



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

**KENNETH KARL ASPIRAS y G.R. No. 236166
CORPUZ,**

Petitioner,

Present:

LEONEN, *J.*, Chairperson,
LAZARO-JAVIER,
INTING,*
LOPEZ, M., and
KHO, JR.**, *JJ.*

-versus-

PEOPLE OF THE PHILIPPINES,
Respondent.

Promulgated:
OCT 30 2024

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DECISION

LEONEN, J.:

This Court resolves a Petition for Review¹ assailing the Court of Appeals Decision,² which affirmed with modification, the Regional Trial Court Decision³ convicting petitioner of homicide, and its Resolution⁴ denying petitioner’s Motion for Reconsideration.

* Designated additional Member vice J. J. Lopez, per Raffle dated August 13, 2024.

** On leave.

¹ Filed under Rule 45.

² *Rollo*, pp. 39–55; The April 25, 2017 Decision in CA-G.R. CR No. 38333 was penned by Associate Justice Ramon Paul L. Hernando (now an Associate Justice of the Supreme Court) and concurred in by Associate Justices Rosmari D. Carandang (Chairperson, now an Associate Justice of the Supreme Court) and Maria Luisa C. Quijano-Padilla of the Special Third Division of the Court of Appeals, Manila.

³ The August 11, 2015 Decision was penned by Presiding Judge Afable E. Cajigal of the Regional Trial Court of Manila, Branch 52.

⁴ *Rollo*, pp. 56–57. The November 9, 2017 Resolution was penned by Associate Justice Ramon Paul L. Hernando (now an Associate Justice of the Supreme Court) and concurred in by Associate Justices Rosmari D. Carandang (Chairperson, now an Associate Justice of the Supreme Court) and Maria Luisa C. Quijano-Padilla of the Former Special Third Division of the Court of Appeals, Manila.

Kenneth Karl Aspiras y Corpuz (Aspiras) was charged with the crime of Murder in an Information that reads:

That on or about January 13, 2011 in the city of Manila, Philippines, the said accused, with intent to kill, with treachery and evident premeditation and taking advantage of superior strength, did then and there willfully, unlawfully and feloniously attack, assault and use personal violence upon JET LEE REYES y DAQUIL, by then and there stabbing her with a kitchen knife on the abdomen, thereby inflicting upon the latter a mortal stab wound which was the direct and immediate cause of her death thereafter.

Contrary to law.⁵

Upon Aspiras' request, a preliminary investigation was conducted by Assistant City Prosecutor Lourdes A. Gatdula, who eventually issued a Resolution dated May 3, 2011 affirming the finding of probable cause to indict Aspiras for murder. The Resolution was approved by both Senior Assistant City Prosecutor Maria Gene Z. Julianda-Sarmiento and then City Prosecutor Jhosep Y. Lopez. Aspiras' subsequent Motion for Reconsideration was denied in a Resolution dated August 1, 2011.⁶

Aspiras pleaded not guilty during arraignment.⁷

During the pre-trial conference, the prosecution and defense stipulated on "the date and place of the crime[,] the knife used in the stabbing, [and] the fact that the victim died after [Aspiras] stabbed her."⁸

Aspiras was released on bail after posting a cash bond. Trial on the merits then ensued.⁹

Cleopatra Reyes (Cleopatra), the mother of the victim, Jet Lee Reyes (Jet Lee) testified that Jet Lee and Aspiras are common law spouses. They live with her in a three-storey house located at 409 Moriones Street, Tondo, Manila, with the spouses occupying the room at the third floor, while she and her granddaughters occupy the room at the second floor.¹⁰

At 6:00 p.m. on January 13, 2011, Rio, a friend of the Reyes family, arrived with a bottle of Emperador brandy. Rio invited Aspiras for a drinking spree while playing cards. The two were later joined by Jet Lee and three

⁵ *Id.* at 41-42.

⁶ *Id.* at 42.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.* at 41.

others, Aiza, Jersey and Jellie. The drinking spree ended at around 10:00 p.m.¹¹

While Cleopatra was resting in her room, she overheard Aspiras and Jet Lee arguing while they were going up to the third floor. Afterwards, Cleopatra heard Jet Lee screaming for help and shouting that she was stabbed by Aspiras. Cleopatra hurriedly went out of her room to check on Jet Lee. She met the half-naked Aspiras descending from the third floor with bloodied hands.¹²

Shortly after, Cleopatra saw Jet Lee also going down the stairs and holding onto her bloodied side. She embraced Cleopatra and said “*mommy sinaksak po ako ni Kenneth.*” Cleopatra immediately asked for help from their neighbor and brought Jet Lee to Mary Johnston Hospital in Juan Nolasco Street, Tondo, Manila. Jet Lee died shortly thereafter.¹³

Cleopatra also testified that Aspiras and Jet Lee usually argue “because of jealousy, especially since Jet Lee was a dance instructor and she usually goes home with pictures of her male students.”¹⁴

Aiza Padillo (Padillo), a friend of the couple, “testified that sometime in September 2010, while Jet Lee was in her house, Aspiras suddenly arrived and dragged Jet Lee to the bathroom. [Padillo] alleged that [Aspiras] hit Jet Lee and exclaimed ‘*hindi ka pakikinabangan ng iba sisirain ko mukha mo.*’” Aiza asserted that Aspiras is the jealous type who has the tendency to hurt another person.¹⁵

On cross-examination, Padillo averred that she knew about Aspiras’ jealousy because Jet Lee told her about it. She had also witnessed Aspiras’ jealousy whenever all three of them are together. When someone stares at Jet Lee, Aspiras gets angry then inflicts harm or utters hurtful words against Jet Lee, such as “*lumalandi ka na naman.*” Padillo revealed that Aspiras pulls Jet Lee’s hair, slaps her or kicks her because of jealousy.¹⁶

Jersey Reyes (Jersey), Jet Lee’s brother, testified that one time, Aspiras became silent and upset during a drinking spree after Jet Lee purportedly said something wrong. The next day, Jet Lee already had a contusion, but he was told not to interfere. Jersey affirmed that when he was still living in the Reyes’ house, he would hear Aspiras and Jet Lee quarreling since their rooms were adjacent to each other. At the time of the incident though, he was no longer

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.* at 44 -45.

¹⁵ *Id.* at 45.

¹⁶ *Id.*

living in the house. He was the one who found the knife in the couples' room and turned it over to the police.¹⁷

PO2 James G. Lagasca, the investigating officer assigned to the case, testified that Aspiras was shouting "*hindi ko sinasadya*" while visibly drunk in the police station.¹⁸

Dr. Jesille Cui Baluyot, the medico-legal officer who examined Jet Lee's body, declared that "Jet Lee sustained two stab wounds: a defensive wound on the right shoulder and a fatal wound on the right abdomen; as well as hematoma on the lateral side of the right eye."¹⁹

For his part, Aspiras claimed that after the drinking session, he went up to their room, washed Jet Lee's uniform and hung them in the bathroom. Then, he rejoined the people conversing in the sala until he fell asleep. An angry Jet Lee then woke him up, and both of them went up to their room.²⁰

After going to their room, Aspiras claimed he slept but was awakened by Jet Lee, who was mad because her clothes were hung in the bathroom and not outside the house. Aspiras noticed that Jet Lee was holding a knife on her right hand. He told Jet Lee to put the knife down but she refused and thrust the knife toward Aspiras' stomach. He was able to parry the thrust and tried to wrest the knife from Jet Lee's hand. "*Nag-aagawan po kami, naghilahan kami ng kutsilyo*" averred Aspiras. Afterwards, Jet Lee suddenly shouted "*Ahhh*" holding the right side of her body. Aspiras saw blood where the knife pierced Jet Lee's body. He claimed he did not intend to stab her.²¹

Aspiras got rattled and ran downstairs, leaving Jet Lee. He saw Jet Lee's mother in the stairway, who asked him what happened. He replied, Jet Lee '*may saksak*'. He continued running away from the house when he met a neighbor, Liza. He told her to help Jet Lee. He felt blank until the police arrested him.²²

On cross-examination, Aspiras admitted that he was the jealous type, but only when he and Jet Lee were still a new couple.²³

On August 11, 2015, the Regional Trial Court, Branch 52, Manila rendered a Decision, finding Aspiras guilty of homicide. The Decision disposed as follows:

¹⁷ *Id.* at 46.

¹⁸ *Id.* at 45-46.

¹⁹ *Id.* at 46.

²⁰ *Id.*

²¹ *Id.* at 40.

²² *Id.*

²³ *Id.* at 47.

WHEREFORE, the foregoing premises considered, judgment is rendered finding accused **KENNETH ASPIRAS y CORPUZ guilty beyond reasonable doubt** of the crime of Homicide, and hereby sentences him to an indeterminate penalty of seven (7) years of *prision mayor*, in its minimum period, as minimum, to fourteen (14) years of *reclusion temporal* in its minimum period, as maximum. Said accused is further ordered to pay the heirs of the victim in the amount of P50,000.00 by way of civil indemnity and the amount of P50,000.00 by way of moral damages consistent with prevailing jurisprudence with interest of six percent (6%) per annum from the date of finality of this Judgment until full satisfaction thereof.

SO ORDERED.²⁴ (Emphasis in the original)

The Regional Trial Court found proof beyond reasonable doubt that Aspiras stabbed Jet Lee. However, it found no presence of evident premeditation, treachery, and abuse of superior strength to qualify the killing to murder. It rejected Aspiras' claim of self defense for failure to show sufficient motive for Jet Lee to stab him. It noted that had Jet Lee intended to stab Aspiras, she could have done so while Aspiras was still asleep. The Regional Trial Court found Aspiras' version of the incident as sketchy on material points, particularly on the cause of the fight and the specifics on how Jet Lee was stabbed. According to the trial court, if Aspiras claimed that he was able to wrest the knife away from Jet Lee, then there was no longer any threat to his life. Hence, there was no justifiable reason for him to stab Jet Lee.²⁵

On April 25, 2017, the Court of Appeals denied Aspiras' appeal and affirmed with modification the Decision of the Regional Trial Court. It held that the Information against Aspiras indicates that it was approved "for the City Prosecutor," in addition to the Certification of the Assistant City Prosecutor that it was filed with the prior authority of the City Prosecutor. Moreover, Aspiras asked for a preliminary investigation before his arraignment. The Resolution dated May 3, 2011 affirming the finding of probable cause bore the signature of the City Prosecutor.²⁶

The Court of Appeals further upheld the Regional Trial Court's ruling convicting Aspiras of homicide, but added an award of exemplary damages in the amount of ₱50,000.²⁷

²⁴ *Id.* at 48–49.

²⁵ *Id.* at 48.

²⁶ *Id.* at 50.

²⁷ *Id.* at 54.

Aspiras' subsequent motion for reconsideration having been denied,²⁸ he filed this Petition for Review,²⁹ assailing the validity of the Information and his conviction for homicide.

The issues for resolution are: *first*, whether or not the Court of Appeals erred in not annulling and setting aside the Regional Trial Court's Decision for lack of jurisdiction since the Information was not signed and approved by the City Prosecutor as required under Rule 112, Section 4 of the Rules of Court; and *second*, whether or not the Court of Appeals erred in affirming the petitioner's conviction for homicide.

The Petition is denied.

I

The Information filed against petitioner was signed by Assistant City Prosecutor Francisco L. Salomon, and was approved "for the City Prosecutor" by Assistant Chief, Inquest Division, Prosecutor Elaine Y. Cerezo.³⁰ The accompanying certification of the Assistant City Prosecutor also stated that it was filed with the prior authority of the City Prosecutor.

Petitioner contends that the Information did not comply with Rule 112, Section 4³¹ of the Rules of Court requiring prior written authority or approval of the City or Provincial Prosecutor. Hence, the criminal case must be dismissed for lack of jurisdiction.³²

The Court of Appeals, in rejecting petitioner's contention, held:

Perusal of the Information showed that although there is no signature or indication of an express approval of the City Prosecutor, there is a stamp which stated that the same was approved "for the City Prosecutor," in addition to the certification of the Assistant City Prosecutor

²⁸ *Id.* at 57.

²⁹ *Id.* at 9-36.

³⁰ *Id.* at 20 and 50.

³¹ SECTION 4. *Resolution of investigating prosecutor and its review.* — If the investigating prosecutor finds cause to hold the respondent for trial, he shall prepare the resolution and information. He shall certify under oath in the information that he, or as shown by the record, an authorized officer, has personally examined the complainant and his witnesses; that there is reasonable ground to believe that a crime has been committed and that the accused is probably guilty thereof; that the accused was informed of the complaint and of the evidence submitted against him; and that he was given an opportunity to submit controverting evidence. Otherwise, he shall recommend the dismissal of the complaint. Within five (5) days from his resolution, he shall forward the record of the case to the provincial or city prosecutor or chief state prosecutor, or to the Ombudsman or his deputy in cases of offenses cognizable by the *Sandiganbayan* in the exercise of its original jurisdiction. They shall act on the resolution within ten (10) days from their receipt thereof and shall immediately inform the parties of such action. *No complaint or information may be filed or dismissed by an investigating prosecutor without the prior written authority or approval of the provincial or city prosecutor or chief state prosecutor or the Ombudsman or his deputy.* Emphasis supplied

³² *Rollo*, pp. 19-20.

that it was filed with the prior authority of the City Prosecutor. Aside from this, there is no question that Kenneth asked for a preliminary investigation even after the conduct of inquest and before his arraignment. In any case, the records show that the Resolution dated May 3, 2011 in relation to the preliminary investigation was signed by the City Prosecutor. Additionally, the said Resolution stated that the Information was approved by the Chief Inquest Prosecutor. Furthermore, the filing of the said Information enjoys the presumption of regularity. In view of these, this Court finds no convincing reason to invalidate the Information.³³

We agree with the Court of Appeals.

Essentially, petitioner questions the correctness of the accompanying certification in the Information, if it was filed with the prior approval of the City Prosecutor. This is a factual matter that is not proper to be resolved in a Rule 45 petition. More importantly, petitioner did not file a motion to quash³⁴ before he entered his plea, but raised his objection for the first time on appeal before the Court of Appeals. Such failure amounts to a waiver on his part to question the purported defect.

In *Gomez v. People*,³⁵ this Court held that the lack of written authority or approval to file the Information is a waivable ground for a motion to quash information. This Court further clarified that the requirement of a prior written authority or approval of the city or provincial prosecutor is a matter of procedure, and does not affect the validity of the Information nor the jurisdiction of the court over the subject matter and the person of the accused.

Lack of *prior* written *authority or approval* on the face of the Information by the prosecuting officers authorized to approve and sign the same *has nothing to do* with a trial court's *acquisition of jurisdiction* in a criminal case.

....

Clearly, Sec. 1 of R.A. No. 5180 (as embodied in Sec. 4 of Rule 112) merely provides the guidelines on *how* handling prosecutors, who are subordinates to the provincial, city or chief state prosecutor, should *proceed* in formally charging a person imputed with a crime before the courts. It neither provides for the power or authority of courts to take cognizance of criminal cases filed before them nor imposes a condition on the acquisition or exercise of such power or authority to try or hear the criminal case. Instead, it simply *imposes a duty* on investigating prosecutors to first secure a "prior authority or approval" from the provincial, city or chief state

³³ *Id.* at 50.

³⁴ RULES OF COURT, Rule 117, secs. 1 and 3(d) provides:

SECTION 1. *Time to move to quash.* – At any time *before entering his plea*, the accused may move to quash the complaint or information.

SECTION 3. *Grounds.* – The accused may move to quash the complaint or information on any of the following grounds:

....

(d) That the officer who filed the Information had no authority to do so[.]

³⁵ G.R. No. 216824, November 10, 2020 [Per J. Gesmundo, *En Banc*].

prosecutor before filing an Information with the courts. Thus, non-compliance with Sec. 4 of Rule 112 on the duty of a handling prosecutor to secure a “prior written authority or approval” from the provincial, city or chief state prosecutor merely affects the “standing” of such officer “to appear for the Government of the Philippines” as contemplated in Sec. 33 of Rule 138.

Moreover, the Court deems it fit to emphasize that, since rules of procedure are not ends in themselves, courts may still brush aside procedural infirmities in favor of resolving the merits of the case. Correlatively, since legal representation before the courts and quasi-judicial bodies is a matter of procedure, any procedural lapse pertaining to such matter may be deemed waived when no timely objections have been raised. This means that *the failure of an accused to question the handling prosecutor’s authority in the filing of an Information will be considered as a valid waiver and courts may brush aside the effect of such procedural lapse.*

....

[U]nder Rule 117 of the Rules of Court, both lack of jurisdiction over the offense charged under Sec. 3 (b) and lack of jurisdiction over the person of the accused under Sec. 3 (c) are listed as grounds for the quashal of an Information which are *separate and distinct* from, *not* as *subsets* of, the lack of an officer’s authority to file such Information under Sec. 3 (d). This means that the various grounds enumerated in Sec. 3 of Rule 117 are separate and distinct from each other, some waivable while others are not.

In sum, a procedural infirmity regarding legal representation is *not a jurisdictional defect* or handicap which prevents courts from taking cognizance of a case, it is merely a defect which should . . . result to the quashal of an Information. As a result, objections or challenges pertaining to a handling prosecutor’s lack of authority in the filing of an Information *may be waived* by the accused through silence, inaction or failure to register a timely objection. An Information filed by a handling prosecutor with no prior approval or authority from the provincial, city or chief state prosecutor will be rendered as merely *quashable, until waived by the accused, and binding* on the part of the State due to the presence of colorable authority.³⁶ (Emphasis supplied, citations omitted)

This Court abandoned the doctrine in *Villa v. Ibañez*,³⁷ and derivative cases like *Cudia v. Court of Appeals*,³⁸ and *People v. Garfin*,³⁹ which were cited by petitioner in arguing that unauthorized filing of the information is a jurisdictional defect that cannot be cured by waiver, silence, or acquiescence. Thus:

Presently, there is no penal law which prescribes or requires that an Information filed must be personally signed by the provincial, city or chief state prosecutor (or a delegated deputy) in order for trial courts to acquire jurisdiction over a criminal case. Clearly, the pronouncement in *Villa* is not

³⁶ *Id.*

³⁷ 88 Phil. 402 (1951) [Per J. Tuason, *En Banc*].

³⁸ 348 Phil. 190 (1998) [Per J. Romero, Third Division].

³⁹ 470 Phil. 211 (2004) [Per J. Puno, Second Division].

sanctioned by any constitutional or statutory provision. Absen[t] such constitutional or statutory fiat, such pronouncement or ruling cannot operate to create another jurisdictional requirement before a court can acquire jurisdiction over a criminal case without treading on the confines of judicial legislation. In effect, *Villa* is rendered unconstitutional for violating the basic principle of separation of powers. Hence, it now stands to reason that a handling prosecutor's lack of prior written authority or approval from the provincial, city or chief state prosecutor in the filing of an Information ***does not affect a trial court's acquisition of jurisdiction over the subject matter or the person*** of the accused.

....

Henceforth, all previous doctrines laid down by this Court, holding that the lack of signature and approval of the provincial, city or chief state prosecutor on the face of the Information shall divest the court of jurisdiction over the person of the accused and the subject matter in a criminal action, are hereby abandoned.⁴⁰ (Emphasis supplied, citations omitted)

Petitioner did not question the supposed lack of authority of the handling prosecutor during the entire trial of the case. He raised the issue for the first time only on appeal with the Court of Appeals. Accordingly, pursuant to *Gomez*, his failure to raise the same in a timely motion to quash is deemed a waiver on his part to raise such objection.

Hence, the Court of Appeals did not err in upholding the validity of the Information filed in this case.

II

Petitioner further maintains that he was only defending himself from the attack of the deceased causing the latter to accidentally be stabbed by her own knife. Thus, he should not be held liable for homicide.⁴¹

The issue of whether petitioner acted in self-defense is again a question of fact that is not proper in a Rule 45 review.⁴² Moreover, this Court finds no cogent reason to overturn the findings and conclusions of the Court of Appeals.

Basic is the rule that in every criminal case, the burden of proof lies upon the prosecution to establish the guilt of the accused beyond reasonable doubt.⁴³ However, where the accused raises self-defense as a justifying circumstance, the burden is shifted upon him to prove with clear and

⁴⁰ *Gomez v. People*, G.R. No. 216824, November 10, 2020 [Per J. Gesmundo, *En Banc*].

⁴¹ *Rollo*, p. 31.

⁴² *Flores v. People*, 705 Phil. 119 (2013) [Per J. Mendoza, Third Division].

⁴³ *Id.*

convincing evidence the presence of the elements under Article 11 (1) of the Revised Penal Code, to wit:

(1) the victim committed unlawful aggression amounting to an actual or imminent threat to the life and limb of the person acting in self-defense; (2) there was reasonable necessity of the means employed to prevent or repel the unlawful aggression; and (3) there was lack of sufficient provocation on the part of the person claiming self-defense, or, at least any provocation executed by the person claiming self-defense was not the proximate and immediate cause of the victim's aggression.⁴⁴ (Citation omitted)

“Self-defense cannot be appreciated where it was uncorroborated by competent evidence, or is patently doubtful.”⁴⁵ In this case, the Regional Trial Court and the Court of Appeals both held that all the elements of self-defense were not sufficiently established, warranting a rejection of petitioner's claim.

First, petitioner failed to establish the existence of unlawful aggression. His narration that he awoke to Jet Lee being very angry about her hung school uniform, so much that she wanted to kill him,⁴⁶ is impossible, illogical, and unconvincing. If she had every intention to stab him, she would have done it already while he was asleep. The Court of Appeals found more plausible the prosecution's claim that Jet Lee and petitioner were already arguing before the stabbing occurred. Even then, no sufficient justification was presented that would impel Jet Lee to stab or kill the petitioner. On the contrary, evidence suggests that it was petitioner who would hurt Jet Lee, both verbally and physically, whenever he had bouts of jealousy.⁴⁷

Second, even if there was an aggression, the lower courts found the means employed by petitioner to prevent or repel Jet Lee's alleged attacks clearly not reasonable or commensurate with the purported threat.⁴⁸ The two stab wounds sustained by the victim and hematoma on her left eye were not supportive of petitioner's version of the story.⁴⁹ These belied petitioner's claim that the deceased was accidentally stabbed while he was trying to grab the knife from her.⁵⁰

Third, there was no proof showing that petitioner did not actually provoke Jet Lee into attacking him.⁵¹

⁴⁴ *People v. Lopez, Jr. y Mantalaba*, 830 Phil. 771, 778 (2018) [Per J. Peralta, Second Division]. See also *Velasquez v. People*, 807 Phil. 438 (2017) [Per J. Leonen, Second Division]; *People v. Dulin y Narag*, 762 Phil. 24 (2015) [Per J. Bersamin, First Division]; and *People v. Areo*, 452 Phil. 36 (2003) [Per J. Corona, Third Division].

⁴⁵ *Id.* at 779.

⁴⁶ *Rollo*, p. 27.

⁴⁷ *Id.* at 52.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ Petition, p. 20.

⁵¹ *Id.*

The consistent factual findings of the Regional Trial Court and the Court of Appeals that none of the elements of self-defense were present bind this Court. Petitioner failed to show any material fact or circumstance that was overlooked or misapplied by the lower courts, which if considered, would have altered the result of the case.

In view of the foregoing, this Court finds no reversible error in the Court of Appeals' Decision and Resolution.

WHEREFORE, premises considered, the Petition is **DENIED**. The Decision of the Court of Appeals in CA-G.R. CR No. 38333 is **AFFIRMED**. Accused **KENNETH KARL ASPIRAS y CORPUZ** is found **GUILTY** beyond reasonable doubt of the crime of Homicide, and is sentenced to suffer an indeterminate penalty of seven (7) years of *prision mayor*, in its minimum period, as minimum, to fourteen (14) years of *reclusion temporal* in its minimum period, as maximum. Accused is further ordered to pay the heirs of the victim the amounts of ₱50,000.00 by way of civil indemnity, ₱50,000.00 by way of moral damages, and ₱50,000.00 by way of exemplary damages, with interest of six percent (6%) per annum from the date of finality of this Decision until full satisfaction.⁵²

SO ORDERED.



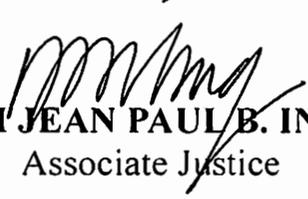
MARVIC M.V.F. LEONEN
Senior Associate Justice

⁵² *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, *En Banc*].

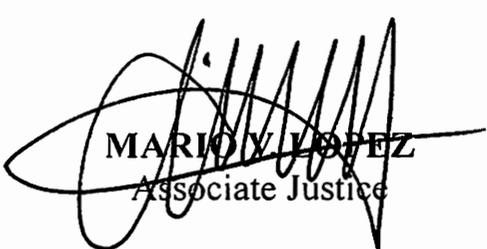
WE CONCUR:



AMY C. LAZARO-JAVIER
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice



MARIONA LOPEZ
Associate Justice

On leave
ANTONIO T. KHO, JR.
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was as assigned to the writer of the opinion of the Court's Division.



ALEXANDER G. GESMUNDO
Chief Justice