of the RPC]

Information filed: 25 July 2006

Status:

During the continuation of the hearing on June 14, 2011, Atty. Golla concluded his cross examination and followed by the cross examination conducted by Atty Marzan who sought for continuance when the originals of the documents were asked and appeared to be not available for the moment. Continuation of presentation of Prosecution's Evidence on September 14 and 15, 2011.

**f. Criminal Case Nos. SB-09-CRM-0041, 42, 46, 49, 59, 60, 61, 68, & 69**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 17 March 2009

Status:

The Court in its Resolution promulgated on May 26, 2011 DENIED Accused Pacifico Cruz' Motion for Reconsideration and directed the Prosecution for the last time to resolve the Motion for Reinvestigation/Reconsideration with dispatch and to submit its recommendation within 60 days from receipt hereof.

Accused Dacasin by counsel filed Motion to Consolidate dated June 17, 2011

Movant Sonia Ducusin has not furnished her co-accused with a copy of her Motion to consolidate, and in the

light of the Manifestation of Rohermia Rodriguez that the reinvestigation of these cases are still ongoing and that the other accused may be affected by the consolidation, Atty. Karl Anthony R. Margate is hereby directed to furnish all the other accused with a copy of the Motion to Consolidate. The parties so furnished are given a period of 10 days from receipt of said motion within which to file their comment and or opposition. The prosecution on the other hand is granted 10 days within which to file its comment and or opposition.

Movant is granted 10 days from receipt of the respective comment or opposition within which to file a reply thereto. Thereafter, the motion shall be deemed submitted for resolution. In the Order of the Court dated July 1, 2011.

**g. Criminal Case Nos. SB-09-CRM-0089, 0099, 0109, 0111, 0119 & 0129**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 26 March 2009

Status:

The Court in its Resolution promulgated on May 26, 2011 DENIED Accused Pacifico Cruz' Motion for Reconsideration and directed the Prosecution for the last time to resolve the Motion for Reinvestigation/Reconsideration with dispatch and to submit its recommendation within 60 days from receipt hereof.

**h. Criminal Case Nos. SB-09-CRM-0049, 0050 & 0055**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 17 March 2009

Status:

The Court in its Resolution promulgated on May 26, 2011 DENIED Accused Pacifico Cruz' Motion for Reconsideration and directed the Prosecution for the last time to resolve the Motion for Reinvestigation/Reconsideration with dispatch and to submit its recommendation within 60 days from receipt hereof.

Accused Dacasin by counsel filed Motion to Consolidate dated June 17, 2011



Movant Sonia Ducusin has not furnished her co-accused with a copy of her Motion to consolidate, and in the light of the Manifestation of Rohermia Rodriguez that the reinvestigation of these cases are still ongoing and that the other accused may be affected by the consolidation, Atty. Karl Anthony R. Margate is hereby directed to furnish all the other accused with a copy of the Motion to Consolidate. The parties so furnished are given a period of 10 days from receipt of said motion within which to file their comment and or opposition. The prosecution on the other hand is granted 10 days within which to file its comment and or opposition.

Movant is granted 10 days from receipt of the respective comment or opposition within which to file a reply thereto. Thereafter, the motion shall be deemed submitted for resolution. In the Order of the Court dated July 1, 2011.

**i. Criminal Case Nos. SB-09-CRM-0090, 0100, 0110, 0112 & 0120**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

The Court in its Resolution promulgated on May 26, 2011 DENIED Accused Pacifico Cruz' Motion for Reconsideration and directed the Prosecution for the last time to resolve the Motion for Reinvestigation/Reconsideration with dispatch and to submit its recommendation within 60 days from receipt hereof.

**3. 3<sup>rd</sup> Division**

**a. Criminal Case Nos. 25596 – 25631 & 25633 - 636**

Information filed: 27 August 1999

Status:

Cross-examination of Prosecution witness' Leonides Pilapil Rosel was scheduled on October 19 & 20, 2011.

**b. Criminal Case Nos. SB-06-CRM-0383 - 0384**

Offense Charged: Violation of Sec. 3(e), R.A. 3019, as amended; and for Estafa

Information filed: 16 May 2006

Status:

Continuation of presentation of Prosecution witness Nida Quibic was scheduled on December 5 & 6, 2011.

Note: Direct Examination of prosecution witness Nida Quibic was suspended due to the issue raised during the September 2011 trial relative to the authority of former Special Prosecutor Dennis Villa-Ignacio to sign the Amended Information. Prosecution was given thirty (30) days to submit Manifestation relative to his authority.

The Prosecution has already complied with the Court's Order.

**c. Criminal Case Nos. SB-08-CRM-0379 - 0380**

Offense Charged: Violation of Sec. 3(e), R.A. 3019; and Estafa thru Falsification of Official/Public Commercial Documents

Information filed: 28 August 2008

Status:

Continuation of presentation of Prosecution's witness Isidro A. Eusebio was scheduled on October 26 & 27, 2011.

**4. 4<sup>th</sup> Division**

**a. Criminal Case Nos. 27654 & series up to 27736 (83 cases)**

Information filed: 07 & 08 August 2002

Status:

Accused C. Legarda filed a Motion to Dismiss.

On March 1, 2011 Prosecution filed its Comment/opposition to said motion to dismiss.

Reply was filed by the accused on April 18, 2011

Pending Resolution by the Court.

**b. Criminal Case Nos. 27917 - 27918**

Offense Charged:

**CC No. 27917** – Violation of Sec. 3(j), R.A. 3019

**CC No. 27918** – Violation of Art. 171, par. 4, RPC

Information filed: 17 November 2003

Status:  
Defense evidence.

**c. Criminal Case Nos. 27511 – 27512; 27513 - 27514**

Offense Charged:

**CC Nos. 27511-27512** – Violation of Sec. 3(e), R.A. 3019

**CC Nos. 27513 – 27514** – Falsification of Public Documents

Information filed: 21 June 2002

Status:

Prosecution formally offered its exhibits for the discharge as state witness of accused Homero A. Mercado. The Court denied the Motion to discharge. The issue is now with the Supreme Court (SC).

Consolidated reply was filed by OSP with SC, (to various comments of defense).

**d. Criminal Case Nos. 25911 – 25921**

Offense Charged:

Violation of Sec. 3(e), R.A. 3019 (5 counts)

Estafa (5 counts)

Information filed: 10 April 2000

Status:

With pending Motion for Inhibition.

Pending arraignment.

**e. Criminal Case Nos. 25922 – 25939**

Offense Charged: Violation of Sec. 3(e), R.A. 3019 (17 counts)

Information filed: 10 April 2000

Status:

With pending Motion for Inhibition.

Pending arraignment.

**f. Criminal Case Nos. 25983 – 25999**

Offense Charged: Estafa thru Falsification of Public Documents (16 counts)

Information filed: 09 May 2000

Status:

With pending Motion for Inhibition.

Pending arraignment.

**g. Criminal Case Nos. 26000 - 26016**

Offense Charged: Violation of Sec. 3(e), R.A. 3019 (16 counts)

Information filed: 24 August 1999

Status:

With pending Motion for Inhibition.

Pending arraignment.

**h. Criminal Case Nos. 0051, 0043, 0056 & 0070**

Offense Charged: Violation of Sec. 3(e), R.A. 3019 (16 counts)

Information filed: 17 March 2009

Status:

Motion to consolidate filed by accused Sonia L. Dacasin.

**i. Criminal Case Nos. 0081 - 0082**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

Motion for reconsideration has been resolved. For arraignment.

**j. Criminal Case Nos. 0083 - 0084**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/ Reconsideration of all accused.

**k. Criminal Case Nos. 0093 - 0094**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/ Reconsideration of all accused.

**l. Criminal Case Nos. 0103 - 0104**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/  
Reconsideration of all accused.

Pending Motion to Dismiss filed by Pacifico R. Cruz.

**m. Criminal Case Nos. 0113 - 0114**

Offense Charged: Estafa thru Falsification of Official/Public  
Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/  
Reconsideration of all accused.

**n. Criminal Case Nos. 0121 - 0122**

Offense Charged: Estafa thru Falsification of Official/Public  
Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/  
Reconsideration of all accused.

**o. Criminal Case Nos. 0047 & 0053**

Offense Charged: Estafa thru Falsification of Official/Public  
Documents

Information filed: 26 March 2009

Status:

With pending Motion to consolidate.

Prosecution filed its comment.

Motion to consolidate submitted for resolution.

**P. Criminal Case Nos. 0123 & 0124**

Offense Charged: Estafa thru Falsification of Official/Public  
Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/  
Reconsideration of all accused.

**q. Criminal Case Nos. 0133 & 0134**

Offense Charged: Estafa thru Falsification of Official/Public Documents

Information filed: 26 March 2009

Status:

With pending Motion for Reinvestigation/Reconsideration of all accused.

**5. 5<sup>th</sup> Division**

**a. Criminal Case Nos. 25940 - 25962**

Offense Charged: Violation of Sec . 3(e), R.A. 3019; & Estafa

Information filed: 10 & 11 April 2000

Status:

Continuation of presentation of evidence for the prosecution is reset on November 14, 15 and 24, 2011 with the condition that the failure of witness Felix Chin Koe to appear at the next hearing, prosecution will be recommending the cancellation of his immunity.

**Accused Jimenez, Poonim, Ignacio** and **Dalmia** are still at large.

Prosecution, on 22 September 2011, received a Manifestation with Motion To Amend Order dated 12 August 2011 filed by **accused John T. Cua** on the basis that his travel to Hongkong from September 6 to September 9, 2011 did not push through and is requesting to be moved on November 16 to November 21, 2011.

Prosecution, on 26 September 2011, received a Motion for Authority to Travel Abroad filed by **accused Ester T. Gabaldon** for the period of October 16 to November 15, 2011.

**b. Criminal Case Nos. 25910 & 25916**

Offense Charged:

**CC #25910** - Violation of Sec . 3(e), R.A. 3019

**CC#25916** - Estafa thru Falsification of Public Documents

Information filed: 10 April 2000

Status:

Defense presented accused Atty. Uldarico P. Andutan, Jr.

Continuation of the direct examination of the said witness is set on October 5 and 6, 2011, both at 8:30 in the morning.

**c. Criminal Case Nos. 27515 - 27516**

Offense Charged: Violation of Sec . 3(e), R.A. 3019; & Falsification of Art. 172 RPC (Use of Falsified Documents)

Information filed: 25 June 2002

Status:

Continuation of presentation of evidence for the prosecution set on August 25 & 31, 2011.

**d. Criminal Case Nos. SB-09-CRM-0085-0086; 0095-0096; 0105-0106; 0115-0116; 0125-0126; 0135-0136**

Offense Charged: Violation of Sec . 3(e), R.A. 3019, as amended; & Estafa thru Falsification of Public Documents)

Information filed: 26 March 2009

Status:

With pending Motions for Reinvestigation.

The Motion for Reconsideration on the joint resolution of the Ombudsman still pending with OMB

Per Court Resolution dated 12 May 2010, accused Pacifico Cruz's Manifestation and Motion to Dismiss the case was granted.

Criminal Cases No. SB-09-CRM-0105, 0106, 0115 and 0116 dismissed insofar as Cruz is concerned.

Accused Legarda was conditionally arraigned due to his travel abroad with a warning from the Court that if he fails to return on due date, trial as against him will proceed in absentia.

**e. Criminal Case Nos. SB-09-CRM-0044; 0052 & 0057**

Information filed: 17 March 2009

Status:

RESOLUTION of the OSP on accused Motion's for Reconsideration/Reinvestigation was submitted to the Court on August 9, 2011.

**f. Criminal Case Nos. SB-09-CRM-0062 - 0067**

Offense Charged: Violation of Sec. 3(e), R.A. 3019

Status:

RESOLUTION of the OSP on accused Motion's for Reconsideration/Reinvestigation was submitted to the Court on August 9, 2011.

**g. Criminal Case Nos. SB-09-CRM-0091-0093; 0131-0132**

Offense Charged: Violation of Sec. 3(e), R.A. 3019; & Estafa thru Falsification of Public Documents

Status:

RESOLUTION of the OSP on accused Motion's for Reconsideration/Reinvestigation was submitted to the Court on August 9, 2011.

Prosecution, on 05 September 2011, received Court Resolution Noting the Manifestation dated 9 August 2011 filed by herein prosecutor. The Court also finds probable cause and so orders the issuance of a warrant of arrest against the accused.

**14. People vs. Robert G. Lala, et al.**

**1. 1<sup>st</sup> Division**

**a. Criminal Case No. SB-08-CRM-0270**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 22 April 2008

Amount Involved: ₱ 17,487,682.02

Status:

In view of accused Lala, Dindin, Alvizo. Fernandez, Bagolor, Hermoso, Galang, Diano and Pajo's counsels' manifestation in court that he had the intention to question



the Ombudsman's Joint Resolution dated August 24, 2011, the arraignment on September 22, 2011 was cancelled and reset on November 24, 2011.

**b. Criminal Case No. SB-08-CRM-0275**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019  
Information filed: 22 April 2008  
Amount Involved: ₱ 18,045,090.85  
Status:

The prosecution filed a "Compliance and Motion for the Summary Amendment of the Information" dated September 5, 2011.

Accused Arturo O. Radaza filed a "Comment/Opposition with Motion to Quash Amended Information" dated September 22, 2011, with notice of hearing dated September 29, 2011.

**2. 2<sup>nd</sup> Division**

**a. Criminal Case No. SB-08-CRM-0271**

Offense Charged: Violation of Sec. 3(g) of R.A. No. 3019  
Information filed: 22 April 2008  
Amount Involved: ₱ 17,487,682.02  
Status:

The Court in its Resolution dated March 16, 2011 resolves the following pending incidents:

1. Accused Latonio, Omo, Gerolanga, and Denque's "Motion to Dismiss with Prejudice" dated December 28, 2009;
2. The Prosecution's "Opposition" dated February 8, 2010

Accused-movants prayed for the dismissal of this case with prejudice in the same vein the court ruled to dismiss this case against their co-accused believing that they are similarly situated.

Since the decision on the Petition would necessarily settle this controversy with finality and since the Court's previous Resolutions served as bases for the asseverations of the accused, the court deemed it proper to await the adjudication of the Petition for Certiorari pending before the Supreme Court and DENIES accused Latonio, Omo, Gerolanga, and Denque's motion to have this case dismissed against them.

**3. 3<sup>rd</sup> Division**

**a. Criminal Case No. SB-08-CRM-0273**

Offense Charged: Violation of Sec. 3(g), R.A. No. 3019

Information filed: 22 April 2008

Status:

Preliminary Investigation for Sec. 3 (e) of R.A. 3019 was already terminated in the Ombudsman-Visayas. Copy of the Resolution of the investigation was forwarded to Office of the Special Prosecutor for its review of the Information.

**4. 4<sup>th</sup> Division**

**a. Criminal Case No. SB-09-CRM-0141**

Offense Charged: Violation of Sec. 3(e), R.A. No. 3019

Information filed: 08 May 2009

Status:

When case was called for arraignment of accused A. Manggis, M. Ojeda & T. Bernido, they pleaded not guilty. Trials was reset to Sept. 21 & 22, Oct. 12 & 13, & Nov. 23 & 24, 2011.

**5. 5<sup>th</sup> Division**

**a. Criminal Case No. SB-08-CRM-0269 & 0274**

Offense Charged: Violation of Sec. 3(g), R.A. No. 3019

Information filed: 22 April 2008

Status:

-With pending Motion for Reinvestigation.

Per Court resolution dated February 17, 2011, the Consolidated Motion filed by several of the accused to: (1) dismiss was denied for lack of merit: (2) deferment of the issuance of warrant of arrest and the conduct of preliminary

investigation was hereby granted; and (4) suspension of proceeding was also granted.

Accused filed their Motion for Reconsideration assailing Resolution dated February 17, 2011. In so far as the denial of their prayer for the dismissal of the case was concerned, defense counsel asked for time to file supplemental on their motion for reconsideration within 15 days from March 25, 2011 while prosecution has 15 days from receipt of the supplemental motion, to file its comment.

Accused Gloria Ruiz Dindin's "Motion to Allow Accused Gloria Ruiz Dindin to Travel" is GRANTED.

Arraignment set on September 22, 2011 is cancelled and reset to November 10, 2011 at 8:30 in the morning due to lack of quorum from September 19 to 30, 2011.

## **15. People vs. Jose Ramiscal, et al.**

### **1. 2<sup>nd</sup> Division**

#### **a. Criminal Case No. 25681 – 84**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 07 October 1999

Status:

With pending Joint-Demurrer to Evidence and Opposition.

Presentation of Defense Evidence on October 12, 13, November 23 and 24, 2011.

#### **b. Criminal Case No. 25741**

Offense Charged: Malversation through Falsification of Public Documents, Art. 217 in relation to Arts. 171 & 172 of the RPC

Information filed: 11 November 1999

Status:

Defense given a period of 15 days within which to file Formal Offer of Evidence and the Prosecution given a period of 15 days to file its Comment/Opposition in the Court's Order dated April 4, 2011. Parties are directed to submit their simultaneous Memoranda within 30 days from receipt of the Court's Resolution on the admission of exhibits. Thereafter, the case shall be deemed submitted for decision.

Accused Ramiscal thru counsel filed his Formal Offer of Documentary Evidence and Manifestation dated April 15, 2011.

Accused Liang and Garcia thru counsel filed their Manifestation dated April 18, 2011.

The Prosecution filed on April 29, 2011 its Comment/Objection (to Accused's Formal Offer of Documentary Evidence and Manifestation dated April 15, 2011).

Accused Ramiscal through counsel filed his Memorandum dated July 8, 2011.

**c. Criminal Case Nos. 28028 - 29**

Offense Charged: Violation of Sec. 3(e), R.A. 3019; and Estafa thru Falsification of Public Documents

Information filed: 18 October 2004

Status:

The Court in its Decision promulgated on June 16, 2011 GRANTS the Demurrers to Evidence filed by accused Ramiscal, Satuito, Bello and Quilicot, Jr. for insufficiency of evidence.

The Prosecution filed its Motion for Reconsideration of the Resolution dated June 16, 2011.

Defense Counsel filed Comment/Opposition (to Prosecution's Motion for Reconsideration of the Resolution dated June 16, 2011) dated July 21, 2011

2. **3<sup>rd</sup> Division**

**a. Criminal Case Nos. 28020 - 28021**

Offense Charged: Violation of Sec. 3(e), R.A. No. 3019 and Estafa thru Falsification of Public Document

Information filed: 21 October 2004

Status:

Petition for Certiorari filed by the Office of the Special Prosecutor on January 25, 2010 regarding the acquittal of the accused is pending with the Supreme Court.

3. **4<sup>th</sup> Division**

**a. Criminal Case Nos. 25122 - 25133**

Offense Charged: Violation of Sec. 3(e), R.A. No. 3019

Information filed: 02 February 1999

Status:

Defense evidence.

**b. Criminal Case Nos. 25134 - 25145**

Offense Charged: Violation of Sec. 4, Art. 171 of RPC

Information filed: 02 February 1999

Status:

Defense evidence.

**c. Criminal Case Nos. 28022 - 28023**

Offense Charged:

**CC #28022** - Violation of Sec. 3(e), R.A. 3019, as amended

**CC # 28023** - Estafa thru Falsification of Public Documents

Information filed: 21 October 2004

Status:

In Crim Case 28022 Ramiscal Jr., Bello, Satuito & Quilicot, Jr. were convicted of the offense charged.

In Crim Case 28023 Ramiscal Jr., was convicted of the lesser crime of falsification of public documents. Accused Bello, Satuito & Quilicot were acquitted.

Motions for reconsideration separately filed by accused Quilicot, Jr., Satuito, Ramiscal Jr. & M. Bello. Prosecution

was directed to file its consolidated comment/opposition to subject motions for reconsideration. Unless Court shall require further submissions from parties, incident shall be deemed submitted for resolution.

4. **5<sup>th</sup> Division**

a. **Criminal Case Nos. 28024 - 28025**

Offense Charged: Violation of Sec. 3(e), R.A. No. 3019; and Estafa thru Falsification of Public Documents

Information filed: 21 October 2004

Status:

This case is submitted for decision.

Prosecution, on 22 September 2011, received a Manifestation, filed by accused Jose S. Ramiscal, to the effect that the Honorable court take cognizance of the recent Decision of similar case in the 1<sup>st</sup> Division docketed as Criminal Case No. 28026 for violation of Section 3(e), RA 3019, as amended, wherein the Court acquitted the accused.

**16. People vs. Elenita S. Binay, et al.**

1. **2<sup>nd</sup> Division**

a. **Criminal Case No. SB-06-CRM-0471**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 03 October 2006

Status:

The court in its Decision promulgated on April 7, 2011 GRANTS the Demurrer to Evidence filed by accused Elenita Binay, Nicanor Santiago, Jr. and Ernesto Aspillaga, thus the case against them was ordered DISMISSED.

The prosecution filed its Petition for Certiorari before the Supreme Court on June 6, 2011.

As to accused Vivian Erudise, the initial presentation of Prosecution Evidence was set on July 13 and 14, 2011.

Presentation of Prosecution's Evidence on August 31 and September 6, 2011.

2. **4<sup>th</sup> Division**

a. **Criminal Case No. SB-06-CRM-0468**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019, as amended

Information filed: 03 October 2006

Status:

Defense evidence.

3. **5<sup>th</sup> Division**

a. **Criminal Case Nos. SB-06-CRM-0469 & 0470**

Offense Charged: Violation of Sec. 3(e) of R.A. No. 3019

Information filed: 03 October 2006

Status:

Pursuant to prosecution's Motion to Recuse, Justice Diaz-Baldos inhibited herself from further participating in the case.

Continuation of presentation of prosecution's evidence set on August 17 and 24, 2011.

Prosecution, on 3 October 2011, received Opposition (to Prosecution's Motion for Reconsideration of the denial of its Motion for Leave to File Re-Amended Information).

**17. People vs. Hernando Benito Perez, et al.**

1. **2<sup>nd</sup> Division**

a. **Criminal Case No. SB-08-CRM-0266**

Offense Charged: Robbery (Art. 293, in relation to Art. 294, RPC)

Information filed: 18 April 2008

Status:

Petition filed before the Supreme Court dated August 18, 2009 by the Prosecution.

In the Resolution of the Supreme Court dated April 7, 2010, The Supreme Court resolved to Consolidate GR No 1488165 with G.R Nos. 173967-71 entitled “Ernest Escaler vs. Office of the Ombudsman, et al.” G.R. Nos. 182360-63 entitled “Hernando B. Perez and Rosario S. Perez vs. Sandiganbayan, et al. and G.R. No 189063 entitled People vs. Hon. Sandiganbayan, 2<sup>nd</sup> Division, et al,” related cases all assigned also to the First division, and to REFER the cases to the ponente of the lower numbered case.

Comment on the Petition for Certiorari dated August 18, 2009 was filed by Respondent Ernest L. Escaler on February 9, 2010.

Comment on the Petition for Certiorari dated August 18, 2009 was filed by Respondent Ramon C. Arceo on March 2, 2011.

With the Opposition to the Motion to Withdraw Cash and Travel Bonds filed by Accused Escaler, the Motion is deemed submitted for Resolution as per Order of the Sandiganbayan dated July 15, 2011.

## 2. **3<sup>rd</sup> Division**

### a. **Criminal Case No. SB-08-CRM-0268**

Offense Charged: Violation of Sec. 8, R.A. 6713 in relation to Sec. 7 of R.A. 3019

Information filed: 18 April 2008

Status:

On June 15, 2011, Sandiganbayan issued a Resolution on Accused’s Motion for Reconsideration as follows: “The information in **SB-08-CRM-268 IS ORDERED DISMISSED**. Let the trial proceed with respect to SB-08-CRM-0267.

“Sandiganbayan Order dated July 15, 2011”-----(a) In connection with prosecution’s motion for partial reconsideration (of the resolution dated June 15, 2011) xxx counsel for the accused is given 15 days w/in w/c to submit his comment/opposition furnishing a copy to the prosecution w/c is given 10 days from receipt w/in w/c to submit its reply. (b) In so far as accused motion for partial



reconsideration xxx the prosecution is given 15 days w/in w/c to submit its comment/opposition furnishing a copy to the accused that is given 10 days w/in w/c to submit its reply. Thereafter, the incidents shall be deemed submitted for resolution.

Partial Reconsideration filed by the Prosecution and the Defense were both denied.

For filing of Petition for Certiorari with the Supreme Court by the Prosecution which is until October 17, 2011.

**b. Criminal Case No. SB-08-CRM-0267**

Offense Charged: Falsification of Public/Official Document  
(Art. 171, RPC)

Information filed: 18 April 2008

Status:

Cross-examination of Prosecution witness Atty. Roxas was scheduled on November 23 & 24, 2011.

**c. Criminal Case No. SB-08-CRM-0265**

Offense Charged: Violation of Sec. 3(b), R.A. 3019

Information filed: 18 April 2008

Status:

With pending Certiorari before the Supreme Court.

Consolidated Reply filed by Office of the Special Prosecutor.

## **18. People vs. Gen. Lisandro C. Abadia**

### **1. 1<sup>st</sup> Division**

**a. Criminal Case No. 28335**

Offense Charged: Perjury

Information filed: 12 August 2001

Status:

**September 15, 2011** – The Court denied accused Abadia's Motion for Reconsideration. Court granted accused's Urgent Motion for Extension of Travel Order/Authority to

Travel dated September 12, 2011, over the objection of the prosecution.

2. **3<sup>rd</sup> Division**

a. **Criminal Case No. 0195**

Offense Charged: Forfeiture of Unlawfully Acquired Properties under R.A. No. 1379, as amended

Information filed: 04 July 2005

Status:

Continuation of the presentation of Plaintiff's Evidence on November 16 & 17, 2011.

**19. People vs. Gen. Carlos F. Garcia, et. al.**

1. **2<sup>nd</sup> Division**

a. **Criminal Case No. 28107**

Offense Charged: Plunder under Republic Act 7080

Information filed: April 2005

Status:

The Court in a Resolution promulgated on May 9, 2011 allowed the accused to plead guilty to the lesser offense of Direct Bribery on December 16, 2010 and since there was no valid reason to further place the accused in custody until the scheduled promulgation, he was allowed to post bail.

The court in its hearing dated June 3, 2011 ordered that after some preliminary discussion on the MR filed by the OSG, on motion of the prosecution, it is given a period of 10 days from June 3, 2011 within which to file its Comment and/or Opposition and the defense likewise being given the same period of 10 days to file its Comment and/or Opposition thereto. Once the Solicitor General receives the Comment and/or Opposition, he is given 10 days to Reply if he so desires.

The prosecution filed on June 23, 2011 its Comment to the Motion for Reconsideration

Accused by counsel filed on June 23, 2011 his Opposition (to the May 23, 2011 Motion for Reconsideration).

Accused by counsel filed Manifestation and Motion dated July 14, 2011.

2. **4<sup>th</sup> Division**

**a. Criminal Case No. 0193**

Offense Charged: Forfeiture of Unlawfully Acquired Properties under RA 1379, as amended

Forfeiture/recovery of the ill-gotten wealth of respondents amounting at least ₱143,052,015.29 and the value of the other properties (funds, shares of stock, real properties and vehicles)

Information filed: 27 October 2004

Status:

Court acted on petitioner's Compliance with motion of 1-23-11 praying that "petitioner be allowed to wait for the resolution by 2<sup>nd</sup> Div of Sandiganbayan on the Plea Bargaining Agreement before finalizing its position on the instant forfeiture cases and on petitioner's Compliance with motion of 1-25-11 praying that "petitioner be allowed to wait for the resolution by 2<sup>nd</sup> Div of Sandiganbayan on the Plea Bargaining Agreement before deciding as to the appropriate steps it needs to take for the valid service of summons upon respondents Clarita D. Garcia, Ian Carl Garcia, Juan Paulo Garcia & Timothy Mark Garcia in CC Nos. 0193 & 0196 & before deciding as to the submission of the formal offer of exhibits in CC 0193". Respondents C. Garcia was directed to comment on the aforesaid motions within 10 days from notice. Therafter incident submitted for resolution.

Compliance accused C. Garcia dated 2-23-11 filed by Atty. C. De Jesus.

Prosecution filed an Omnibus Motion dated 9-21-11.

**b. Criminal Case No. 0196**

Offense Charged: Forfeiture of Unlawfully Acquired Properties under RA 1379, as amended

Short Description:

Forfeiture/recovery of the ill-gotten wealth of respondents amounting at least ₱ 202,005,980.55 and the value of the other properties (funds, shares of stock, real properties and vehicles)

Information filed: 05 July 2005

Status:

Court acted on petitioner's Compliance with motion of 1-23-11 praying that "petitioner be allowed to wait for the resolution by 2<sup>nd</sup> Div of Sandiganbayan on the Plea Bargaining Agreement before finalizing its position on the instant forfeiture cases and on petitioner's Compliance with motion of 1-25-11 praying that "petitioner be allowed to wait for the resolution by 2<sup>nd</sup> Div of Sandiganbayan on the Plea Bargaining Agreement before deciding as to the appropriate steps it needs to take for the valid service of summons upon respondents Clarita D. Garcia, Ian Carl Garcia, Juan Paulo Garcia & Timothy Mark Garcia in CC Nos. 0193 & 0196 & before deciding as to the submission of the formal offer of exhibits in CC 0193". Respondents C. Garcia was directed to comment on the aforesaid motions within 10 days from notice. Therafter incident submitted for resolution.

Compliance accused C. Garcia dated 2-23-11 filed by Atty. C. De Jesus.

Prosecution filed an Omnibus Motion dated 9-21-11.

## **20. Fertilizer Scam Cases**

### **1. 1<sup>st</sup> Division**

#### **a. Criminal Case Nos. SB-11-CRM-0036-0039**

**People vs. Governor Raul R. Lee, et. al.**  
**( 4 Fertilizer Scam Cases)**

Offense Charged: Violation of Section 3 (e), R.A. 3019

Information filed: 07 April 2011

Amount Involved: ₱175,560.00 and ₱ 2,640,000.00.

Status:

Prosecution filed its Comment/Opposition on accused Hernandez' Partial Motion for Reconsideration (of Resolution dated August 1, 2011), dated August 24, 2011.

The prosecution to submit its report on accused Lee's Motion for Reconsideration dated April 12, 2011.

- b. Criminal Case Nos. SB-11-CRM-0089-0101 (13 counts)  
Criminal Case Nos. SB-11-CRM-0111-0113 (c counts –  
transferred from 3<sup>rd</sup> Division)**

**People vs. Sumail K. Sekak and various accused  
(13 Fertilizer Scam Cases)**

Offense Charged:

**SB-11-CRM-0089-0101** - Violation of Section 3(e), R.A. 3019

**SB-11-CRM-0111-0113** - Illegal Use of Public Funds/  
Technical Malversation

Information filed: 11 May 2011

Amount Involved: ₱ 51, 442, 803.00

Status:

In view of the pendency of the various motions in these cases, the arraignment scheduled on September 22, 2011 was cancelled and reset on November 17, 2011.

The prosecution filed its Comment/Opposition (to the Motion to Admit Supplemental Reply dated September 20, 2011 by accused Verceles, Jr.), dated September 30, 2011. Pending court resolution thereof.

**2. 2<sup>nd</sup> Division**

- a. Criminal Case No. SB-11-CRM-0102**

**People of the Philippines vs. Sumail K. Sekak**

Offense Charged: Malversation of Public Funds

Information filed: 06 May 2011

Status:

Pre Trial and Trial scheduled on October 10 and 11, 2011.