



Republic of the Philippines
Supreme Court
Manila

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THIRD DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Third Division, issued a Resolution dated **July 1, 2020**, which reads as follows:

“G.R. No. 228624 (Monadatu Cotongan y Macabange v. People of the Philippines). – This is a Petition for Review on *Certiorari*¹ assailing the Decision² dated August 5, 2016 and the Resolution³ dated December 6, 2016 of the Court of Appeals (CA) in CA-G.R. CR No. 37820, which affirmed the Decision⁴ dated July 20, 2015 of the Regional Trial Court (RTC) of Manila City, Branch 2 in Criminal Case Nos. 13-300663 and 13-300664. The RTC found petitioner Monadatu Cotongan y Macabange (Cotongan) guilty beyond reasonable doubt of violating Sections 11 and 12, Article II of Republic Act No. (R.A.) 9165, entitled the Comprehensive Dangerous Drugs Act of 2002, thus:

WHEREFORE, judgment is hereby rendered as follows to wit:

1. In Criminal Case No. 13-300663, finding accused Monadatu Cotongan y Macabange GUILTY beyond reasonable doubt of the crime charged. He is hereby sentenced to suffer the indeterminate penalty of 12 years and 1 day as minimum to 17 years and 4 months as maximum, and to pay a fine of P300,000.00.
2. In Criminal Case No. 13-300664, finding accused, Monadatu Cotongan y Macabange, GUILTY beyond reasonable doubt of the crime charged. He is hereby sentenced to suffer the indeterminate penalty of 6 months and 1 day as minimum to 2 years and 4 months as maximum; to pay a fine of P50,000.00 without subsidiary imprisonment in case of insolvency and to pay the costs.

The specimens and paraphernalia are forfeited in favour of the government and the Branch Clerk of Court, accompanied by the Branch Sheriff, is directed to turn over

¹ Rollo, pp. 10-25.
² Penned by Associate Justice Ramon R. Garcia, with the concurrence of Associate Justices Leoncia R. Dimagiba and Jhosep Y. Lopez; id. at 55-70.
³ Id. at 81-82.
⁴ Penned by Presiding Judge Sarah Alma M. Lim; id. at 47-53.

with dispatch and upon receipt the said specimens and paraphernalia to the Philippine Drug Enforcement Agency (PDEA) for proper disposal in accordance with the law and the rules.

SO ORDERED.⁵

Cotongan was charged with violating Sections 11 and 12, Article II of RA No. 9165 in two separate Informations both dated October 17, 2013 that states:

For violation of Sec. 11

That on or about **October 13, 2013**, in the City of Manila, Philippines, the said accused, not being authorized by law to possess any dangerous drug, did then and there wilfully, unlawfully, and knowingly have in his possession and under his custody and control **one (1) heat-sealed transparent plastic sachet marked as "MC" containing ZERO POINT ZERO ONE (0.01) gram** of white crystalline substance known as Methamphetamine hydrochloride, a dangerous drug.

Contrary to law.⁶

For violation of Sec. 12

That on or about **October 13, 2013**, in the City of Manila, Philippines, the said accused, without being authorized by law to possess or to have under his control equipment, instrument, apparatus and other paraphernalia fit or intended for injecting, consuming or introducing any dangerous drug into the body, did then and there wilfully, unlawfully and knowingly possess and have under his custody and control the following:

- **One (1) strip of aluminium foil marked as "MC-1" containing traces of white crystalline substance known as Methamphetamine hydrochloride;**
- **One (1) strip of aluminium foil marked as "MC-2";**
- **One (1) disposable lighter labelled "TORCH Original" marked as "MC-3"; and**
- **One (1) cigarette box labeled "Marlboro" marked as "MC-4"**

which the said accused had intended to use for consuming or sniffing "**shabu**", a dangerous drug.

Contrary to law.⁷ (Emphasis in the original)

⁵ Id. at 53.

⁶ Records, pp. 2-3.

⁷ Id. at 4-5.

According to the witnesses for the prosecution, PO2 Joseph Almayda (PO2 Almayda) and PO3 Regin Obiña (PO3 Obiña) of the Philippine National Police (PNP) were conducting beat patrol along Carlos Palanca near Estero Cegado, Quiapo, Manila on October 13, 2013, at 12:05 p.m., when they saw Cotongan urinating in public.⁸ They informed him that urinating in public was a violation of a city ordinance.⁹ After noticing that Cotongan was uneasy, as if he was nervous, they frisked him for any bladed or deadly weapon as a precautionary measure. While being frisked, Cotongan brought out a red Marlboro cigarette case from his left front pocket and tried to throw it away but PO3 Obiña stopped him. Cotongan was then asked to open the cigarette case. The case contained one heat-sealed transparent plastic sachet containing white crystalline substance suspected to be *shabu*, two aluminium foil strips, and one disposable lighter.¹⁰ PO3 Obiña confiscated the items and turned it over to PO2 Almayda.¹¹

Cotongan was arrested and brought to the Plaza Miranda Police Community Precinct. While at the station, PO2 Almayda marked the seized items with his initials as follows: (1) MC for the plastic sachet; (2) MC-1 and MC-2 for the strips of aluminium foil; (3) MC-3 for the lighter; and (4) MC-4 for the cigarette case.¹²

Afterward, Cotongan was brought to Police Station 3 for proper investigation. SPO3 Alven Plantado (SPO3 Plantado) prepared the Chain of Custody report, took photographs of Cotongan and the seized items, and prepared the PNP Arrest and Booking Sheet. PO2 Almayda and PO3 Obiña prepared the Inventory of Evidences in the presence of *Punong Barangay* Joey Jamisola (Jamisola) and Officer-in-Charge Edgar Carvajal (Carvajal). Police Superintendent Ricardo Gonzales Layug, Jr. prepared the letter-request to the National Headquarters Crime Laboratory to determine the presence of dangerous drugs in the seized items.¹³

At 5:35 p.m. of the same day, PO2 Almayda and PO3 Obiña brought the letter-request and the seized items to Forensic Chemist PCI Sandra D. Go (PCI Go) for examination.¹⁴ According to Chemistry Report No. D-311-13 prepared by PCI Go, the sachet marked as "MC" containing 0.01 gram of white crystalline substance and one strip of aluminum foil with traces of white crystalline substance and marked as "MC-1" were positive for methamphetamine hydrochloride or *shabu*.¹⁵ Cotongan was charged with violation of Sections 11 and 12, Article II of R.A. 9165.¹⁶

⁸ *Rollo*, p. 58.

⁹ *Id.* at 58-59.

¹⁰ *Id.* at 59.

¹¹ *Id.* at 49.

¹² *Id.* at 59.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* at 60.

¹⁶ *Id.* at 56-57.

During his arraignment, Cotongan pleaded not guilty to both offenses charged against him.¹⁷ He claimed that at around 8:00 a.m. of October 13, 2013, he was on board a tricycle going to the Light Rail Transit Carriedo Station when two police officers asked him to get off the tricycle.¹⁸ After complying, he was frisked and accused of being a pusher. They told him "*Kung di kamakikipag-cooperate sa amin, matutuluyan ka.*"¹⁹ The police officers demanded ₱10,000.00 from him but he said that he did not have that amount as he was just applying for a job abroad. Thereafter, they handcuffed him and forced him to identify his companions while roaming around Quiapo. Cotongan was then brought to Police Station 3.²⁰ He did not file charges against the police officers because he did not have any money.²¹ He also claimed that he was hired by the East West Company in Makati City based on the fact that they required him to submit himself to a medical examination.²²

PO2 Almayda and PO3 Obiña were presented as the prosecution's witnesses.²³ PCI Go also appeared before the RTC but her testimony was dispensed with after the parties stipulated that: (1) she received a letter-request dated October 13, 2013 for qualitative examination of one transparent plastic sachet containing 0.01 gram of *shabu* and one strip of aluminum foil marked as MC-1 from PO3 Obiña; and (2) she conducted a qualitative examination on the items and the result was that they tested positive for *shabu*. PCI Go submitted the seized items to the court.²⁴ The parties also stipulated that: (1) PO2 Almayda and PO3 Obiña presented Cotongan and the seized items to SPO3 Plantado; (2) SPO3 Plantado prepared the Chain of Custody report and the PNP Arrest and Booking Sheet; (3) SPO3 Plantado took pictures of Cotongan and the seized items and took the statements of PO2 Almayda and PO3 Obiña; and (4) SPO3 Plantado brought Cotongan for inquest investigation after the result of the laboratory examination on the items came out. Hence, SPO3 Plantado's testimony was dispensed with.²⁵ As for the defense, Cotongan appeared as its sole witness.²⁶

On July 20, 2015, the RTC found Cotongan guilty of violating Sections 11 and 12, Article II of R.A. 9165 and imposed the following penalties upon him: (1) for violation of Section 11, imprisonment of twelve (12) years and one (1) day as minimum to seventeen (17) years and four (4) months as maximum and payment of ₱300,000.00 as fine; and (2) for violation of Section 12, imprisonment of six (6) months and one (1) day as minimum to two (2) years and four (4) months as maximum, payment of ₱50,000.00 as

¹⁷ Id. at 58.

¹⁸ Id. at 49.

¹⁹ Id.

²⁰ Id. at 60.

²¹ Id. at 50.

²² Id. at 49.

²³ Id. at 58.

²⁴ Records, pp. 22-23.

²⁵ *Rollo*, p. 58; TSN dated June 26, 2014, pp. 3-4.

²⁶ Id. at 60.

fine, without subsidiary imprisonment in case of insolvency, and pay the costs.²⁷

The RTC held that the testimonies of the prosecution's witnesses sufficiently established all the elements of Sections 11 and 12 of R.A. 9165. These are:

For illegal possession of dangerous drugs under
Section 11

1. The accused is in possession of an item or object which is identified to be a prohibited drug;
2. Such possession is not authorized by law; and
3. The accused freely and consciously possessed the drug.

For illegal possession of equipment, instrument, apparatus
and other paraphernalia for dangerous drugs under Section 12

1. The accused was in possession or under his control any equipment, instrument, apparatus, and other paraphernalia fit or intended for smoking, consuming or administering, injecting, ingesting, or introducing any dangerous drugs into the body;
2. Such possession is not authorized by law;
3. The accused was freely and consciously aware of being in possession or under his control any equipment, instrument, apparatus and other paraphernalia fit or intended for smoking, any dangerous drugs into the body.²⁸

Cotongan was positively identified by PO2 Almayda and PO3 Obiña. He was caught urinating in public, which is a violation of a city ordinance. He was frisked as a standard operating procedure. One heat-sealed transparent plastic sachet containing *shabu*, two strips of aluminium foil, and a disposable lighter were found in his possession. The integrity and identity of these seized items were preserved. PO2 Almayda immediately marked the items in Cotongan's presence and together with PO3 Obiña, delivered it to PCI Go for examination. The sachet and the strips of aluminium foil tested positive for methamphetamine hydrochloride, a dangerous drug.²⁹

The RTC ruled that Cotongan's claims were unsubstantiated and doubtful because he was less than candid in his testimony. He claimed that he was hired by the East West Company so the RTC subpoenaed the company. The East West Banking Corporation issued a certification that Cotongan is not in the list of their employees.³⁰ In response, Cotongan said that he was referring to the East West Company and not the East West Banking

²⁷ Id. at 47-53.

²⁸ Id. at 50-51.

²⁹ Id. at 51.

³⁰ Id. at 52.

Corporation. However, he could not recall the exact address of the former in Makati. In addition, Cotongan did not have any visa in his passport which could have supported his claim of being employed.³¹ That being the case, the RTC gave weight to the evidence of the prosecution.

Cotongan appealed to the CA. The CA affirmed the RTC in its August 5, 2016 Decision.³² *First*, the CA found that the warrantless arrest of Cotongan was valid under Section 5(a), Rule 113 of the Revised Rules on Criminal Procedure. Under this provision, a peace officer or private person may, without a warrant, arrest a person when, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense. PO2 Almayda and PO3 Obiña had sufficient probable cause to arrest Cotongan because they caught him urinating in public, which is a violation of Revised City Ordinance 1054 of the City of Manila. The warrantless search on him, which yielded the seized items, was incidental to a lawful warrantless arrest.³³

Second, the CA concurred with the RTC that all the elements of the crime of illegal possession of dangerous drugs under Section 11 and illegal possession of equipment, instrument, apparatus and other paraphernalia for dangerous drugs under Section 12 were proven beyond reasonable doubt by the testimony of PO2 Almayda, as corroborated by PO3 Obiña's testimony. Their testimonies were intelligible, candid, and unwavering. It was also supported by the findings of PCI Go, as stated in her Chemistry Report No. D-311-13. It was not shown that they had any motive to falsely testify against Cotongan. Hence, their testimonies should be given much weight.³⁴ As for Cotongan, he was unable to present evidence in support of his claims.³⁵

Third, the chain of custody of the seized items was not broken in this case. PO2 Almayda retained custody of the seized items from the time that it was taken from Cotongan until it was brought to the Plaza Miranda PCP where he marked it. He then brought the seized items to Police Station 3 where he presented it to SPO3 Plantado. PO2 Almayda and PO3 Obiña prepared and signed the Inventory of Evidences in the presence of Jamisola and Carvajal. Thereafter, they brought the seized items to the Crime Laboratory and turned it over to PCI Go.³⁶

Accordingly, the CA upheld the conviction of Cotongan. It ruled that the penalties imposed by the RTC were compliant with R.A. 9165 and the Indeterminate Sentence Law, or R.A. 9346.³⁷

³¹ Id. at 52-53.

³² Id. at 55-70.

³³ Id. at 64-65.

³⁴ Id. at 65-68.

³⁵ Id. at 69.

³⁶ Id. at 68-69.

³⁷ Id. at 69-70.

Cotongan filed a motion for reconsideration which the CA denied on December 6, 2016.³⁸ As such, he filed a petition for review on *certiorari* before this Court. Cotongan raises the following arguments: *First*, the alleged city ordinance prohibiting urination in public was not presented in court. Courts are not required to take judicial notice of the existence of municipal ordinances. Parties must present these as evidence in court. Since it was not established that Cotongan was violating the law when he was apprehended, his arrest and the search conducted on him were illegal. Consequently, all the items seized from him were inadmissible as evidence. Without these items, there is no basis for his conviction.³⁹

Second, PO2 Almayda and PO3 Obiña did not immediately mark the items that they seized from Cotongan. No justification was given for this. That being the case, the identity of the seized items is doubtful. It was likewise not explained why PO3 Obiña turned over the seized items to PO2 Almayda when he could have retained possession of it. PO2 Almayda did not even testify that he received the seized items from PO3 Obiña. These deviations cast serious doubt on the identity of the seized items.⁴⁰

In its Comment,⁴¹ respondent refuted Cotongan's allegations. *First*, Cotongan failed to show why the Court should set aside the general rule that it only entertains pure questions of law and not questions of fact.⁴² *Second*, the warrantless arrest of Cotongan was valid. He was caught violating Revised City Ordinance No. 1054 by PO2 Almayda and PO3 Obiña.⁴³ *Third*, Section 21 of R.A. 9165 was complied with. All the links of the chain of custody were proven.⁴⁴ Cotongan filed a Reply,⁴⁵ wherein he reiterated the arguments in his petition. Both parties submitted their memorandum.⁴⁶

The sole issue before this Court is whether the CA erred in affirming the conviction of Cotongan for violation of Sections 11 and 12, Article II of R.A. 9165.

We grant the petition.

Section 5(a), Rule 113 of the Revised Rules on Criminal Procedure allows a peace officer or a private person to arrest a person even without a warrant when, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense. The CA held that Cotongan was lawfully arrested for being caught in the act of urinating in public, in violation of Revised City Ordinance No. 1054. Hence, the search

³⁸ Id. at 81-82.
³⁹ Id. at 18-21.
⁴⁰ Id. at 21-23.
⁴¹ Id. at 94-105.
⁴² Id. at 100.
⁴³ Id. at 101.
⁴⁴ Id. at 102-104.
⁴⁵ Id. at 129-144.
⁴⁶ Id. at 149-188, 173-187.

conducted on him, which yielded the seized items, was valid as it was incidental to a lawful arrest.

In the case of *Social Justice Society v. Hon. Atienza, Jr.*,⁴⁷ We held that “a court is not required to take judicial notice of ordinances that are not before it and to which it does not have access. The party asking the court to take judicial notice is obligated to supply the court with the full text of the rules the party desires it to have notice of.”⁴⁸ A copy of Revised City Ordinance No. 1054 was not presented before the RTC or the CA. We are thus unable to determine whether Revised City Ordinance No. 1054 truly exists and whether Cotongan violated it. Therefore, We cannot uphold the finding that Cotongan violated the ordinance when its existence was not even established in this case. Since it was not proven that Cotongan was caught violating an ordinance *in flagrante delicto*, the warrantless search conducted in relation thereto was not valid. Any evidence obtained as a result of the search is not admissible in court.⁴⁹ That being the case, there is no basis to hold Cotongan guilty. For this reason alone, Cotongan must be acquitted.

Moreover, PO2 Almayda and PO3 Obiña were inconsistent as to whether Cotongan was charged for violating Revised City Ordinance No. 1054. PO2 Almayda said that he was charged and was fined for it⁵⁰ while PO3 Obiña said that no charges were filed against him.⁵¹ Notably, PO2 Almayda said that what Cotongan violated was a Metro Manila Development Authority (MMDA) regulation, not a city ordinance.⁵² Even so, We ruled in *Picardal v. People*⁵³ that the search conducted incidental to the violation of Section 2(a) of MMDA Regulation No. 96-009,⁵⁴ which prohibits urinating in public, was not lawful. MMDA Regulation No. 96-009 penalizes such violation with a fine of ₱500.00 or community service of one day.⁵⁵ Hence, “even if it were

⁴⁷ 568 Phil. 658(2008).

⁴⁸ Id. at 724.

⁴⁹ Article 3 of the Constitution states:

x x x x

Sec. 2. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized.

Sec. 3. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise as prescribed by law.

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.

⁵⁰ TSN dated September 3, 2014, p. 8.

⁵¹ TSN dated February 2, 2015, p. 10.

⁵² TSN dated September 3, 2014, p. 8.

⁵³ G.R. No. 235749, June 19, 2019.

⁵⁴ Sec 2. PROHIBITED ACTS

- a) It is unlawful to throw or litter, garbage, refuse or any form of solid waste in public places and immediate surroundings, including vacant lots, rivers canals, drainage and other water ways as defined in Section 1 of this Regulation and to urinate, defecate and spit in public places.

⁵⁵ Sec. 4. PENALTIES

- a) Any person found to be violating paragraph (a), (c), (e), and (f) Section 2 of this Regulation shall be penalized by any administrative fine of Five Hundred Pesos (P500.00) or community service of one (1) day

true that the accused-appellant did urinate in a public place, the police officers involved in this case still conducted an illegal search when they frisked Picardal for allegedly violating the regulation. It was not a search incidental to a lawful arrest as there was no or there could not have been any lawful arrest to speak of.”⁵⁶ In *Picardal*, citing *Luz v. People*,⁵⁷ We defined arrest as the taking of a person into custody in order that he or she may be bound to answer for the commission of an offense.⁵⁸ Under the Rules of Court, a warrant of arrest shall not be issued if the information was filed for an offense punishable by a fine only.⁵⁹ It follows then that a warrantless arrest cannot be made for such an offense.

Assuming *arguendo* that the items seized from Cotongan were pursuant to a lawful warrantless search, he must still be acquitted. The sachet containing 0.01 gram of *shabu* marked as Exhibit B-2 is the *corpus delicti* of the crime of illegal possession of dangerous drugs under Section 11 of R.A. 9165, while the strips of aluminum foil marked as Exhibits B-3 and B-4, disposable lighter marked as Exhibit B-5, and Marlboro cigarette box marked as Exhibit B-2 are the *corpus delicti* of the crime of illegal possession of equipment, instrument, apparatus and other paraphernalia for dangerous drugs under Section 12. Their identity and integrity must be proven with moral certainty if Cotongan is to be held liable for the charges against him. Therefore, strict compliance with Section 21 of R.A. 9165 is imperative, especially because the amount of *shabu* involved here is so miniscule.⁶⁰ Since the incident occurred before R.A. 10640 took effect on July 23, 2014,⁶¹ R.A. 9165 applies in this case. Section 21 of R.A. No. 9165 reads:

Sec.21. *Custody and Disposition of
Confiscated, Seized, and/or Surrendered Dangerous
Drugs, Plant Sources of Dangerous Drugs, Controlled
Precursors and Essential
Chemicals, Instruments/Paraphernalia and/or Laboratory
Equipment.* – The PDEA shall take charge and have custody
of all dangerous drugs, plant sources of dangerous drugs,
controlled precursors and essential chemicals, as well as
instruments/paraphernalia and/or laboratory equipment so
confiscated, seized and/or surrendered, for proper

Failure to pay the administrative fine the violator shall be penalized, after conviction, by a fine of One Thousand Pesos (P1,000.00) or imprisonment of three (3) to seven (7) days of arresto menor or both at the discretion of the court. x x x

⁵⁶ *Picardal v. People*, G.R. No. 235749, June 19, 2019.

⁵⁷ 683 Phil. 399 (2012).

⁵⁸ *Id.* at 406.

⁵⁹ RULE 112
Preliminary Investigation
Sec. 5. x x x

x x x x

(c) When warrant of arrest not necessary. – A warrant of arrest shall not issue if the accused is already under detention pursuant to a warrant issued by the municipal trial court in accordance with paragraph (b) of this section, or if the complaint or information was filed pursuant to section 6 of this Rule or is for an offense penalized by fine only. The court shall then proceed in the exercise of its original jurisdiction.

⁶⁰ See *People v. Holgado*, 741 Phil.78 (2014).

⁶¹ *People v. Marcelo*, G.R. No. 228893 (Resolution), November 26, 2018.

disposition in the following manner:

- (1) The apprehending team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof;

X X X X

The foregoing procedure “is a matter of substantive law, and cannot be brushed aside as a simple procedural technicality; or worse, ignored as an impediment to the conviction of illegal drug suspects.”⁶² Thus, the prosecution has the positive duty to demonstrate observance with the chain of custody rule under Sec. 21 “in such a way that during the trial proceedings, it must initiate in acknowledging and justifying any perceived deviations from the requirements of law.”⁶³ Deviations from Sec. 21 may only be permitted if: 1) there is a justifiable ground for noncompliance; and 2) the integrity and evidentiary value of the seized items are properly preserved.⁶⁴ If there are any procedural lapses, it must be explained and the justifiable ground for noncompliance must be proven as a fact. On the matter of the required witnesses, the prosecution must show that the apprehending officers exerted genuine and sufficient efforts to secure their presence. Noncompliance with this requirement cannot be justified by simply stating that they are unavailable.⁶⁵

Section 21 requires the presence of three witnesses, namely a representative from the media, a representative from the DOJ, and an elected public official. When asked if there were barangay officials present during the inventory, PO3 Obiña answered yes and identified them as Jamisola and Carvajal.⁶⁶ Thus it appears that respondents are short of two witnesses, specifically one from the media and one from the DOJ. No explanation was given for this lapse. As such, We cannot brush it aside. Noncompliance with Section 21 means that We cannot consider the items seized from Cotongan. Accordingly, there is no basis for Cotongan’s conviction and he must be acquitted.

WHEREFORE, the petition is **GRANTED**. The Decision dated August 5, 2016 and the Resolution dated December 6, 2016 of the Court of Appeals in CA-G.R. CR No. 37820 are **REVERSED** and **SET ASIDE**. Accused-appellant Monadatu Cotongan y Macabange is hereby

⁶² *People v. Miranda*, G.R. No. 229671, January 31, 2018.

⁶³ *People v. Lim*, G.R. No. 231989, September 4, 2018.

⁶⁴ *Limbo v. People*, G.R. No. 238299, July 1, 2019.

⁶⁵ *Id.*

⁶⁶ TSN dated November 11, 2014, p. 15.

ACQUITTED of the crimes charged against him and is **ORDERED** to be **IMMEDIATELY RELEASED**, unless he is being lawfully held in custody for any other reason. The Director of the Bureau of Corrections is **DIRECTED** to inform this Court of the action taken hereon within five (5) days from receipt hereof.

SO ORDERED."

By authority of the Court:

Misael D C Batt
MISAELO DOMINGO C. BATTUNG III
Division Clerk of Court
2/2/21

Special & Appealed Cases Service
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1000 Manila

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Legaspi Village, 1229 Makati City

The Presiding Judge
REGIONAL TRIAL COURT
Branch 2, 1000 Manila
(Crim. Case No. 13-300663 & 13-300664)

The Director General
BUREAU OF CORRECTIONS
1770 Muntinlupa City

The Superintendent
New Bilibid Prisons
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