



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES, G.R. No. 240692
Plaintiff-Appellee,

Present:

- versus -

PERLAS-BERNABE, S.A.J.,
Chairperson,
HERNANDO,
INTING,
DELOS SANTOS, and
GAERLAN,* JJ.

IMELDA GARCIA y TORDED0
and NOEL E. OLEDAN,
Accused,

NOEL E. OLEDAN,
Accused-Appellant.

Promulgated:
15 JUL 2020

X-----X

DECISION

INTING, J.:

Before the Court is an ordinary appeal¹ filed by Noel E. Oledan (Oledan) assailing the Decision² dated August 31, 2017 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 07688 which affirmed with modifications the Decision³ dated August 29, 2014 of Branch 11, Regional Trial Court (RTC), Laoag City convicting Oledan, in Criminal Case No. 14370, of Qualified Trafficking in Persons defined and penalized under Section 4(e)⁴ in relation to Section 6(a)⁵ of Republic Act

* Designated additional member per Special Order No. 2780 dated May 11, 2020.

¹ See Notice of Appeal dated September 25, 2017, *rollo*, pp. 22-23.

² *Id.* at 2-21; penned by Associate Justice Edwin D. Sorongon with Associate Justices Ramon R. Garcia and Victoria Isabel A. Paredes, concurring.

³ CA *rollo*, pp. 70-191; penned by Judge Perla B. Querubin.

⁴ Section 4(e) of Republic Act No. (RA) 9208 provides:

SECTION 4. *Acts of Trafficking in Persons.* — x x x

x x x x

(e) To maintain or hire a person to engage in prostitution or pornography[.]

⁵ Section 6(a) of RA 9208 provides:

SECTION 6. *Qualified Trafficking in Persons.* — The following are considered as qualified trafficking:

No. (RA) 9208, as amended,⁶ otherwise known as the “Anti-Trafficking in Persons Act of 2003.”

The accusatory portion of the Information⁷ dated January 27, 2010 charging Oledan, in Criminal Case No. 14370, of the offense of Qualified Trafficking in Persons, reads:

That on or about the 12th day of December 2009 in the City of Laoag, Philippines, and within the jurisdiction of this Honorable Court, the above named accused, NOEL E. OLEDAN alias “Tita Welcome” and by means of fraud, deception, taking advantage of the vulnerability of the private complainants, and the giving of payments or benefits to maintain or hire a person to engage in prostitution or pornography, did then and there, willfully, unlawfully and feloniously and knowingly recruit and hired [AAA]⁸, and thereafter, did then and there, willfully, unlawfully and feloniously received monetary consideration and transacting and employing scheme and designed to engage [AAA], for sexual intercourse and prostitution, and in fact engaged in prostitution, in return for money and profit.

That the crime was attended by the qualifying circumstances of minority – private complainants [AAA] was only seventeen years old during the commission of the crime.

CONTRARY TO LAW.⁹

The prosecution established the following:

AAA was born on March 3, 1994. On September 16, 2009, one *alias* Tita Butz, a neighbor of then 15-year-old AAA in Pasay City, introduced AAA to Oledan. Oledan offered AAA a work at Saigon Disco located in Laoag City where she would drink liquor and be “bar fined”

(a) When the trafficked person is a child[.]

⁶ As amended by Republic Act No. (RA) 10364.

⁷ CA *rollo*, pp.24-25.

⁸ The identity of the victim or any information to establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to RA 7610, “An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation and Discrimination, and for Other Purposes;” RA 9262, “An Act Defining Violence against Women and Their Children, Providing for Protective Measures for Victims, Prescribing Penalties Therefor, and for Other Purposes;” Section 40 of Administrative Matter No. 04-10-11-SC, known as the “Rule on Violence against Women and Their Children,” effective November 15, 2004; *People v. Cabalquinto*, 533 Phil. 703 (2006); and Amended Administrative Circular No. 83-2015 dated September 5, 2017, Subject: Protocols and Procedures in the Promulgation, Publication, and Posting on the Websites of Decisions, Final Resolutions, and Final Orders Using Fictitious Names/Personal Circumstances.

⁹ CA *rollo*, p. 24.

by customers. Oledan explained to AAA that “bar fine” meant that she would have sexual intercourse with the bar customers. AAA felt nervous, but accepted the offer because she wanted to help her mother. Oledan also told AAA that her earnings would depend on how many liquors she could consume and the number of times that she would be “bar fined.” Knowing that AAA was only 15 years old, Oledan asked if she knew any person of legal age who has a Certificate of Live Birth which they could use. As instructed, AAA furnished Oledan with the Certificate of Live Birth of one Darlene B. Fernandez.¹⁰

At around 7 p.m. of the same day, without the consent and permission of her mother, BBB, AAA met Oledan outside a drug store in Pasay City. She and Oledan went to a bus station in Cubao, Quezon City. At the bus station, AAA met a certain Bea, who was also working at Saigon Disco. The three of them boarded a bus bound for Laoag City.¹¹

Upon arriving in Laoag City the following morning, Oledan brought them to Saigon Disco. Oledan introduced AAA to Imelda Garcia (Garcia) as the floor manager. Thereafter, Oledan and AAA went to the house of Mommy Beth and Mommy Tess, the owners of Saigon Disco. Mommy Beth and Mommy Tess gave AAA an advanced payment of ₱1,000.00 so she could buy new things, clothes, and make-up.¹²

AAA started to work at Saigon Disco on September 17, 2009 at around 6 p.m. That night, AAA was “tabled”—she had to drink liquor and entertain customers. She was also “bar fined”. The customer paid her ₱2,500.00 for the bar fine, which was given to either Oledan or Garcia.¹³

AAA continued working at Saigon Disco almost daily for three months. Some of her co-workers were also minors. In that period: AAA was managed by Oledan, Garcia, and one Tita Grace; AAA was “bar fined” eight times by customers provided by either Oledan or Garcia; Oledan ordered AAA to dance wearing shorts and bra, with a warning that she would incur a penalty of ₱500.00 if she refused; AAA was not

¹⁰ *Rollo*, p. 5.

¹¹ *Id.* at 6.

¹² *Id.*

¹³ *Id.*

allowed to leave Saigon Disco; and AAA was not given a regular salary except for advanced payments that she asked from the owners of Saigon Disco.¹⁴

On September 19, 2009, BBB, who was greatly worried about her daughter's absence, went to the house of one of AAA's friends; BBB inquired of the whereabouts of AAA. Tita Butz, who overheard the conversation between BBB and her daughter, told BBB that Oledan brought AAA to Laoag City to work as a servant in a restaurant. Tita Butz then gave the contact number of Oledan. BBB called the number and was able to talk to AAA. AAA assured BBB that she was just working in a restaurant in Laoag City. AAA informed BBB that Oledan was also from their neighborhood in Pasay City.¹⁵

Sometime in November 2009, BBB received a phone call from AAA, who was crying and begging BBB to fetch her from Saigon Disco in Laoag City. She told BBB that she could not go home by herself as she had many debts. With this predicament, BBB then inquired in her neighborhood about Oledan's identity. She later found out that Oledan was a bar manager. One of AAA's friends suggested to BBB that AAA was possibly being held by a syndicate. This information impelled BBB to file a report with the Violence Against Women and Children Division of the National Bureau of Investigation (NBI) on December 1, 2009. She also sought the help of the International Justice Mission (IJM). BBB revealed that IJM helped her in the past when AAA was once sexually molested by a neighbor.¹⁶

When the IJM-Manila Office obtained the relevant information from BBB, it sent its investigator Randy Ramos (Ramos) to Laoag City on December 9, 2009. Ramos conducted an initial surveillance of Saigon Disco. He confirmed that he saw AAA at Saigon Disco on the aforesaid date working as a Guest Relations Officer (GRO); and that Oledan and Garcia were the floor managers at Saigon Disco who asked customers to "table" the GROs. The following day, Ramos went to NBI-Laoag Office to endorse BBB's report. NBI Executive Officer Hilario C. Manding (Agent Manding) was tasked to handle the case.

¹⁴ *Id.*

¹⁵ *Id.* at 7.

¹⁶ *Id.*

With the case handled by the NBI, the following transpired:

For two (2) successive nights, particularly of December 10 and 11, 2009, Ramos and NBI confidential agent Manuel Villanueva (Agent Villanueva) pretended to be customers of, and conducted further surveillance on Saigon Disco. They were able to establish that [AAA] was indeed a GRO thereat, and that she was “*bar fined*” twice for a fee of P2,500.00 each. Based thereon, the NBI planned an entrapment operation. NBI asset Cortez and Ramos were designated as poseur-customers while Agent Manding, Agent Villanueva, [BBB], Mrs. Mary Joan Pasigui, City Social Welfare Officer of Laoag (Officer Pasigui) and other NBI agents constituted as back-up. Agent Manding furnished the marked money comprising of two (2) P1,000.00 bills and a P500.00 bill bearing his initials “*HM*” and date “*12/12/09.*”

On December 12, 2009, at around 9:35 o'clock in the evening, Cortez and Ramos went to Saigon Disco using a motorcycle. Initially, they went inside, and Ramos saw AAA dancing on the stage. At around 9:45 o'clock in the evening, the back-up team arrived and parked their vehicle on the road fronting Saigon Disco's open porch. In the meantime, Cortez and Ramos went out, and as planned, occupied a table in the open porch of Saigon Disco where the back-up team could visibly see them. Ramos ordered two (2) bottles of beer for himself and Cortez. Shortly thereafter, appellant Garcia approached Cortez and Ramos and asked them whether they want to “*table*” girls. After Ramos described [AAA], appellant Garcia brought her out to Cortez and Ramos. [AAA] sat beside Cortez, drank ladies' drink and talked to them. Upon appellant Garcia's return to their table, Cortez asked her whether he could “*bar fine*” [AAA] to which appellant Garcia replied in the affirmative. Appellant Garcia told Cortez that the “*bar fine*” is at P2,500.00. Appellant Garcia then called [AAA] twice and talked to her. The second time [AAA] went out, she already changed her clothes. Moments later, appellant Garcia returned to their table and sat at the arm of the long chair therein. Then Cortez stood up and handed the marked money to appellant Garcia which the latter received.

At this juncture, Agent Manding and the other NBI operatives rushed to the scene, arrested appellant Garcia for child trafficking and child prostitution and informed her of her constitutional rights. Thereafter, all the GROs working at Saigon Disco were turned over to Officer Pasigui and brought to the NBI-Laoag Office for interview and records processing. x x x¹⁷

For his part, Oledan denied recruiting AAA as the latter was only introduced to him by a certain Tita Butz. He asserted the following:

¹⁷ *Id.* at 8-9.

He was a floor manager at Saigon Disco, in Laoag City, owned by Elizabeth Dizon (Dizon) and Tess Victor. His duties at the club include being a receptionist, taking charge of the work permits of the GROs, and monitoring their activities.¹⁸

Sometime in August 2009, he went home to Pasay City when a former co-worker at Saigon Disco named Mayang, introduced him to Tita Butz. Tita Butz had women looking for employment. However, Oledan told Mayang that he had no authority to approve applicants; thus she had to talk to Dizon herself. On September 15, 2009, when Oledan was again in Pasay City, Tita Butz and AAA met with him. At that time, AAA introduced herself as "Darlene." Later in the evening of the same day, while waiting to catch a ride going to Cubao, Quezon City, he saw Tita Butz and AAA waiting for him. Tita Butz told Oledan that she had already talked to Dizon and the latter provided money for AAA's fare. Oledan then went to Laoag City with AAA and a certain Bea.¹⁹

In Laoag City, Oledan went to Dizon's house with AAA. There, they oriented AAA of her work. Oledan tried to secure a copy of AAA's Certificate of Live Birth, but he was not able to do so; when AAA filled up application for that purpose, she used the name "Darlene Hernandez," born in October 1980. As it turned out, no Certificate of Live Birth with those details was registered with the Local Civil Registry. When Oledan confronted AAA of her misrepresentation, AAA told her that she had been using the name "Darlene Hernandez" since the time of her previous work. AAA also admitted that she was only 16 years old. At that point, Oledan told AAA that minors were not allowed to work at Saigon Disco. Oledan and Garcia advised AAA to go home. They brought AAA to Dizon's house and informed Dizon of AAA's identity. However, they still allowed AAA to work at Saigon Disco, but as a waitress.²⁰

On December 9, 2009, AAA left Saigon Disco at around 9 p.m. to go home. However, at around 11:30 p.m., AAA came back to Saigon Disco because she had no money, and had to wait for the money that her mother would send her.²¹

¹⁸ *Id.* at 9.

¹⁹ *Id.* at 9-10.

²⁰ *Id.* at 10.

²¹ *Id.*

Ruling of the RTC

In the Decision dated August 29, 2014, the RTC convicted Oledan of Qualified Trafficking in Persons. The RTC ruled that Oledan, through fraud and deception, taking advantage of AAA's vulnerability who was then a minor, and giving her payments to get her to engage in prostitution, recruited, maintained, and harbored her in exchange for money and profit.

The *fallo* of the RTC Decision reads:

WHEREFORE, judgment is hereby rendered as follows:

1. In Criminal Case No. 14314, accused IMELDA GARCIA alias "SALVE" is hereby declared GUILTY BEYOND REASONABLE DOUBT of the crime charged against her. She is hereby sentenced to suffer the penalty of LIFE IMPRISONMENT and a fine of TWO MILLION (P2,000,000.00) PESOS. Further, she is hereby ordered to pay minor complainant [AAA] the amount of One Hundred Thousand Pesos (P100,000.00) as moral damages;

2. In Criminal Case No. 14315, accused IMELDA GARCIA alias "SALVE" is hereby ACQUITTED of the crime charged against her;

3. In Criminal Case No. 14369, accused NOEL E. OLEDAN alias "TITA WELCOME" is hereby ACQUITTED of the crime charged against him; and

4. In Criminal Case No. 14370, accused NOEL E. OLEDAN alias "TITA WELCOME" is hereby declared GUILTY BEYOND REASONABLE DOUBT of the crime charged against him. He is hereby sentenced to suffer the penalty of LIFE IMPRISONMENT and a fine of TWO MILLION (P2,000,000.00) PESOS. Further, he is hereby ordered to pay minor complainant [AAA] the amount of One Hundred Thousand Pesos (P100,000.00) as moral damages.

SO ORDERED.²²

Oledan filed an appeal to the CA. He argued that the prosecution failed to prove the elements of the offense charged beyond reasonable doubt.

²² CA *rollo*, pp. 190-191. Italics and underscoring omitted.

Ruling of the CA

In the assailed Decision,²³ the CA affirmed the RTC with modifications. Notably, the CA sustained Oledan's conviction albeit under Section 4(a)²⁴ of RA 9208, as amended. It held that Oledan performed all the elements in the commission of the offense of Qualified Trafficking of Persons as provided under RA 9208, as amended. It did not give merit to the alleged contradictory and irreconcilable statements of the prosecution witnesses, declaring that they merely refer to minor details and do not deal with the elements of the offense charged. It also upheld the validity of the entrapment operation, emphasizing the rule that "*in entrapment, the criminal intent or design to commit the offense charged originates in the mind of the accused, and law enforcement officials merely facilitate the apprehension of the criminal by employing ruses and schemes; thus, the accused cannot justify his or her conduct.*"²⁵ The CA pointed out that:

x x x [I]t was established during trial that appellant Oledan had been recruiting and deploying young girls for customers in sex trade. Trapped in Saigon Disco, no less than the victim, [AAA] asked the help of her own mother [BBB], who in turn, sought the aid of the IJM and the NBI-Manila. Ramos, IJM's investigator, went to Saigon Disco and placed it under surveillance, precisely because of these reported illicit activities. When Ramos confirmed that JJJ was indeed being "*bar fined*" thereat, he coordinated with the NBI-Laoag and personally endorsed [BBB's] report. Another surveillance was conducted by Ramos together with Agent Villanueva and again confirmed the earlier report. On the day of the entrapment operation, appellant Garcia actually offered girls to the poseur-customers and she brought out [AAA] to them after the latter danced on stage. Clearly, there was a valid entrapment operation in this case and there could be no instigation by officers, as barred by law, to speak of.²⁶

The CA disposed of the case in this wise:

²³ *Rollo*, pp. 2-21.

²⁴ Section 4 of RA 9208 provides:

Section 4. *Acts of Trafficking in Persons.* — x x x

(a) To recruit, transport, transfer, harbor, provide, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage[.]

²⁵ *Rollo*, p. 18, citing *People v. Hirang*, 803 Phil. 277, 291 (2017), further citing *People v. Bartolome*, 703 Phil. 148, 161 (2013).

²⁶ *Id.* at 19.

WHEREFORE, premises considered, the Appeals are DISMISSED. The August 29, 2014 Decision of the Regional Trial Court of Laoag City, Branch 11, convicting accused-appellants Imelda Garcia y Tordedo also known as Salve” and Noel E. Oledan also known as “Tita Welcome” of Qualified Trafficking in Persons in *Criminal Case Nos. 14314 and 14370* is AFFIRMED with the following MODIFICATIONS: (1) the amount of moral damages is hereby increased from P100,000.00 to P500,000.00; and (2) exemplary damages is hereby awarded in the amount of P100,000.00. Said moral and exemplary damages are subject to interest at the rate of six percent (6%) *per annum* from the finality of this decision until fully paid.

SO ORDERED.²⁷

Hence, this appeal.

The sole issue in the present case is whether Oledan’s guilt was proven beyond reasonable doubt.

The Court’s Ruling

The appeal is without merit.

Section 3(a) of RA 9208, as amended, defines “Trafficking in Persons” as follows: [it] refers to the recruitment, obtaining, hiring, providing, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the persons, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

In the present case, Oledan was charged and convicted by the RTC of Qualified Trafficking in Persons under Section 4(e) of RA 9208, as amended; while the CA convicted him under Section 4(a) of the same

²⁷ *Id.* at 20.

law, both in relation to Section 6(a) of RA 9208, as amended. Section 4(a) and (e) of RA 9208, as amended, reads:

SEC. 4. *Acts of Trafficking in Persons.* — It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, or sexual exploitation;

x x x x

(e) To maintain or hire a person to engage in prostitution or pornography;

x x x x

This, notwithstanding, Oledan's conviction must be sustained as the prosecution was able to establish his guilt beyond reasonable doubt under Section 4(a) of RA 9208.

Oledan mainly contends that he had nothing to do with AAA's recruitment as the latter was just introduced to him by Tita Butz. However, as correctly ruled by the courts *a quo*, Oledan is guilty beyond reasonable doubt of Qualified Trafficking in Persons since the prosecution, through the consistent, direct, unequivocal, and thus, credible testimonies of its witnesses, had clearly established the existence of the elements thereof as evinced by the following: (a) Oledan was able to recruit AAA, a minor; (b) Oledan was even the one who transported AAA to Laoag City and brought her to Saigon Disco; (c) Oledan recruited AAA for the purpose of engaging her to perform illicit work, *i.e.*, as a GRO at Saigon Disco and perform lewd acts thereat and with customers even outside the establishment; and (d) AAA worked as a GRO at Saigon Disco for about three months. The Court further concurs with the following findings of the CA that show that Oledan did maintain AAA to engage in prostitution; thus:

With respect to appellant Oledan, it was duly established by proof beyond reasonable doubt that he recruited, transported, and provided [AAA] to numerous customers on different occasions at Saigon Disco in exchange for money under the pretext of a "bar fine,"

by taking advantage of her vulnerability, sometime in September until December of 2009: With respect to appellant Garcia, while she may not have anything to do with [AAA's] recruitment, it was equally proved that she maintained, provided and hired her to engage in prostitution activities at Saigon Disco. It was indubitably established that both appellants managed all the GROs at Saigon Disco, provided for their customers and received the "bar fine" for the services rendered by the said GROs including those of [AAA]. It must be emphasized that [AAA's] testimony with regard to the payment of a "bar fine" particularly in the amount of P2,500.00, which necessarily included the rendering of sexual services to customers, was evidently established and confirmed in the entrapment operation conducted by the NBI with the assistance of the IJM on December 12, 2009. x x x.²⁸

It must be added that even without the use of coercive, abusive, or deceptive means, a minor's consent is not given out of his or her own free will.²⁹ The trafficked victim's testimony that she had been sexually exploited is material to the cause of the prosecution.³⁰ In this case, AAA's testimony was corroborated by the testimonies of the persons who were part of the entrapment operation.

The rule that is applicable in the present case is that the trial court's assignment of probative value to witnesses' testimonies will not be disturbed except when significant matters were overlooked, because it has the opportunity to observe the demeanor of the witness on the stand.³¹ The trial court's findings acquire even greater weight once affirmed on appeal.³²

In light of the foregoing, the Court finds no reason to depart from the factual findings of the RTC, as affirmed by the CA, as there is no indication that it overlooked, misunderstood or misapplied the surrounding facts and circumstances of the case. As aforesaid, the RTC was in the best position to assess and determine the credibility of the witnesses. Thus, due deference should be accorded to it. Hence, Oledan's conviction for Qualified Trafficking in Persons under Section 4(a) of RA 9208 in relation to Section 6(a) of the same law must be upheld.

²⁸ *Id.* at 15-16.

²⁹ *People v. Mora*, G.R. No. 242682, July 1, 2019, citing *People v. Casio*, 749 Phil. 458, 475-476 (2014).

³⁰ *Santiago, Jr. v. People*, G.R. No. 213760, July 1, 2019, citing *People v. Rodriguez*, 818 Phil. 625, 638 (2017).


³¹ *People v. Dela Rosa*, G.F. No. 227880, November 6, 2019, citing *People v. Dimapilit*, 816 Phil. 523, 540-541 (2017).

³² *Id.*, citing *People v. Diu*, 708 Phil. 218, 232 (2013).

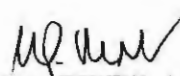
Anent the proper penalty to be imposed, Section 10(c) of RA 9208, as amended, states that any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than ₱2,000,000.00 but not more than ₱5,000,000.00. Thus, the CA correctly sentenced Oledan to suffer the penalty of life imprisonment and to pay a fine of ₱2,000,000.00. The damages awarded by the CA are likewise upheld for being consistent with the prevailing jurisprudence.³³

WHEREFORE, the appeal is **DISMISSED**. The Decision dated August 31, 2017 of the Court of Appeals in CA-G.R. CR HC No. 07688 is **AFFIRMED**. As such, accused-appellant Noel E. Oledan is found **GUILTY** beyond reasonable doubt of Qualified Trafficking in Persons defined and penalized under Section 4(a) in relation to Section 6(a) of Republic Act No. 9208, as amended, and accordingly, sentenced to suffer the penalty of life imprisonment and to pay a fine in the amount of ₱2,000,000.00. He is likewise ordered to pay the victim, AAA, the amounts of ₱500,000.00 as moral damages and ₱100,000.00 as exemplary damages, both with legal interest at the rate of 6% per *annum* from the finality of this Decision until full payment.

SO ORDERED.


HENRI JEAN PAUL B. INTING
Associate Justice

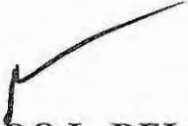
WE CONCUR:

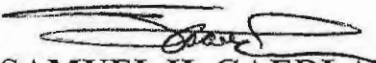

ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson

³³ *Arambulo v. People*, G.R. No. 241834, July 24, 2019.



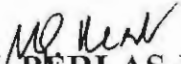

RAMON PAUL L. HERNANDO
Associate Justice


EDGARDO L. DELOS SANTOS
Associate Justice


SAMUEL H. GAERLAN
Associate Justice

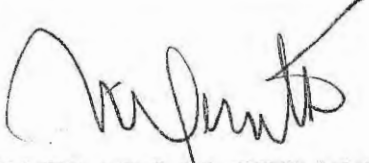
ATTESTATION

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.


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson

CERTIFICATION

Pursuant to Section 13, Article VIII of the Constitution, 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.


DIOSDADO M. PERALTA
Chief Justice