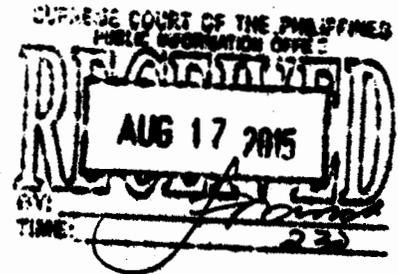




Republic of the Philippines
Supreme Court
 Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated July 6, 2015 which reads as follows:

“G.R. No. 217481 (Francisco M. Rabadon* v. People of the Philippines). - The counsel for petitioner is hereby **REQUIRED** to **COMPLY** within five (5) days from notice hereof with A.M. No. 07-6-5-SC dated July 10, 2007 re: statement of contact details (e.g., telephone number, fax number, cellular phone number or e-mail address) of parties or their counsels in all papers and pleadings filed with the Supreme Court; and the Cash Collection and Disbursement Division is hereby **REQUIRED** to **RETURN** to the petitioner the excess amount of ₱470.00 paid for filing fees under O.R. No. 0112052-SC-EP dated April 21, 2015.

After a judicious perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the March 28, 2014 Decision¹ and January 30, 2015 Resolution² of the Court of Appeals (CA) in CA-G.R. CR No. 01986 for failure of petitioner Francisco M. Rabadon (petitioner) to show that the CA committed any reversible error in affirming his conviction for illegal possession of dangerous drugs, punishable under Section 11,³ Article II of Republic Act (RA) No. 9165,⁴ otherwise known

* “Francisco Y. Rabadon” in some parts of the *rollo*.

¹ *Rollo*, pp. 14-33. Penned by Associate Justice Edgardo L. Delos Santos with Associate Justices Pamela Ann Abella Maxino and Maria Elisa Sempio Diy concurring.

² *Id.* at 35-36.

³ SEC. 11. *Possession of Dangerous Drugs.* – x x x.

x x x x

(3) Imprisonment of twelve (12) years and one (1) day to twenty (20) years and a fine ranging from Three hundred thousand pesos (₱300,000.00) to Four hundred thousand pesos (₱400,000.00), if the quantities of dangerous drugs are less than five (5) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or “shabu”, or other dangerous drugs such as, but not limited to, MDMA or “ecstasy”, PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or less than three hundred (300) grams of marijuana.

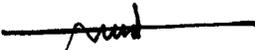
⁴ Entitled “AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES”; approved June 7, 2002.

as the “Comprehensive Dangerous Drugs Act of 2002.”

As correctly found by the CA, all the elements for illegal possession of dangerous drugs were duly established considering that the plastic sachets and the bag containing 0.38 grams and 0.66 grams of *shabu*, respectively, were found in the room of petitioner over which he exercised dominion and control of.⁵ Neither was the warrant invalid as it sufficiently described the place to be searched despite the failure to identify its owner.⁶ Lastly, it is settled that when the integrity and evidentiary value of the drugs seized were shown to have been duly preserved, the failure to strictly follow the directives of Section 21 of RA 9165 is not fatal and will not render the evidence inadmissible,⁷ as in this case.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA

Division Clerk of Court ^{m 7/25}

17

ANDALES ANDALES LAW
FIRM
Counsel for Petitioner
Andales Building
#28 Balagtas St.
6000 Cebu City

Court of Appeals
6000 Cebu City
(CA-G.R. CR No. 01986)

The Solicitor General (x)
Makati City

The Hon. Presiding Judge
Regional Trial Court, Br. 13
6000 Cebu City

Public Information Office (x)
Library Services (x)
Supreme Court
(For uploading pursuant to A.M.
No. 12-7-1-SC)

Judgment Division (x)
Supreme Court

SR

⁵ See *Del Castillo v. People*, 680 Phil. 447, 464-465 (2012).

⁶ See *Quelnan v. People*, 553 Phil. 618, 629 (2007).

⁷ See *People v. Collado*, G.R. No. 185719, June 17, 2013, 698 SCRA 628, 648 (2013).