



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 16, 2021** which reads as follows:*

“G.R. No. 238542 — REYMUNDO REYNO y MANLANSING, petitioner, versus PEOPLE OF THE PHILIPPINES, respondent.

After a careful review of the records of the instant case, the Court **GRANTS** the Petition for Review on *Certiorari*¹ (Petition) under Rule 45 of the Rules of Court filed by petitioner Reymundo Reyno y Manlansing (Reyno). The Court **REVERSES AND SETS ASIDE** the Decision² dated December 11, 2017 and Resolution³ dated March 22, 2018 of the Court of Appeals, Thirteenth Division in CA-G.R. CR No. 38883, which affirmed the Joint Judgment⁴ dated June 7, 2016 rendered by the Regional Trial Court of Guimba, Nueva Ecija, Branch 33 in Criminal Case No. 3694-G, entitled *People of the Philippines v. Reymundo Reyno y Manlansing*, finding Reyno guilty beyond reasonable doubt of violating Section 11, Article II of Republic Act No. (RA) 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002,” as amended.

In cases involving violations of RA 9165, the prosecution must not only prove beyond reasonable doubt every element of the crime or offense charged but must likewise establish the identity of the *corpus delicti*, *i.e.*, the seized drugs.⁵ To discharge this burden, the prosecution must show that the police officers strictly complied with

- over – four (4) pages ...

219

¹ *Rollo*, pp. 11-34.

² *Id.* at 36-51. Penned by Associate Justice Maria Filomena D. Singh, with Associate Justices Ramon R. Garcia and Edwin D. Sorongon concurring.

³ *Id.* at 53-57.

⁴ *Id.* at 78-86. Penned by Presiding Judge Frazierwin V. Viterbo.

⁵ *People v. Arbuis*, G.R. No. 234154, July 23, 2018, 873 SCRA 543, 549.

the requirements of Section 21 of RA 9165.⁶ Any lapses or deviations from the mandated procedures must be acknowledged and explained or justified by the prosecution; otherwise, the integrity of the *corpus delicti* will not be proven beyond reasonable doubt.

In the instant case, the Court finds that the integrity and evidentiary value of the seized items had been compromised for the following reasons:

First, the physical inventory and photographing were not conducted at the place where the search warrant was served, but rather at the barangay hall of Barangay Tagtagumbao, Cuyapo, Nueva Ecija.⁷ The law requires that when drugs are seized pursuant to a search warrant, the physical inventory and taking of photographs must be conducted at the place where the said search warrant was served.⁸

Second, following a string of cases⁹ where the Court acquitted the accused for failure to immediately mark the seized drugs or other related items, the same conclusion should likewise obtain in this case because the police officers also failed to immediately mark the plastic sachets of *marijuana* seized at Reyno's house.

Third, while the prosecution claimed that photographs were taken during the inventory of the seized items, said photographs were not offered into evidence before the trial court.¹⁰ The pictorial evidence would have more firmly established the identity of the seized items for purposes of preserving the chain of custody.¹¹

Fourth, only two elected barangay officials were present at the time the search warrant was served and implemented. The media representatives were belatedly called in only during the marking and inventory at the barangay hall.¹² Indeed, the Court cannot emphasize enough the importance of the presence of all the required witnesses

- over -

219

⁶ See *People v. Que*, G.R. No. 212994, January 31, 2018, 853 SCRA 487, 509-512.

⁷ *Rollo*, p. 39.

⁸ *Tumabini v. People*, G.R. No. 224495, February 19, 2020.

⁹ *People v. Gayoso*, G.R. No. 206590, March 27, 2017, 821 SCRA 516; *People v. Bartolini*, G.R. No. 215192, July 27, 2016, 798 SCRA 711; *People v. Dahil*, G.R. No. 212196, January 12, 2015, 745 SCRA 221; *People v. Sabdula*, G.R. No. 184758, April 21, 2014, 722 SCRA 90; *People v. Caranto*, G.R. No. 193768, March 5, 2014, 718 SCRA 182; and *People v. Alejandro*, G.R. No. 176350, August 10, 2011, 655 SCRA 279.

¹⁰ See *rollo*, pp. 79-80, 150.

¹¹ *People v. Mendoza*, G.R. No. 192432, June 23, 2014, 727 SCRA 113, 130.

¹² *Rollo*, pp. 38-39, 45.

not only during the physical inventory and photographing, but also during the seizure and confiscation of the contraband¹³ because it is at this time that their presence would insulate against switching, planting and contamination of evidence.¹⁴

Finally, the prosecution failed to offer any reasonable explanation or justification for the foregoing lapses.

Thus, for the reasons mentioned above and with the integrity and evidentiary value of the *corpus delicti* having been rendered compromised, it necessarily follows that Reyno must be acquitted on the ground of reasonable doubt for violation of Section 11 of RA 9165, as amended.

WHEREFORE, the Petition is **GRANTED**. The Decision dated December 11, 2017 and Resolution dated March 22, 2018 of the Court of Appeals, Thirteenth Division in CA-G.R. CR No. 38883, is hereby **REVERSED** and **SET ASIDE**. Accordingly, petitioner Reymundo Reyno y Manlansing is **ACQUITTED** of violating Section 11, Article II of Republic Act No. 9165 in Criminal Case No. 3694-G for failure of the prosecution to establish his guilt beyond reasonable doubt. He is **ORDERED IMMEDIATELY RELEASED** from detention, unless he is being lawfully held for another cause. Let an entry of final judgment be issued immediately.

Let a copy of this Resolution be furnished the Director General of the New Bilibid Prison, Muntinlupa City, for immediate implementation. The said Director General is **ORDERED** to **REPORT** to this Court within five (5) days from receipt of this Resolution the action he has taken.

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *m. 7/16*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
219

- over -

¹³ See *People v. Mendoza*, supra note 11, at 126-121.

¹⁴ *People v. Tomawis*, G.R. No. 228890, April 18, 2018, 862 SCRA 131, 147-150.



PUBLIC ATTORNEY'S OFFICE
Special and Appealed Cases Service
Counsel for Petitioner
DOJ Agencies Building
Diliman, 1101 Quezon City

Mr. Reymundo M. Reyno (x)
Petitioner
c/o The Director General
Bureau of Corrections
1770 Muntinlupa City

Court of Appeals (x)
Manila
(CA-G.R. CR No. 38883)

The Solicitor General
134 Amorsolo Street, Legaspi Village
1229 Makati City

The Hon. Presiding Judge
Regional Trial Court, Branch 33
Guimba, 3115 Nueva Ecija
(Crim. Case No.3694-G)

The Director General (x)
Bureau of Corrections
1770 Muntinlupa City

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

Philippine Judicial Academy (x)
Supreme Court

Judgment Division (x)
Supreme Court

