



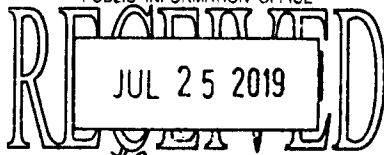
Republic of the Philippines
Supreme Court
Manila

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Wilfredo V. Lapitan
WILFREDO V. LAPITAN
Division Clerk of Court
Third Division

JUL 22 2019

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE



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THIRD DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 238589

Present:

PERALTA, J.,
Chairperson,
LEONEN,
REYES, A., JR.,
HERNANDO, and
INTING, JJ.

- versus -

Promulgated:

ALLEN BAHOYO *y* DELA TORRE,
Accused-Appellant.

June 26, 2019

Wilfredo V. Lapitan

X-----X

DECISION

REYES, A., JR., J.:

On appeal is the Decision¹ dated November 21, 2017 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08744, which affirmed *in toto* the Decision² dated October 26, 2016 of the Regional Trial Court (RTC) of Makati City, Branch 65, in Criminal Case Nos. R-MKT-16-01156 to 16-01157, finding accused-appellant Allen Bahoyo *y* Dela Torre (Bahoyo) guilty of violating Sections 5 and 11, Article II of Republic Act (R.A.) No. 9165; otherwise known as the Comprehensive Dangerous Drugs Act of 2002.

The Facts

In two separate Informations dated July 17, 2016, Bahoyo was charged with violation of Sections 5 and 11, Article II of R.A. No. 9165,

¹ Penned by Associate Justice Danton Q. Bueser, with Associate Justices Normandie B. Pizarro and Marie Christine Azcarraga-Jacob, concurring; CA *rollo*, pp. 102-111.

² Rendered by Judge Edgardo M. Caldoná; *id.* at 56-63.

Reyes

otherwise known as the Comprehensive Dangerous Drugs Act of 2002. The Informations read as follows:

Criminal Case No. R-MKT-16-01156-CR
(Violation of Section 5, Article II, R.A. No. 9165)

On July 17, 2016, in the City of Makati, the Philippines, accused not being lawfully authorized by law and without the corresponding license or prescription, did then and there willfully, unlawfully and feloniously sell and distribute one (1) heat sealed plastic sachet containing methamphetamine hydrochloride with a weight of zero point four thousand eight hundred thirty[-]five (0.4835) – gram, a dangerous drug, in consideration of the amount of five hundred (Php500.00) pesos, in violation of the afore-cited law.

CONTRARY TO LAW³

Criminal Case No. R-MKT-16-01157-CR
(Violation of Section 11, Article II, R.A. No. 9165)

On July 17, 2016, in the City of Makati, the Philippines, accused, not being authorized by law and without the corresponding license or prescription, did then and there willfully, unlawfully and feloniously have in his possession, control and direct custody three (3) heat[-]sealed plastic sachets, containing methamphetamine hydrochloride (also known as shabu) with a total weight of zero point five thousand eight hundred eighteen (0.5818) [gram], a dangerous drug, in violation of the afore-said law.

CONTRARY TO LAW.⁴

Upon being arraigned on July 26, 2016 for violation of Section 11 of R.A. No. 9165, and on August 24, 2016, for violation of Section 5 of the same Act, Bahoyo, assisted by counsel, separately entered a plea of “Not guilty” for the two offenses.⁵

Version of the Prosecution

The prosecution presented two witnesses: Police Officer 2 Sherwin Limbauan (PO2 Limbauan), the poseur-buyer, and PO2 Leonard Sebial (PO2 Sebial), the backup member of the entrapment operation.

On July 17, 2016, a confidential informant arrived at the Station Anti-Illegal Drugs Special Operations Task Group (SAID-SOTG) of the Makati Police Station and reported to PO2 Limbauan about the illegal drug activities of a certain Bahoyo of Barangay Valenzuela, Makati City. A team was immediately formed by Police Superintendent Anthony Bagsik,

³ Id. at 56.

⁴ Id. at 57.

⁵ Id.

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comprising of ten (10) police officers, including PO2 Limbauan and PO2 Sebial, for a possible buy-bust operation.⁶

PO2 Limbauan and PO2 Sebial were assigned as the poseur-buyer and the immediate back-up, respectively. PO2 Limbauan was provided with one 500-peso bill to be used as buy-bust money, which he marked by affixing his initials "SCL." It was further agreed that PO2 Limbauan will remove his ballcap to alert PO2 Sebial that the transaction was consummated. After coordinating with the Philippine Drug Enforcement Agency (PDEA), the team received another call from their informant that Bahoyo was presently at the streets of J.P. Rizal corner Sta. Lucia of Barangay Olympia, Makati City.⁷

From there, the buy-bust team proceeded to the target area wherein PO2 Limbauan met with the informant and proceeded to where Bahoyo was conducting his activities. Upon seeing Bahoyo, the informant and PO2 Limbauan approached him. The informant introduced PO2 Limbauan as a buyer who was interested in purchasing ₱500.00 worth of *shabu*. Bahoyo asked for the payment and PO2 Limbauan handed him the marked money. Bahoyo then took out from his pocket four (4) plastic sachets containing white crystalline substance and gave one sachet to PO2 Limbauan. Upon receiving the sachet from Bahoyo, PO2 Limbauan removed his ballcap to alert the team that the transaction has been completed. After introducing themselves as police officers and informing Bahoyo of his constitutional rights, PO2 Limbauan conducted a procedural search and three (3) more sachets containing white crystalline substance were recovered from Bahoyo. At the place of arrest, PO2 Limbauan marked the plastic sachet obtained from the sale with "SCL" and the sachets seized in Bahoyo's possession with "SCL-1," "SCL-2," and "SCL-3."⁸

Thereafter, the buy-bust team proceeded to the Makati Police Station where physical inventory was conducted and photographs were taken in the presence of Bahoyo and Cesar Morales (Morales), a media representative from *Remate*.⁹

PO3 Michael Danao (PO3 Danao) was the police investigator who prepared the investigation report and requests for laboratory examination of the items that were purchased and obtained from the accused. PO3 Danao also testified that, after the inventory, he turned over to the forensic chemist the seized drugs as evidenced in the chain of custody form.¹⁰

⁶ *Rollo*, pp. 2-3.

⁷ *Id.*

⁸ *Id.* at 3.

⁹ *Id.* at 4.

¹⁰ *Id.*

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Police Senior Inspector Ofelia Vallejo, the forensic chemist, received the seized items from PO3 Danao for laboratory examination and, thereafter, prepared Physical Science Report No. D-981-2016. The test revealed that the four (4) plastic sachets containing white crystalline substance were positive for methamphetamine hydrochloride or *shabu*.¹¹

Morales, a media representative of the tabloid, testified that he signed the inventory form. He was the lone independent witness during the inventory.¹²

Version of the Defense

Bahoyo himself was the lone witness for the defense. He vehemently denied the accusations hurled at him and testified that at 7:30 p.m., he was on his way home to Honradez Street, Barangay Olympia, Makati City when a commotion happened at the parallel side of the street.

Curious, he went to the scene and saw that a woman was being forced by armed men to board a tricycle. When the men saw him, they grabbed his arm and brought him inside to be taken to the SAID-SOTG. After which, he was detained for the crimes charged.¹³

In a Decision¹⁴ dated October 26, 2016, the RTC found Bahoyo guilty of the crimes charged, the dispositive portion of which reads:

WHEREFORE, in view of the foregoing, judgment is hereby rendered as follows:

1. In Criminal Case No. R-MKT-16-01156-CR, the court finds the accused, Allen Bahoyo y Dela Torre, GUILTY beyond reasonable doubt of the crime of Violation of Section 5, Article II, RA No. 9165 and sentences him to suffer the penalty of life imprisonment and to pay a fine of Five Hundred [T]housand Pesos (Php 500,000.00).
2. In Criminal Case No. R-MKT-16-01157-CR, the court finds the same accused, Allen Bahoyo y Dela Torre, GUILTY beyond reasonable doubt of the crime of violation of Section 11, Article II, RA No. 9165 and sentences him to suffer the penalty of imprisonment of twelve (12) years and one (1) day, as minimum, to fourteen (14) years and eight (8) months, as maximum, and to pay a fine of Three Hundred Thousand Pesos (Php 300,000.00).

The period of detention of the accused should be given full credit.

¹¹ Id.
¹² CA *rollo*, p. 57.
¹³ Id. at 59.
¹⁴ Id. at 56-63.

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Let the dangerous drugs subject matter of these cases be disposed of in the manner provided for by law.

The Branch Clerk of Court is directed to transmit the plastic sachets containing shabu subject matter of these cases to the PDEA for said agency's appropriate disposition.

SO ORDERED.¹⁵

On appeal, the CA affirmed the ruling of the lower court. The appellate court held that the dangerous drugs which constitute the *corpus delicti* of the offense were properly secured and that the absence of a representative from the Department of Justice and an elected public official is not fatal to the prosecution's case. The dispositive portion of the CA Decision¹⁶ dated November 21, 2017 reads:

PENALTY

Under RA 9165, the penalty for the unauthorized sale of shabu, regardless of quantity and purity, is life imprisonment to death and a fine ranging from Php500,000.00 to Php10,000,000.00. However, with the enactment of RA 9346, only life imprisonment and fine shall be imposed. Thus, the penalty imposed by the trial court, which is life imprisonment and a fine of Php500,000.00, is proper. On the other hand, the penalty for illegal possession of dangerous drugs, is imprisonment of twelve (12) years and one (1) day to twenty (20) years and a fine ranging from Php300,000.00 to Php400,000.00, if the quantity is less than five (5) grams. Here, accused-appellant Bahoyo was found to have been in possession of 0.5818 gram of shabu. Hence, he was properly meted the penalty of imprisonment ranging from twelve (12) [years] and one (1) day, as minimum, to fourteen (14) years and eight (8) months[,] as maximum, and a fine of Php300,000.00.

FOR THESE REASONS, the appeal is **DENIED**. The assailed Decision dated October 26, 2016 of the Regional Trial Court in Criminal Case Nos. R-MKT-16-01156 to 16-01157 is **AFFIRMED**.

SO ORDERED.¹⁷

Hence, the present appeal.

Ruling of the Court

The appeal is meritorious.

To convict an accused who is charged with illegal possession of dangerous drugs, defined and penalized under Section 11, Article II of R.A.

¹⁵ Id. at 62-63.

¹⁶ *Rollo*, pp. 2-11.

¹⁷ Id. at 11.

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No. 9165, the prosecution must establish the following elements by proof beyond reasonable doubt: (a) that the accused was in possession of dangerous drugs; (b) such possession was not authorized by law; and (c) the accused was freely and consciously aware of being in possession of dangerous drugs.¹⁸

On the other hand, in order to secure a conviction for illegal sale of dangerous drugs, defined and penalized under Section 5, Article II of R.A. No. 9165, the prosecution must establish the following elements: (1) the identity of the buyer and the seller, the object of the sale and its consideration; and (2) the delivery of the thing sold and the payment therefor. What is important is that the sale transaction of drugs actually took place and that the object of the transaction is properly presented as evidence in court and is shown to be the same drugs seized from the accused.¹⁹

The prosecution must prove with moral certainty the identity of the prohibited drug, considering that the dangerous drug itself forms part of the *corpus delicti* of the crime. The prosecution must show an unbroken chain of custody over the dangerous drugs so as to obviate any unnecessary doubts on the identity of the dangerous drugs on account of switching, “planting,” or contamination of evidence. Accordingly, the prosecution must be able to account for each link in the chain of custody from the moment that the illegal drugs are seized up to their presentation in court as evidence of the crime.²⁰

In *People v. Relato*,²¹ the Court explained that in a prosecution for sale and possession of methamphetamine hydrochloride (*shabu*) prohibited under R.A. No. 9165, the State not only carries the heavy burden of proving the elements of the offense but also bears the obligation to prove the *corpus delicti*, failing in which the State will not discharge its basic duty of proving the guilt of the accused beyond reasonable doubt. **It is settled that the State does not establish the *corpus delicti* when the prohibited substance subject of the prosecution is missing or when substantial gaps in the chain of custody of the prohibited substance raise grave doubts about the authenticity of the prohibited substance presented as evidence in court.** Any gap renders the case for the State less than complete in terms of proving the guilt of the accused beyond reasonable doubt.²²

¹⁸ *People of the Philippines v. Ismael*, G.R. No. 208093, February 20, 2017, 818 SCRA 122, 132; *Reyes v. Court of Appeals*, 686 Phil. 137, 148 (2012), citing *People v. Sembrano*, 642 Phil. 476, 490-491 (2010).

¹⁹ *People of the Philippines v. Ismael*, *id.* at 131-132.

²⁰ *People of the Philippines v. Ronaldo Paz y Dionisio*, G.R. No. 229512, January 31, 2018, citing *People v. Viterbo*, 739 Phil. 593, 601 (2014); *People v. Alivio, et al.*, 664 Phil. 565, 580 (2011); *People v. Denoman*, 612 Phil. 1165, 1175 (2009).

²¹ 679 Phil. 268 (2012).

²² *Id.* at 277-278.

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Section 21, Article II of R.A. No. 9165 laid down the procedure that must be observed and followed by police officers in the seizure and custody of dangerous drugs. Paragraph 1 not only provides the manner by which the seized drugs must be handled but, likewise, enumerates the persons who are required to be present during the inventory and taking of photographs, viz.:

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 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. (Emphasis and underscoring Ours)

In 2014, R.A. No. 10640²³ amended R.A. No. 9165, specifically Section 21 thereof, to further strengthen the anti-drug campaign of the government. Paragraph 1 of Section 21 was amended, in that the number of witnesses required during the inventory stage was reduced from three (3) to only two (2), to wit:

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 disposition in the following manner:

(1) The apprehending team having initial custody and control of the dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment **shall**, immediately after seizure and confiscation, conduct a physical inventory of the seized items and photograph the same in the presence of the accused or the person/s for whom such items were confiscated and/or seized, or his/her representative or counsel, **with an elected public official AND a representative of the National Prosecution Service OR the media who shall be required to sign the copies of the inventory and be given a copy thereof**: Provided, That the physical inventory and photograph shall

²³ AN ACT TO FURTHER STRENGTHEN THE ANTI-DRUG CAMPAIGN OF THE GOVERNMENT, AMENDING FOR THE PURPOSE SECTION 21 OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002." Approved on June 9, 2014.

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be conducted at the place where the search warrant is served; or at the nearest police station or at the nearest office of the apprehending officer/team whichever is practicable, in case of warrantless seizures: Provided, finally, That noncompliance of these requirements **under justifiable grounds**, as long as the integrity and the evidentiary value of the seized items are properly by the apprehending officer/ team, shall not render void and invalid such seizures and custody over said items. (Emphasis and underscoring Ours)

A comparison of the cited provisions show that the amendments introduced by R.A. No. 10640 reduced the number of witnesses required to be present during the inventory and taking of photographs. At present, only two witnesses are required - an elected public official AND a representative from the Department of Justice (DOJ) OR the media. It should be noted, however, that even with the passage of R.A. No. 10640, the presence of an elected public official remains indispensable. These witnesses must be present during the inventory stage and are likewise required to sign the copies of the inventory and be given a copy of the same, to ensure that the identity and integrity of the seized items are preserved and that the police officers complied with the required procedure. Failure of the arresting officers to justify the absence of any of the required witnesses shall constitute as a substantial gap in the chain of custody.

The Court, in *People v. Mendoza*,²⁴ explained that the presence of these witnesses would preserve an unbroken chain of custody and prevent the possibility of tampering with or “planting” of evidence, viz.:

Without the insulating presence of the representative from the media or the [DOJ], or any elected public official during the seizure and marking of the [seized drugs], the evils of switching, “planting” or contamination of the evidence that had tainted the buy-busts conducted under the regime of [R.A.] No. 6425 (*Dangerous Drugs Act of 1972*) again reared their ugly heads as to negate the integrity and credibility of the seizure and confiscation of the [said drugs] that were evidence herein of the *corpus delicti*, and thus adversely affected the trustworthiness of the incrimination of the accused. x x x.²⁵ (Italics in the original)

Based on the findings of the trial court, media representative Morales was the only witness who signed the inventory form. As to whether or not Morales witnessed the actual inventory or had personal knowledge of the circumstances surrounding the possession, sale, recovery or seizure of the dangerous drugs, the same was not duly established by the prosecution. The arresting officers’ failure to secure the presence of an elected public official should not be taken lightly. At the very least, they should have alleged that earnest efforts were made to secure the attendance of these mandatory witnesses.

²⁴ 736 Phil. 749 (2014).

²⁵ Id. at 764.

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The Court is well aware that it may be difficult for the arresting officers to strictly comply with the requirements of Section 21 since they operate under varied field conditions and cannot at all times attend to the niceties of procedure. This is precisely why the saving clause found in the last paragraph of Section 21 serves as a satisfactory compromise between two extremes. The Court maintains that minor procedural lapses or deviations from the prescribed procedure are excused so long as it can be shown by the prosecution that the arresting officers put in their best effort to comply with the same and the justifiable ground for non-compliance is alleged and proven as a fact.

To the Court's mind, the lower courts relied so much on the narration of the prosecution witnesses that the integrity and evidentiary value of the seized drugs were preserved without taking into account the weight of these procedural lapses.

Simply put, the prosecution cannot simply invoke the saving clause found in Section 21 - that the integrity and evidentiary value of the seized items have been preserved - without justifying their failure to comply with the requirements stated therein. Even the presumption as to regularity in the performance by police officers of their official duties cannot prevail when there has been a clear and unjustified disregard of procedural safeguards by the police officers themselves. The Court's ruling in *People v. Umipang*²⁶ is instructive on the matter:

Minor deviations from the procedures under R.A. 9165 would not automatically exonerate an accused from the crimes of which he or she was convicted. This is especially true when the lapses in procedure were recognized and explained in terms of justifiable grounds. There must also be a showing that the police officers intended to comply with the procedure but were thwarted by some justifiable consideration/reason. However, when there is gross disregard of the procedural safeguards prescribed in the substantive law (R.A. 9165), serious uncertainty is generated about the identity of the seized items that the prosecution presented in evidence. This uncertainty cannot be remedied by simply invoking the presumption of regularity in the performance of official duties, for a gross, systematic, or deliberate disregard of the procedural safeguards effectively produces an irregularity in the performance of official duties. As a result, the prosecution is deemed to have failed to fully establish the elements of the crimes charged, creating reasonable doubt on the criminal liability of the accused.

For the arresting officers' failure to adduce justifiable grounds, we are led to conclude from the totality of the procedural lapses committed in this case that the arresting officers deliberately disregarded the legal safeguards under R.A. 9165. These lapses effectively produced serious doubts on the integrity and identity of the *corpus delicti*, especially in the face of allegations of frame-up. Thus, for the foregoing reasons, we must

²⁶

686 Phil. 1024 (2012).



resolve the doubt in favor of accused-appellant, as every fact necessary to constitute the crime must be established by proof beyond reasonable doubt.

As a final note, we reiterate our past rulings calling upon the authorities to exert greater efforts in combating the drug menace using the safeguards that our lawmakers have deemed necessary for the greater benefit of our society. The need to employ a more stringent approach to scrutinizing the evidence of the prosecution especially when the pieces of evidence were derived from a buy-bust operation redounds to the benefit of the criminal justice system by protecting civil liberties and at the same time instilling rigorous discipline on prosecutors.²⁷ (Citations omitted)

Here, the prosecution failed to justify its non-compliance with the requirements laid down in Section 21, specifically, the presence of the two required witnesses during the actual inventory of the seized items. The unjustified absence of an elected public official during the inventory stage constitutes a substantial gap in the chain of custody. Such absence cannot be cured by the simple expedient of alleging that there has been substantial compliance with the requirement. The law is clear. Before the prosecution can rely on the saving clause found in Section 21, it must first establish that non-compliance was based on justifiable grounds and that they put in their best effort to comply with the same but was *prevented from doing so* by circumstances *beyond their control*.

This substantial gap or break in the chain casts serious doubt on the integrity and evidentiary value of the *corpus delicti*. As such, Bahoyo must be acquitted.

Finally, it cannot be gainsaid that it is mandated by no less than the Constitution²⁸ that an accused in a criminal case shall be presumed innocent until the contrary is proved. In *People of the Philippines v. Marilou Hilario y Diana and Laline Guadayo y Royo*,²⁹ the Court ruled that the prosecution bears the burden to overcome such presumption. If the prosecution fails to discharge this burden, the accused deserves a judgment of acquittal. On the other hand, if the existence of proof beyond reasonable doubt is established by the prosecution, the accused gets a guilty verdict. In order to merit conviction, the prosecution must rely on the strength of its own evidence and not on the weakness of evidence presented by the defense.

²⁷ Id. at 1053-1054.

²⁸ Article III, Section 14(2) of the Constitution mandates:
Sec. 14. x x x

(2) In all criminal prosecutions, the accused shall be presumed innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy, impartial, and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf. However, after arraignment, trial may proceed notwithstanding the absence of the accused provided that he has been duly notified and his failure to appear is unjustifiable.


²⁹ G.R. No. 210610, January 11, 2018.




WHEREFORE, premises considered, the appeal is hereby **GRANTED**. The Decision dated November 21, 2017 of the Court of Appeals in CA-G.R. CR-HC No. 08744, which affirmed the Decision dated October 26, 2016 of the Regional Trial Court of Makati City, Branch 65 in Criminal Case Nos. R-MKT-16-01156 to 16-01157 finding accused-appellant Allen Bahoyo y Dela Torre guilty of violating Sections 5 and 11, Article II of Republic Act No. 9165, is **REVERSED** and **SET ASIDE**. Accordingly, accused-appellant Allen Bahoyo y Dela Torre is **ACQUITTED** of the crimes charged.


The Director of the Bureau of Corrections is **ORDERED** to **IMMEDIATELY RELEASE** accused-appellant Allen Bahoyo y Dela Torre from detention, unless he is being lawfully held in custody for any other reason, and to inform this Court of his action hereon within five (5) days from receipt of this Decision. Let entry of final judgment be issued immediately.

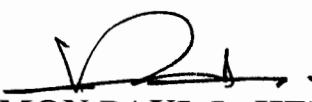
SO ORDERED.



ANDRES B. REYES, JR.
Associate Justice

WE CONCUR:


DIOSDADO M. PERALTA
Associate Justice
Chairperson

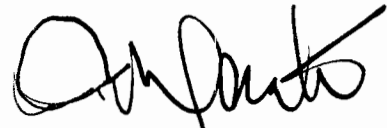

MARVIC M.V.F. LEONEN
Associate Justice


RAMON PAUL L. HERNANDO
Associate Justice


HENRI JEAN PAUL B. INTING
Associate Justice

A T T E S T A T I O N

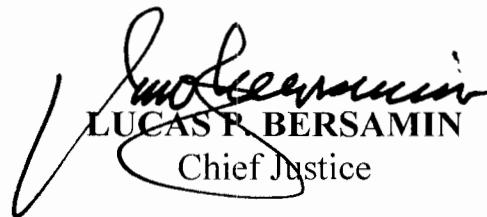
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



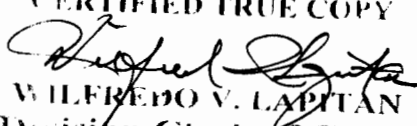
DIOSDADO M. PERALTA
Associate Justice
Chairperson, Third Division

C E R T I F I C A T I O N

Pursuant to Section 13, Article VIII 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 assigned to the writer of the opinion of the Court's Division.



LUCAS R. BERSAMIN
Chief Justice

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WILFREDO V. LAPITAN
Division Clerk of Court
Third Division

JUL 22 2019