



Republic of the Philippines
Supreme Court
 Manila

THIRD DIVISION

PEOPLE OF THE PHILIPPINES, **G.R. No. 270327**

Plaintiff-appellee, Present:

CAGUIOA, J., *Chairperson*,*
 INTING, *Acting Chairperson*,**
 GAERLAN,
 DIMAAMPAO, and
 SINGH, JJ.***

- versus -

HARLEY UYSON y
SANTIAGO alias "Amo,"
 Accused-appellant.

Promulgated:

OCT 06 2025

Michael B. ...

X-----X

DECISION

INTING, J.:

Before the Court is an Appeal¹ assailing the Decision² dated April 20, 2023, of the Court of Appeals (CA) in CA-G.R. CR-HC No. 15685. The CA affirmed the Joint Judgment³ dated June 29, 2021, of Branch 79, Regional Trial Court (RTC), Quezon City in Criminal Case Nos. R-QZN-

* On official business.

** Per Special Order No. 3227 dated September 23, 2025.

*** On official business.

¹ *Rollo*, pp. 3–5, Notice of Appeal dated May 12, 2023.

² *Id.* at 8–25. Penned by Associate Justice Gabriel T. Rosendo and concurred in by Associate Justices Ramon R. Garcia and Michael P. Ong of the Sixth Division, Court of Appeals, Manila.

³ *Id.* at 27–36. Penned by Presiding Justice Nadine Jessica Corazon J. Fama.

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20-07005-CR and R-QZN-20-07008-CR that found Harley Uyson y Santiago alias "Amo"⁴ (accused-appellant) guilty beyond reasonable doubt of Illegal Sale and Illegal Possession of dangerous drugs as defined and penalized under Sections 5⁵ and 11,⁶ Article II of Republic Act No. 9165,⁷ otherwise known as the "Comprehensive Dangerous Drugs Act of 2002," respectively.

The Antecedents

The case stemmed from four separate Informations⁸ charging accused-appellant with the aforesaid crimes, the accusatory portions of which read:

Criminal Case No. R-QZN-20-07005-CR
(Violation of Section 5 of Republic Act No. 9165)

That on or about the 10th day of September 2020, in Quezon City, Philippines, the above-named accused without lawful authority to sell, dispense, deliver, transport or distribute any dangerous drug, did then and there willfully, unlawfully and knowingly sell, trade, administer, dispense, deliver, giving away to another, distribute, dispatch in transit or transport, or act as a broker in the said transaction, one (1) transparent plastic sachet with marking BB-JM-HU 9-10-20, containing zero point thirteen (0.13) gram of white crystalline substance which after qualitative examination gave positive result to the test for Methamphetamine Hydrochloride, a dangerous drug.

CONTRARY TO LAW.⁹

Criminal Case No. R-QZN-20-07006-CR
(Violation of Section 5 of Republic Act No. 9165)

That on or about the 10th day of September 2020, in Quezon City, Philippines, the above-named accused, without any authority of law to sell, dispense, deliver, transport or distribute any dangerous drug, did then and there, willfully, unlawfully and knowingly sell,

⁴ RTC records, pp. 60–62, photograph of suspects and pieces of evidence.

⁵ SECTION 5. *Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.*

⁶ SECTION 11. *Possession of Dangerous Drugs.* – . . .

⁷ Titled, "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 on June 7, 2002.

⁸ RTC records, pp. 3–26.

⁹ *Id.* at 3.

deliver, [give] away and distribute to Michael Gacilos [y] Gacita, alias Mike, one (1) transparent plastic sachet with markings DD-MG 9-10-20, containing two point sixteen (2.16) grams of white crystalline substance which, after Qualitative Examination[,] gave positive result to the test for Methamphetamine Hydrochloride, a dangerous drug, in violation of said law.

CONTRARY TO LAW.¹⁰

Criminal Case No. R-QZN-20-07007-CR
(Violation of Section 5 of Republic Act No. 9165)

That on or about the 10th day of September 2020, in Quezon City, Philippines, the above-named accused, without any authority of law to sell, dispense, deliver, transport or distribute any dangerous drug, did then and there willfully, unlawfully and knowingly sell, deliver, give away and distribute to Donna Del Rosario [y] Collado, alias Blue, one (1) transparent plastic sachet with markings MF-DD 9-10-20, containing zero point seventeen (0.17) gram of white crystalline substance which, after Qualitative Examination, gave positive result to the test for Methamphetamine Hydrochloride, a dangerous drug, in violation of said law.

CONTRARY TO LAW.¹¹

Criminal Case No. R-QZN-20-07008-CR
(Violation of Section 11 of Republic Act No. 9165)

That on or about the 10th day of September 2020, in Quezon City, Philippines, the above-named accused, not authorized by law to possess or use any dangerous drug, did then and there willfully, unlawfully and knowingly have in his possession and under his control one (1) transparent plastic sachet with marking JM-HU 9-10-20 containing two point seventeen (2.17) grams of white crystalline substance which, after Qualitative Examination, gave positive result to the test for Methamphetamine Hydrochloride, a dangerous drug, in violation of said law.

CONTRARY TO LAW.¹²

Upon arraignment, accused-appellant entered pleas of “Not Guilty” to the charges.¹³

¹⁰ *Id.* at 7.

¹¹ *Id.* at 11.

¹² *Id.* at 15.

¹³ *Rollo*, p. 29.

On the other hand, Donna Del Rosario y Collado *alias* Blue (Collado) and Michael Gacilos y Gacita *alias* Mike (Gacilos) filed a Motion to Allow Accused To Enter A Plea Bargaining Agreement¹⁴ dated September 22, 2020, wherein they expressed their willingness to enter a plea of guilty to a violation of Section 12¹⁵ of Republic Act No. 9165.¹⁶

In the Order¹⁷ dated September 22, 2020, the RTC granted Collado and Gacilo's motion and found them guilty beyond reasonable doubt of violation of Section 12, Article II of Republic Act No. 9165, the pertinent portion of which reads:

Acting on the Motion to Allow Accused Michael Gacilos [y] Gacita and Donna Del Rosario y Collado to Enter Into a Plea Bargaining Agreement, the same is hereby GRANTED since the quantity of shabu involved in Criminal Case Nos. R-QZN-20-07009-10-CR is less than five (5) grams.

....

PREMISES CONSIDERED, in Criminal Case No. R-QZN-20-07009-CR, judgment is hereby rendered finding accused MICHAEL GACILOS [y] GACITA GUILTY beyond reasonable doubt of violation of Section 12, Article II of Republic Act No. 9165 and he is sentenced to suffer imprisonment of six months and one day and to pay a fine [in the amount] of ten thousand pesos ([PHP] 10,000.00). Pursuant to the Supreme Court [*En Banc*] Resolution, A.M. No. 18-03-16-SC dated April 10, 2018, he is directed to undergo drug dependency evaluation/test to be conducted by a DOH accredited physician.

If found positive for the use of illegal drugs, accused Michael Gacilos [y] Gacita shall undergo six months treatment and rehabilitation at the Quezon City Treatment and Rehabilitation Center which shall be credited to his penalty, unless, the DOH accredited physician who will examine the accused will recommend counselling only.

In Criminal Case No. R-QZN-20-07010-CR, judgment is hereby rendered finding accused DONNA DEL ROSARIO [y] COLLADO GUILTY beyond reasonable doubt of violation of Section 12, Article II of Republic Act No. 9165 and [s]he is sentenced to suffer

¹⁴ RTC records, pp. 104–105.

¹⁵ SECTION 12. *Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs.* – . . .

¹⁶ RTC records, p. 106.

¹⁷ *Id.* at 106–110. Penned by Presiding Judge Nadine Jessica Corazon J. Fama.

imprisonment of six months and one day and to pay a fine [in the amount] of [ten] thousand pesos ([PHP] 10,000.00). Pursuant to the Supreme Court [*En Banc*] Resolution, A.M. No. 18-03-16-SC dated April 10, 2018, [s]he is directed to undergo drug dependency evaluation/test to be conducted by a DOH accredited physician.

If found positive for the use of illegal drugs, accused Donna Del Rosario y Collado shall undergo six months treatment and rehabilitation at the Quezon City Treatment and Rehabilitation Center which shall be credited to his penalty, unless, the DOH accredited physician who will examine the accused will recommend counselling only.

.....

The Director of the Quezon City Anti-Drug Abuse Advisory Council is directed to immediately order any DOH accredited physician assigned at the Special Drug Education Center to subject accused MICHAEL GACILOS [y] GACITA and DONNA DEL ROSARIO [y] COLLADO to drug dependency evaluation/tests as soon as the accused are brought there and to submit the results of the drug dependency evaluation/tests to this court, within seventy-two (72) hours from the conduct of the tests.¹⁸

Trial ensued as against accused-appellant only.

The Version of the Prosecution

On September 10, 2020, at around 7:15 p.m., a confidential informant (CI) informed the Station Drug Enforcement Unit (SDEU) of the Quezon City Police District (QCPD) that a certain "Amo" was selling *shabu* at Sto. Cristo, Ilocos Sur Street, Bago Bantay, Quezon City. The SDEU formed a buy-bust team and designated Police Corporal Jevies Mallari (PCpl Mallari) as the poseur buyer; PCpl Marc Paul Frogoso (PCpl Frogoso) and PCpl Dalton De Guzman (PCpl De Guzman) as immediate back up officers; while the other police operatives as the perimeter security.¹⁹ The buy-bust team then accomplished the Coordination Form²⁰ and Pre-Operation Report.²¹ In turn, the Philippine Drug Enforcement Agency issued a Certificate of Coordination.²² In line with the operation, the buy-bust team instructed the CI to call alias "Amo"

¹⁸ *Id.* at 106-107.

¹⁹ *Id.* at 33, Sworn Statement (Poseur Buyer).

²⁰ *Id.* at 41-42.

²¹ *Id.* at 43.

²² *Id.* at 44. Certificate of Coordination issued by PDEA.

and order Five Hundred Peso worth of *shabu*. In turn, Amo agreed to meet the CI at around 11:15 p.m., in front of No. 168 Ilocos Sur Street, Bago Bantay, Barangay Sto. Cristo, Quezon City.²³

On even date, at around 11:00 p.m., the buy-bust team proceeded to the target area and strategically positioned their vehicles at a viewing distance, i.e., 5 to 7 meters away, in order to monitor the transaction.²⁴ At around 11:15 p.m., PCpl Mallari saw a man and a woman talking to each other in front of the target area. The CI whispered to PCpl Mallari, “*Sir, yung naka sando na itim na lalakeng kalbo, ayan po si [alias] Amo[.] [S]iya po ang kinukuhaan ko ng items.*” The CI then identified the woman as Collado.²⁵ Subsequently, the CI introduced PCpl Mallari to accused-appellant as the purported buyer of *shabu*. PCpl Mallari uttered to accused-appellant: “*Kuya[.] halagang limang daan lang po, babayaran ko na*”, referring to the *shabu*. Accused-appellant demanded payment and PCpl Mallari handed him the marked-money, i.e., a genuine five-hundred-peso bill with serial number FU152115.²⁶

Meanwhile, a man later identified as Gacilos arrived in the middle of the buy-bust operation. Gacilos uttered to accused-appellant: “*Pre, yung hinihiram ko sa’yo?*” to which accused-appellant answered: “*Nasa akin na, p’re, yung inuutang mo.*”²⁷ Accused-appellant thereafter handed three heat-sealed transparent plastic sachet containing white crystalline substances suspected to be *shabu*, one for Gacilos, one for Collado, and another for PCpl Mallari, who then removed his bull cap as the pre-arranged signal that the transaction is completed. This prompted PCpl Frogoso and PCpl De Guzman to rush towards accused-appellant.²⁸ At this instance, PCpl Mallari introduced himself as a police officer, arrested accused-appellant, and instructed the latter to bring out the contents of his pouch. Accused-appellant took out another plastic sachet of suspected *shabu*. PCpl Mallari seized the pouch and the plastic sachet of suspected drugs. He also confiscated the marked-money and accused-appellant’s Samsung cellular phone.²⁹

²³ *Id.* at 37.

²⁴ *Id.* at 33.

²⁵ *Id.*

²⁶ *Id.* at 34.

²⁷ *Id.*

²⁸ *Id.* at 72.

²⁹ *Id.* at 34.

Immediately thereafter, PCpl Mallari marked the plastic sachets of suspected drugs which he purchased and those he recovered from accused-appellant's possession, respectively, with "BB-JM-HU 9-10-20" and "JM-HU 9-10-20" in the place of arrest and in the presence of: 1) accused-appellant; 2) Nelson Cruz (Cruz), a barangay kagawad of Barangay Sto. Cristo; and 3) Henry Nicolas, Jr. (Nicolas) of Euro TV News.³⁰ The team likewise took photographs during the marking and the inventory of the seized items. Cruz and Nicolas, also signed the inventory document.³¹

The Inventory of Seized Items³² reads:

Item No.	Quantity	Description
1[.]	4	FOUR (4) PIECES OF SMALL HEAT-SEALED TRANSPARENT PLASTIC SACHETS CONTAINING WHITE CRYSTALLING SUBSTANCES SUSPECTED TO BE SHABU[,] A DANGEROUS DRUGS WITH INITIAL MARKINGS WITH SIGNATURE BB-JM-HU 9-10-20 JM-HU 9-10-20 DD-MG 9-10-20 ME-DD 9-10-20
2[.]	1	ONE (1) PIECE [OF] FIVE HUNDRED PESO BILL ([PHP] 500.00) WITH SERIAL NO. FU152115 SERVED AS A BUYBUST MONEY MARKED AS "JM"
3[.]	1	ONE (1) PIECE OF MERCURY POUCH MARKED AS JM-HU1 9-10-20 ONE (1) UNIT SAMSUNG CELLULAR PHONE COLOR GOLD MARKED AS JM-HU2 9-10-20

³⁰ *Rollo*, p. 11.

³¹ *Id.*

³² RTC records, p. 52.

Place of Inventory: No. 168 ILOCOS SUR ST. BRGY. STO
CRISTO, QUEZON CITY

.....

Witness/es:
KGO. Neil Cruz
Elected Public Official

Henry Nicolas
Media Representative³³

After the inventory, PCpl Mallari placed the seized items in a zip lock bag and kept them in his custody. The police operatives then brought accused-appellant and the seized items to the police station for post arrest procedures.³⁴

At the police station,³⁵ PCpl Mallari presented the seized items to Police Staff Sergeant Winston Semaña (PSSG Semaña), the investigator on-case, who prepared the Booking Sheet, Arrest Report,³⁶ as well as the Request for Laboratory Examination³⁷ and Request for Drug Test.³⁸ A few minutes later, or on September 11, 2020, PCpl Mallari, still in possession of the seized items, together with PCpl Frogoso and PCpl De Guzman, proceeded to the QCPD Crime Laboratory and turned over the seized items to Forensic Chemist Colonel Rhea Fe Dela Cruz-Alviar (FC Dela Cruz-Alviar) for analysis and examination. Per Chemistry Report No. D-1306-2020,³⁹ the specimens submitted for examination tested positive for the presence of Methamphetamine Hydrochloride, a dangerous drug.⁴⁰ Then, on May 18, 2021, Police Staff Sergeant Junia Tuccad (PSSG Tuccad) retrieved the sealed drug specimen from the crime laboratory and turned it over to the RTC.⁴¹

³³ RTC records, p. 52.

³⁴ CA rollo, p. 72.

³⁵ Rollo, p. 11.

³⁶ RTC records, p. 45, Booking Sheet and Arrest Report.

³⁷ *Id.* at 55.

³⁸ *Id.* at 53.

³⁹ *Id.* at 56.

⁴⁰ CA rollo, pp. 72–73.

⁴¹ *Id.* at 73.

The Version of the Defense

Accused-appellant vehemently denied the charges against him and asserted that he did not know where the illegal drugs came from. He narrated that on September 10, 2020, at around 7:00 p.m., while he was walking along Ilocos Sur Street, to buy food for his children, a black vehicle stopped beside him. Two men alighted and forced him to board the vehicle. The men brought him to Road 9 corner Road 2, Barangay Pag-Asa, where the police officers repeatedly asked him if he knew a certain “Muktar.” When accused-appellant answered in the negative, the police officers mauled him and forced him to admit that he knew Muktar. Then, the police officers brought accused-appellant to Congressional Apartelle with other persons whom he did not know. The men transferred him to another vehicle with a man and a woman who were in handcuffs. Thereafter, the police officers brought him and the other arrested persons to the police station for processing. Afterwards, the police officers brought back accused-appellant to Ilocos Street where the police officers placed illegal drugs on top of the hood of a vehicle.⁴²

The Ruling of the RTC

In the Joint Judgment⁴³ dated June 29, 2021, the RTC acquitted accused-appellant of violation of Section 5, Article II of Republic Act No. 9165 in Criminal Case Nos. R-QZN-20-07006-CR and R-QZN-20-07007-CR considering the failure of the prosecution to prove the *corpus delicti* of the crime, to wit:

Anent the charges of violation of Section 5, Article II . . . for illegal delivery of dangerous drugs, the prosecution failed to prove the corpus delicti. The delivered dangerous drugs were not presented and identified by the sole witness of the prosecution, Police Corporal Javies Mallari. Concomittantly, the Court has no recourse but to exonerate accused of illegal delivery of dangerous drugs.

In prosecutions involving narcotics, the narcotic substance itself constitutes the corpus delicti of the offense and the fact of its existence is vital to sustain a judgment of conviction beyond reasonable doubt[.]⁴⁴

⁴² *Rollo*, pp. 12–13; RTC records, pp. 31–32.

⁴³ *Rollo*, pp. 27–36.

⁴⁴ *Id.* at 35.

This notwithstanding, the RTC convicted accused-appellant in Criminal Case Nos. R-QZN-20-07005-CR and R-QZN-20-07008-CR for illegal sale of 0.13 grams of *shabu* and illegal possession of 2.17 grams of *shabu*, respectively. The RTC viewed accused-appellant's defense of denial and frame up with disfavor and found that the prosecution was able to prove with the required quantum of proof all the elements of illegal sale and illegal possession of dangerous drugs. The police operatives successfully conducted a buy-bust operation where the poseur-buyer, PCpl Mallari, remained in possession of the seized items from the moment he recovered them until they were turned over to the crime laboratory for testing. Hence, the RTC concluded that the integrity of the *corpus delicti* was properly preserved.⁴⁵

The dispositive portion of the RTC Joint Judgment⁴⁶ dated June 29, 2021 reads:

WHEREFORE judgment is hereby rendered as follows:

1. Criminal Case No. R-QZN-20-07005-CR, accused HARLEY UYSON y SANTIAGO is hereby found GUILTY BEYOND REASONABLE DOUBT of violation of Section 5, Article II of Republic Act No. 9165 and he is sentenced to suffer life imprisonment, and to pay a fine of Five hundred thousand pesos ([PHP] 500,000.00);
2. In Criminal Case No. R-QZN-20-07006-CR, accused HARLEY UYSON y SANTIAGO is hereby ACQUITTED of violation of Section 5, Article II of Republic Act No. 9165;
3. In Criminal Case No. R-QZN-20-07007-CR, accused HARLEY UYSON y SANTIAGO is hereby ACQUITTED of violation of Section 5, Article II of Republic Act No. 9165; and
4. In Criminal Case No. R-QZN-20-07008-CR, accused HARLEY UYSON y SANTIAGO is hereby found GUILTY BEYOND REASONABLE DOUBT of violation of Section 11, Article II of Republic Act No. 9165 and he is sentenced to suffer 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 Branch Clerk of Court is directed to immediately turn over to the Chief of PDEA Crime Laboratory, the subject drugs in these cases covered by Chemistry Report No. D-1306-2020, which are confiscated in favor of the government, to be disposed of in strict

⁴⁵ *Id.* at 32–34.

⁴⁶ *Id.* at 27–36.

conformity with the provisions of [Republic Act] No. 9165 and its implementing rules and regulations on the matter.

The Five hundred peso bill with serial number FU152115 is confiscated in favor of the government and the Branch Clerk of Court is directed to deposit/remit it to the General Fund.

SO ORDERED.⁴⁷

Aggrieved, accused-appellant appealed⁴⁸ to the CA asserting that the prosecution's non-presentation of the CI is fatal to the case. Accused-appellant also questioned the three hour delay between the inventory taking and the turnover to the crime laboratory of the seized items.⁴⁹

The Ruling of the CA

In the assailed Decision⁵⁰ dated April 20, 2023, the CA affirmed the RTC Decision *in toto*, viz.:

WHEREFORE, the appeal is DENIED. The Joint Judgment dated June 29, 2021 of the Regional Trial Court of Quezon City, Branch 79, convicting accused-appellant Harley Uyson y Santiago of violation of Sections 5 and 11, Article II of [Republic Act] No. 9165, in Criminal Case Nos. R-QZN-20-07005-CR and R-QZN-20-07008-CR, is AFFIRMED [*in toto*].

SO ORDERED.⁵¹

The CA found all the links in the chain of custody intact. PCpl Mallari had custody of the seized items from their confiscation to the time they were transmitted for examination before the QCPD Crime Laboratory. Only briefly did he show them to PSSG Semaña and only for the purpose of preparing the requests for laboratory examination and drug test, among others. Hence, the CA ruled that the integrity and evidentiary value of the seized items were properly preserved.⁵²

The CA further held that it is not indispensable for the prosecution to put the CI on the witness stand since his/her testimony will merely be

⁴⁷ *Id.* at 36.

⁴⁸ RTC records, pp. 201–202. *See* Notice of Appeal dated July 13, 2021.

⁴⁹ *Id.* at 15.

⁵⁰ *Id.* at 8–25.

⁵¹ *Id.* at 25.

⁵² *Id.* at 15–16, 22–23.

corroborative of the apprehending officer's testimony regarding the subject buy-bust operation.⁵³

Hence, the Appeal.⁵⁴

In the Resolution⁵⁵ dated July 17, 2024, the Court notified both parties that they may file their respective supplemental briefs.

On December 10, 2024, the Office of the Solicitor General submitted its Manifestation (In Lieu of Supplemental Brief)⁵⁶ stating that a supplemental brief would no longer be filed as the arguments for the People had been succinctly discussed in its earlier Brief.⁵⁷ Similarly, accused-appellant manifested⁵⁸ that he had already exhaustively discussed his arguments in the Appellant's Brief.⁵⁹

In his Brief,⁶⁰ accused-appellant maintained that the chain of custody of the seized items was breached because the required witnesses were not physically present at the time of the alleged transaction but was only called to witness the inventory of the seized items after the purported transaction was already consummated.⁶¹

The Issue

Whether the CA correctly found accused-appellant guilty beyond reasonable doubt of illegal sale and illegal possession of dangerous drugs under Republic Act No. 9165.

The Ruling of the Court

The Court resolves to dismiss the Appeal.

⁵³ *Id.* at 17.

⁵⁴ *Id.* at 3–5.

⁵⁵ *Id.* at 37.

⁵⁶ *Id.* at 39–43.

⁵⁷ CA *rollo*, pp. 67–80, Brief for the Appellee dated October 18, 2022.

⁵⁸ *Rollo*, pp. 44–48, Manifestation in Lieu of Supplemental Brief dated January 10, 2025.

⁵⁹ *Id.* at 44.

⁶⁰ CA *rollo*, pp. 27–48.

⁶¹ *Rollo*, pp. 43–44.

Preliminarily, it is settled that an appeal in criminal cases throws the entire case wide open for review and the reviewing court can correct errors though unassigned in the appealed judgment.⁶² Nonetheless, it is equally well settled that, absent any showing that the factual findings of the RTC were arbitrarily issued or tainted with a reversible error, such findings especially when affirmed by the CA, are binding upon this Court.⁶³

After a judicious scrutiny of the records, the Court sees no cogent reason to overturn the factual findings and conclusions of the courts *a quo* that the prosecution successfully established all the elements of the Illegal Sale and Illegal Possession of dangerous drugs.

Section 5 of Republic Act No. 9165 provides:

SECTION 5. Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals. – The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos ([PHP] 500,000.00) to Ten million pesos ([PHP] 10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any dangerous drug, including any and all species of opium poppy regardless of the quantity and purity involved, or shall act as a broker in any of such transactions.

The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos ([PHP] 100,000.00) to Five hundred thousand pesos ([PHP] 500,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any controlled precursor and essential chemical, or shall act as a broker in such transactions[.]

On the other hand, Section 11 of the same law states:

SECTION 11. Possession of Dangerous Drugs. – The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos ([PHP] 500,000.00) to Ten million pesos ([PHP] 10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall

⁶² *People v. Verdadero*, 949 Phil. 537, 543 (2023); *People v. Lopina*, 936 Phil. 1029, 1035 (2023); *People v. Dapitan*, G.R. No. 207518, November 24, 2021 [Notice].

⁶³ *People v. Yutig*, 912 Phil. 867, 873 (2021); *People v. Santos*, 823 Phil. 1162, 1178 (2018); *People v. Bontuyan*, 742 Phil. 788, 798 (2014).

possess any dangerous drug in the following quantities, regardless of the degree of purity thereof:

....

(1) Life imprisonment and a fine ranging from Four hundred thousand pesos ([PHP] 400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantity of methamphetamine hydrochloride or "shabu" is ten (10) grams or more but less than fifty (50) grams;

(2) Imprisonment of twenty (20) years and one (1) day to life imprisonment and a fine ranging from Four hundred thousand pesos ([PHP] 400,000.00) to Five hundred thousand pesos ([PHP] 500,000.00), if the quantities of dangerous drugs are five (5) grams or more but less than ten (10) 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 three hundred (300) grams or more but less than five hundred (500) grams of marijuana; and

(3) Imprisonment of twelve (12) years and one (1) day to twenty (20) years and a fine ranging from Three hundred thousand pesos ([PHP] 300,000.00) to Four hundred thousand pesos ([PHP] 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.

For the successful prosecution of the crime of Illegal Sale of dangerous drugs, the following elements must concur: (1) the identity of the buyer and seller, the object, and the consideration; and (2) the delivery of the thing sold and its payment."⁶⁴ In contrast, the elements of Illegal Possession of dangerous drugs are: (1) the accused is in possession of an item or object, which is identified to be a prohibited or regulated drug; (2) such possession is not authorized by law; and (3) the accused freely

⁶⁴ *People v. Chen Junyue*, 930 Phil. 291, 301 (2022); *People v. Dela Cruz*, 869 Phil. 460, 465 (2020).

and consciously possessed the drug.⁶⁵

In the case, the records show that accused-appellant was caught *in flagrante delicto* selling a sachet containing 0.13 grams of *shabu* to PCpl Mallari for PHP 500.00 during the buy-bust operation on September 10, 2020. Accused-appellant was also found to be in control and possession of another sachet containing 2.17 grams of *shabu*. Lastly, both sachets with suspected *shabu* seized from accused-appellant tested positive for *methamphetamine hydrochloride*. Thus, the RTC and the CA correctly found that accused-appellant committed the Illegal Sale and Illegal Possession of Dangerous Drugs.⁶⁶

Clutching at straws, accused-appellant maintained that the integrity of the seized items was not established with moral certainty because the insulating witnesses were not around when the subject drugs were seized from him and when he was arrested. In addition, it took three hours before the police operatives turned over the seized items to the crime laboratory from the time of the inventory taking.⁶⁷

The Court is not persuaded.

Section 21 of Republic Act No. 9165, as amended by Republic Act No. 10640, provides:

SECTION 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, . . . 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, . . . 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 persons from whom such items were confiscated and/or seized, or his/her

⁶⁵ *People v. Paguinto*, 933 Phil. 1056, 1064 (2023); *People v. Quijano*, 871 Phil. 547, 558 (2020); *People v. Manansala*, 826 Phil. 578 (2018); *People v. Que*, 824 Phil. 882, 893 (2018); *People v. Morales*, 630 Phil. 215, 228 (2010); *People v. Darisan*, 597 Phil. 479, 485 (2009); *People v. Hajili*, 447 Phil. 283, 295 (2003).

⁶⁶ *Rollo*, pp. 18–19.

⁶⁷ *Id.* at 19–20.

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 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 preserved by the apprehending officer/team, shall not render void and invalid such seizures and custody over said items.

Relatedly, jurisprudence dictates that the following links of the chain of custody must be established:

1. The seizure and marking, if practicable, of the illegal drug recovered from the accused by the apprehending officer;
2. The turn-over of the seized illegal drug to the investigating officer;
3. The turn-over by the investigating officer of the illegal drug to the forensic chemist for laboratory examination; and
4. The turn-over and submission of the illegal drug from the forensic chemist to the court.⁶⁸

Indubitably, drugs, such as *shabu*, is susceptible to alteration, tampering, contamination, substitution and exchange—whether intentional or otherwise—given the fungible nature.⁶⁹ It is therefore essential that the identity and integrity of the subject drug should be sufficiently established with no less than moral certainty considering that the contraband itself constitutes the very *corpus delicti* of the offenses.⁷⁰

⁶⁸ *People v. Hernandez*, 923 Phil. 236, 242 (2022); *People v. Sipin*, 833 Phil. 67, 81 (2018); *People v. Amaro*, 786 Phil. 139, 148 (2016); *People v. Sapitula*, 780 Phil. 848, 858 (2016); *People v. Enad*, 780 Phil. 346, 358 (2016); *People v. Mammad*, 769 Phil. 782, 790 (2015); *People v. Enriquez*, 718 Phil. 352, 366 (2013); *People v. Magpayo*, 643 Phil. 641, 650 (2010); *People v. Kamad*, 624 Phil. 289, 304 (2010).

⁶⁹ *People v. Rebutazo*, 959 Phil. 270, 276-277 (2024).

⁷⁰ *People v. Adria*, 705 Phil. 654, 670 (2013); *People v. Hilario*, 823 Phil. 580, 590 (2018); *Mallillin v. People*, 576 Phil. 576, 586 (2008).

Anent the *first link* in the chain of custody, PCpl Mallari testified that marking and inventory taking was done *immediately* at the place of arrest, in the presence of accused-appellant and the insulating witnesses, viz.:

Q: If the plastic sachet that you purchased and recovered, Mr. Witness, will be shown to you, will you be able to identify it?

A: Yes, sir.

Q: Why?

A: I placed initials, sir.

Q: What initials did you place?

A: On the item I purchased, I placed "BB-JM-HU 9-10-20."

Q: How about the plastic sachet that you recovered?

A: The item I recovered, I placed "JM-HU 9-10-20."

Q: Where were you when you placed those markings, Mr. Witness?

A: **In front of the witnesses, in front of 168 Ilocos Sur Street, Barangay Sto. Cristo, Quezon City.**

Q: **Now, where was the accused at that time?**

A: **They were in front of us.**⁷¹

.....

Q: Now, Mr. Witness, where were you when you placed those markings?

A: **At the place of arrest.**⁷²

.....

Q: Who are these witnesses that you are referring [to]?

A: **The barangay representative, Nelson Cruz of Barangay Sto. Cristo.**

THE COURT:

Q: What is his position in the barangay?

A: **Barangay Kagawad, Your Honor, and the media representative is from Euro TV News, Henry Nicolas, Jr., Your Honor.**

⁷¹ TSN, PCpl Jevies Mallarie, February 5, 2021, pp. 2–3. (Emphasis supplied)

⁷² *Id.* at p. 1. (Emphasis supplied)

ACP BARTOLOME

Q: Now, Mr. Witness, after the markings, what else did you do to the plastic sachets that you purchased and recovered?

A: I placed them in a zip lock.

Q: What documents did you prepare, Mr. Witness, in connection with the buy-bust operation?

A: **Inventory Form.**

Q: Who conducted the inventory?

A: **Me and my back-up officers, in front of the required witnesses.**

THE COURT:

Q: Who are the witnesses present when you conducted the Inventory?

A: Barangay Kagawad Nelson Cruz of Barangay Sto. Cristo, and media representative from Euro TV News, Henry Nicolas, Jr., Your Honor.

Q: How about the accused, where was he?

A: **In front of us, Your Honor.**

....

ACP BARTOLOME

Q: Below this document [Inventory Receipt], there is a signature above the name of Kagawad Cruz. Whose signature is this?

A: Signature of Barangay Kagawad Nelson Cruz.

Q: And there is also signature above the name of Henry Nicolas, media representative. Whose signature is this?

A: Signature of the media representative.

Q: How did you know that these are the respective signatures of these witnesses, Kagawad Cruz and Nicolas?

A: **We have photographs taken, sir[.]**⁷³

In addition, the prosecution presented photographs showing the actual conduct of marking and inventory in front of accused-appellant and the insulating witnesses, i.e., Cruz and Nicolas, among others.⁷⁴

PCpl Mallari also identified the photographs in this wise:

⁷³ *Id.* at 3–4. (Emphasis supplied)

⁷⁴ RTC records, pp. 61–62.

ACP BARTOLOME

The witness identified the photographs depicting the purchased item and including the recovered drug evidence, including the cellphone, the buy-bust money, and the Mercury Drug pouch bag. These photographs, Your Honor, were previously marked as Exhibit "N."

.....

Q: Now, I am showing you another set of photographs, Mr. Witness. It consists of four (4) photographs. I am showing you the first photograph. Who are the persons depicted in this photograph?

A: **The suspect, the arresting officers, and the witnesses.**

Q: Who is this person?

A: The one holding a camera is the media representative.

Q: And beside him, who is this?

A: He is the barangay kagawad.

Q: How about this person, Mr. Witness?

A: He is my back-up, PCpl De Guzman.

Q: And who is this person?

A: That is Michael Gacilos.

Q: How about the woman beside him?

A: Donna Del Rosario.

Q: In the second photograph, who is this man in red shirt?

A: That is me, sir.

Q: And what were you doing here?

A: **I was conducting markings, sir.**

.....

Q: I am showing you another set of photographs, Mr. Witness. Who are the persons in this photograph?

A: Those are the accused and the evidence.

Q: In this second photograph, who are these?

A: **That is the barangay kagawad signing the Inventory.**

Q: How about this last photograph?

A: **That is the media representative signing the Inventory.**⁷⁵

⁷⁵ *Id.* at 5–6. (Emphasis supplied)

Without a doubt, the first link in the chain of custody was established.

For emphasis, the guidelines in *Nisperos v. People*⁷⁶ provides that the marking, inventory and photograph taking should be done immediately after seizure and confiscation of the illegal drug/s, viz.:

1. The marking of the seized dangerous drugs must be done:
 - a. Immediately upon confiscation;
 - b. At the place of confiscation; and
 - c. In the presence of the offender (unless the offender eluded the arrest).
2. The conduct of inventory and taking of photographs of the seized dangerous drugs must be done:
 - a. Immediately after seizure and confiscation;
 - b. 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; and
 - c. Also in the presence of the insulating witnesses, as follows:
 - i. if the seizure occurred during the effectivity of [Republic Act] No. 9165, or from July 4, 2002 until August 6, 2014, the presence of three (3) witnesses, namely, an elected public official; a Department of Justice (DOJ) representative; and a media representative;
 - ii. if the seizure occurred after the effectivity of [Republic Act] No. 10640, or from August 7, 2014 onward, the presence of two (2) witnesses, namely, an elected public official; and a National Prosecution Service representative or a media representative.
3. In case of any deviation from the foregoing, the prosecution must positively acknowledge the same and prove[:] (1) justifiable ground/s for non-compliance[;] and (2) the proper preservation of the integrity and evidentiary value of the seized item/s.⁷⁷

In addition, *Nisperos* teaches that the insulating witnesses “*are not required to witness the arrest and the seizure or confiscation of the drugs or drug paraphernalia. They need only be readily available to witness the*

⁷⁶ 931 Phil. 945 (2022).

⁷⁷ *Id.* at 956–957. (Citations omitted)

immediately ensuing inventory.”⁷⁸ Verily, accused-appellant’s argument that the insulating witnesses, although present during inventory taking, were unable to see with their own eyes the exact moment that the illegal transaction transpired holds no water.

As to the *second link*, it appears that there was no turnover of the seized items to the investigating officer because the apprehending officer merely presented them to the investigating officer, who then prepared the request for laboratory examination, among others.

Nonetheless, in *People v. Hernandez*,⁷⁹ the Court, citing *People v. Casilang*⁸⁰ and *People v. Macaspac*,⁸¹ explained that the failure of the apprehending officer to turnover the seized items to the investigating officer *does not constitute a breach in the chain of custody* as long as the movement of the seized item at each stage, from the time of seizure to its receipt by the forensic laboratory, as well as the date and time when transfer of custody was made, were appropriately established.

Here, PCpl Mallari testified that he remained in custody of the seized items from the time of the arrest up to the time it was submitted to the crime laboratory for testing, viz.:

ACP BARTOLOME

.....

Q: Who was in possession of the plastic sachet that you purchased and recovered when you went back to your office, Mr. Witness?

A: **I was in possession of the items I recovered.**

Q: How about the evidence that you purchased?

A: **In my possession also, sir.**

Q: When you arrived at the station, what did you do with the evidence?

A: **I presented them to the investigator, sir. [PSSg Semaña, sir.]**

Q: Who brought these pieces of evidence, Mr. Witness, that you purchased and you recovered to the Crime Lab, Mr. Witness?

⁷⁸ *Id.* at 953. (Emphasis supplied)

⁷⁹ 923 Phil. 236, 243 (2022).

⁸⁰ 870 Phil. 379, 396 (2020).

⁸¹ 867 Phil. 164, 179 (2019).

A: **The items I purchased and recovered, I was the one who brought it to the Crime Lab, sir[.]**⁸²

Moreover, PCpl Mallari's testimony is supported by the Chain of Custody of Seized Evidence,⁸³ the pertinent portion of which reads:

....

III. TDPO: At around 11:25 PM of Sept. 10, 2020, in front of [N]o. 168 Ilocos Sur St., Brgy. Sto. Cristo, Quezon City.

IV. APPREHENDING OFFICER/S: PCpl Jevies Mallari, PCpl Mac Paul Frogoso and PCpl Dalton De Guzman, all SDEU Operatives of this Station.

V. EVIDENCE SUBMITTED:

a) Four (4) pieces of heat-sealed transparent plastic sachets containing white crystalline substances, suspected to be Shabu, a dangerous drug with markings (All written on a masking tape with signatures) as follows:

a1. BB-JM-HU 9-10-20

a2. JM-HU 9-10-20

a3. DD-MG 9-10-20

a4. MF-DD 9-10-20

=====

Turned Over by: PCpl Jevies Mallari, PCpl Mac Paul Frogoso
and PCpl Dalton De Guzman

....

Time and Date: 3:00 AM / 9-11-20

....

RECEIVED BY: RHEA FE DC ALVIAR
Police Lieutenant Colonel
Forensic Chemist⁸⁴

Following prevailing jurisprudence, the Court agrees with the RTC and CA that there is *substantial compliance* with the chain of custody procedure.

⁸² TSN, PCpl Jevies Mallari, April 20, 2021, pp. 6–7. (Emphasis supplied)

⁸³ RTC records, p. 48.

⁸⁴ *Id.*, Chain of Custody of Seized Evidence.

Anent the *third and fourth link in the chain of custody*, the prosecution sufficiently established, based on the Chain of Custody of Seized Evidenc⁸⁵ signed by PCpl Mallari, PCpl Frogoso, PCpl De Guzman, and FC Dela Cruz-Alviar that the seized items were turned over by the apprehending team to the forensic chemist at 3:00 a.m. on September 11, 2020. FC Dela Cruz-Alviar then confirmed that the specimen yielded positive for methamphetamine hydrochloride.⁸⁶ Subsequent thereto, FC Dela Cruz-Alviar turned over the sealed drug specimen to evidence custodian PSSG Tuccad, who in turn kept it in the evidence room of the laboratory until she was subpoenaed by the RTC to present the subject specimens in the Order⁸⁷ dated April 27, 2021. Hence, on May 18, 2021, PSSG Tuccad submitted the seized items to the court.⁸⁸

Notably, the forensic chemist did not testify before the trial court.

In lieu thereof, the prosecution offered as evidence her Chemistry Report showing that the seized item went through qualitative examination and yielded positive for *shabu*, the pertinent portion of which reads:

....

FINDINGS:

Qualitative examination conducted on the above-stated specimens A1 thru A4 gave POSITIVE for the presence of Methamphetamine hydrochloride, a dangerous drug[.]

CONCLUSION:

Specimens A1 thru A4 contain Methamphetamine hydrochloride, a dangerous drug[.]⁸⁹

In *Macaspac*,⁹⁰ the Court reiterated that not all people who came into contact with the seized drugs, such as the forensic chemist, are required to testify in court. Hence, the third link in the chain of custody may be established via stipulations. In connection to this, the Court, in *People v. Cabuhay*,⁹¹ enumerated the matters that *must* be included in the

⁸⁵ *Id.* at 48.

⁸⁶ *Id.* at 56, Chemistry Report No. D-1306-2020.

⁸⁷ *Id.* at 169.

⁸⁸ *Rollo*, p. 35.

⁸⁹ RTC records, p. 56

⁹⁰ *See People v. Macaspac*, *supra* note 81, at 181.

⁹¹ 836 Phil. 903, 918 (2018); *People v. Pajarin*, 654 Phil. 461, 466 (2011).

stipulations in cases where the parties opt to dispense with the attendance and testimony of the forensic chemist, to wit: (1) that the forensic chemist received the seized article as marked, properly sealed, and intact; (2) that the forensic chemist resealed it after examination of the content; and (3) that forensic chemist placed his or her own marking on the same to ensure that it could not be tampered with pending trial.

Here, the prosecution and the defense agreed to dispense with the testimony of the forensic chemist.

In the Order⁹² dated September 22, 2020, the parties stipulated as follows:

....

4. PLTCOL Rhea Dela Cruz-Alviar is one of the forensic chemist assigned to the QCPD, Crime Laboratory Office, Police Station 10, Edsa Kamuning, Quezon City;
5. [O]n September 11, 2020, Chemist Rhea Fe Dela Cruz-Alviar received from PCpl Jevies Mallari, PCpl Mac Paul Frogoso and PCpl Dalton De Guzman, a Request for Laboratory Examination, and four (4) small heat-sealed transparent plastic sachets containing white crystalline substance with markings "BB-JM-HU 9-10-20," "JM-HU 9-10-20," "DD-MG 9-10-20" and "MF-DD-9-10-20," all with signature;
6. [U]pon receiving the request and the specimens, Chemist Rhea Fe DelaCruz-Alviar conducted a qualitative examination of the submitted specimens and she found that the four (4) small heat-sealed transparent plastic sachets containing white crystalline substance with markings "BB-JM-HU 9-10-20," "JM-HU 9-10-20," "DD-MG 9-10-20" and "MF-DD 9-10-20," all with signature were positive for the presence of Methamphetamine hydrochloride, a dangerous drug;
7. Chemist Rhea Fe Dela Cruz-Alviar issued Chemistry Report No. D-1306-2020;
8. **[A]fter her examination, Chemist Rhea Fe Dela Cruz-Alviar placed the specimens she examined in a transparent plastic bag, sealed it with a masking tape, placed her markings "D-1306-2020 11 September 2020 RFDCA" and her signature thereon**

⁹² RTC records, pp. 106–110.

and then she turned over the specimens to the evidence custodian, PO2 Junia Tuccad;

9. **Upon receipt of the sealed specimen, PO2 Junia Tuccad placed it in the evidence room of the QCPD Crime Laboratory;**
10. Chemist Rhea Fe Dela Cruz-Alviar can identify the specimens' subject of her examination as well as the documents she prepared in connection with these cases;
11. Chemist Rhea Fe Dela Cruz-Alviar has no personal knowledge as to the facts and circumstances of the arrest of the accused; and
12. Chemist Rhea Fe Dela Cruz-Alviar has no personal knowledge as to the recovery of the specimens turned to her for examination[.]⁹³

To the Court's mind, the foregoing stipulations are sufficient.

First, when FC Dela Cruz-Alviar received the request for laboratory examination and the four (4) small heat-sealed transparent plastic sachets containing white crystalline substance, she properly marked, sealed, and kept them intact.

Second, after examination, FC Dela Cruz-Alviar placed the specimens she examined in a transparent plastic bag, sealed it with a masking tape.

Third, she then placed her markings "D-1306-2020 11 September 2020 RFDCA" and her signature to ensure the integrity of the subject drug.

Surely, accused-appellant's bare denial cannot prevail over PCpl Mallari's positive testimony, much less, the presumption of regularity accorded the police operatives in the performance of their official duty.⁹⁴

All told, the Court finds no reason to deviate from the factual findings of the RTC, as affirmed by the CA, as there is no indication that the lower courts had overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case.

⁹³ *Id.* at 107-108. (Emphasis supplied)

⁹⁴ *People v. Macaspac*, *supra* note 80, at 182-183.

As to the penalty, a person found guilty of Illegal Sale of Dangerous Drugs, under Section 5 of Republic Act No. 9165, for selling any dangerous drug, may be penalized with “life imprisonment to death and a fine ranging from [PHP 500,000.00] to [PHP 10 million] regardless of the quantity and purity involved.” On the other hand, the penalty for Illegal Possession of Dangerous Drugs under Section 11 of the same law is “[i]mprisonment of [12] years and [one] day to [20] years and a fine ranging from [PHP 300,000.00] to [PHP 400,000.00], if the quantities of dangerous drugs are less than [five] grams of . . . methamphetamine hydrochloride[.]”

Suffice it to say, the CA correctly affirmed accused-appellant’s sentence to life imprisonment and a fine of PHP 500,000.00 in Criminal Case No. R-QZN-20-07005; and imprisonment of 12 years and one day as minimum, to 14 years and eight months, as maximum, and fine of PHP 300,000.00 in Criminal Case No. R-QZN-20-07008.⁹⁵

FOR THESE REASONS, the Appeal is **DISMISSED**. The Decision dated April 20, 2023, of the Court of Appeals in CA-G.R. CR-HC No. 15685 is **AFFIRMED *in toto***.

The Court finds accused-appellant Harley Uyson y Santiago alias “Amo” **GUILTY** beyond reasonable doubt of Illegal Sale and Illegal Possession of dangerous drugs, defined and penalized under Sections 5 and 11 of Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002,” in Criminal Case Nos. R-QZN-20-07005-CR and R-QZN-20-07008-CR filed with Branch 79, Regional Trial Court, Quezon City. Accused-appellant Harley Uyson y Santiago alias “Amo” is **SENTENCED** to suffer the following penalties:

- (a) In Criminal Case No. R-QZN-20-07005-CR for Illegal Sale of Dangerous Drugs, the penalty of life imprisonment, and to **PAY** a fine in the amount of PHP 500,000.00; and
- (b) In Criminal Case No. R-QZN-20-07008-CR for Illegal Possession of Dangerous Drugs, the penalty of imprisonment of 12 years and one (1) day as minimum, to 14 years and eight months, as maximum, and to **PAY** a fine in the amount of PHP 300,000.00.

⁹⁵ *People v. Paguinto*, 933 Phil. 1056, 1069 (2023).

SO ORDERED.



HENRI JEAN PAUL B. INTING
Associate Justice

WE CONCUR:

(On official business)
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



SAMUEL H. GAERLAN
Associate Justice



JAPAR B. DIMAAMPAO
Associate Justice

(On official business)
MARIA FILOMENA D. SINGH
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.



HENRI JEAN PAUL B. INTING

Associate Justice

Acting Chairperson, Third Division

(Per Special Order No. 3227 dated September 23, 2025)

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, and the Division Acting 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.



MARVIC MARIO VICTOR F. LEONEN

Senior Associate Justice

Acting Chief Justice

(Per S.O. No. 3223 dated September 15, 2025)