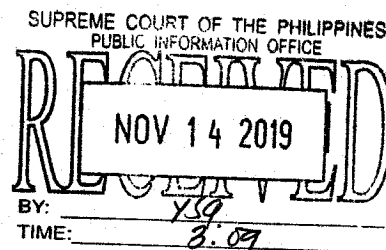




Republic of the Philippines
Supreme Court
Manila



FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated **October 16, 2019** which reads as follows:

“G.R. No. 195285 (PEOPLE OF THE PHILIPPINES, Petitioner, v. HONORABLE OSCAR P. NOEL, JR., in his capacity as the Presiding Judge of Branch 35 of the Regional Trial Court in General Santos City, and CELSO G. DELOS ANGELES, JR., CHRISTINE ANTENOR CRUZ-LIMPIN, NAMNAMA PASETES-SANTOS, CAROLINA G. HINOLA,* ALEXIS S. PETRALBA, ROY HILARIO, BRUCE RAFANAN, VIRGILIO A. ODEJAR, ARNEL SULQUIANO, CRESENCIO G. WAGAS, JR., EDGAR U CANDO, ROLANDO LABRADOR, ALFREDO NOVO a.k.a. Wilfredo Novo, LYDIA A. VILLANUEVA, JOHN DOES and JANE DOES, Respondents.) – The petitioner People of the Philippines, represented by the Office of the Solicitor General (OSG), directly filed to this Court a *Consolidated Petition for Review on Certiorari and Petition for Certiorari (with urgent prayer for the immediate issuance of a Temporary Restraining Order and/or Writ of Preliminary Injunction)*, assailing the orders issued by the Regional Trial Court (RTC), Branch 35, General Santos City on August 30, 2010¹ and January 18, 2011.²

Antecedents

Private respondents Celso G. Delos Angeles, Jr., Christine Antenor Cruz-Limpin, Namnama Pasetes-Santos, Carolina G. Hinola, Alexis S. Petralba, Roy Hilario, Bruce Rafanan, Virgilio A. Odejar, Arnel Sulquiano, Cresencio G. Wagas, Jr., Edgar U. Cando, Rolando Labrador, Alfredo Novo a.k.a. Wilfredo Novo, and Lydia A. Villanueva were charged with syndicated estafa under Presidential

- over – fourteen (14) pages ...

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* Sometimes referred to as Hifiola.

¹ *Rollo*, pp. 74-75; issued by respondent Judge Oscar P. Noel, Jr.

² *Id.* at 76-84.

Decree No. 1689 in relation to Article 315, par. 2(b) of the Revised Penal Code, docketed as Crim. Case Nos. 21304 and 21772 before the RTC. The accusatory portions of the separate informations filed against the respondents read as follows:

Crim. Case No. 21304

That on or about the month of April 2004 to October 2008, and subsequent thereto, in the City of General Santos, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring and confederating together and all of them mutually helping and aiding one another in a syndicated manner consisting of more than five (5) persons under the guise of legitimately formed corporations (Legacy Group of Companies), with intention of carrying out an unlawful or illegal act, transaction, enterprise or scheme of soliciting funds from the general public for investment, with intent to gain and by means of fraud and deceit, did then and there willfully, unlawfully and feloniously defraud ROSALY ESPERANZA B. LAVETORIA and several other persons in the following manner, to wit: by means of false pretenses and fraudulent acts or by means of other similar deceits, executed prior to or simultaneously with the commission of fraud, that is, in a series of transactions, the above-named accused enticed and lured said Rosaly Esperanza B. Lavetoria to invest or place her money in the Five (5) Years and Six (6) Years Hybrid Certificate of Time of Deposit Program of the Rural Bank of Dolefil Agrarian Reform Beneficiaries Cooperative, Inc. (DARBCI), a rural bank acquired by the Legacy Group of Companies, with the invested money to earn 20% interest per annum maturing over a period of five (5) and six (6) years with the first year's interests to be given in advance, and on the strength of said false manifestations and fraudulent representations said accused succeeded in inducing Rosaly Esperanza B. Lavetoria and several other persons to give and deliver and in fact, the former invested, gave and delivered to said accused the amount of Three Hundred Thousand Pesos (Php300,000.00), the accused knowing fully well that they were not authorized by the Securities and Exchange Commission (SEC) and Bangko Sentral ng Pilipinas (BSP) to engage in the said investment/deposit program, and said accused once in possession of said amount, and far from complying with their obligations, with intent to defraud and with abuse of confidence, did then and there willfully, unlawfully, and feloniously misappropriate, misapply and convert said amount to their own personal use and benefit, to the damage and prejudice of Rosaly Esperanza B. Lavetoria in the aforementioned amount of Three Hundred Thousand Pesos (Php300,000.00) and the general public, and that the defraudation pertains to funds solicited from the public in general by such corporations.

CONTRARY TO LAW³

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³ Id. at 116-117.

Criminal Case No. 21772

That on or about the month of January 2006 to October 2008, and dates prior and subsequent thereto, in the City of General Santos, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, with all of them mutually helping and aiding one another in a syndicated manner consisting of more than five (5) persons under the guise of legitimately formed corporations of the Legacy Group of Companies with intention of carrying unlawful or illegal act, transaction, enterprise or scheme of soliciting funds from the general public for investment, with intent to gain and by means of fraud and deceit, did then and there willfully, unlawfully and feloniously defraud the general public and the banking system as regulated by the Bangko Sentral ng Pilipinas, in the following manner: By means of false pretenses and fraudulent acts or by means of other similar deceits, executed prior to or simultaneously with the commission of fraud, that is, in a series of transactions, the above-named accused by deceitfully assisting Dolefil in securing a loan in the amount of Seventy Million Pesos (Php 70,000,000.00) from the Land Bank of the Philippines and made it appear that the said loan proceeds was utilized as additional capital infusion of Dolefil Rural Bank of DARBCI, Inc., a duly organized banking institution under Philippine laws, owned and operated and controlled by the Legacy Group of Companies in compliance with the mandate of the Bangko Sentral ng Pilipinas; the said loan proceed was placed in Account No. 3401-0576-67 of DARBCI in the Land Bank of the Philippines which was subsequently and frequently withdrawn or siphoned, transferred, converted and misapplied by the above-named accused for their personal gain or through corporations controlled by them to the damage and prejudice of the bank depositors, investors of Rural Bank of DARBCI, Inc. and depositors, investors of Rural Bank of DARBCI, In. and the entire banking system as regulated by the Bangko Sentral ng Pilipinas in the aforesaid amount of Seventy Million Pesos (Php70,000,000.00).

CONTRARY TO LAW.⁴

Consequently, the RTC issued warrants of arrest against respondents Delos Angeles, Hilario, Limpin, Cando, Labrador, Novo, and Rafanan. According to the petitioner, the respondents (except for Delos Angeles), had evaded arrest and remained at-large.⁵

In the interim, the parties separately filed various motions on different dates, *viz.*:

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⁴ Id. at 119-120.

⁵ Id. at 31.

Motion	Filed by	Date
<i>Urgent Motion to Hold in Abeyance /Recall/Quash Warrant of Arrest and To Suspend Further Proceedings</i> ⁶	Petralba	10/26/09
<i>Urgent Omnibus Motion</i> ⁷	Santos and Hiñola,	10/28/09
<i>Most Urgent Motion to Defer Issuance of Warrant of Arrest Pending Resolution of the Accused's Motion for Reconsideration with the DOJ and/or for Judicial Determination of Probable Cause</i> ⁸	Sulquiano	10/29/09
<i>Omnibus Motion: (1) to Suspend Proceedings (2) to Defer Issuance of Warrant of Arrest</i> ⁹	Odejar	10/30/09
<i>Omnibus Motion 1. For Reinvestigation and 2. For Deferment of the Arraignment and/or Proceedings</i> ¹⁰	Wagas	11/03/09
<i>Motion</i> ¹¹	Novo	11/04/09
<i>Motion to Quash Warrant of Arrest and Direct the State Prosecutors to Conduct Preliminary Investigation</i> ¹²	Cando	11/23/09
<i>Urgent Ex-Parte Motion [Re: Accused Celso G. Delos Angeles, Jr.]</i> ¹³	People of the Philippines	12/03/09
<i>Objection and Motion [Re: Order dated December 17, 2009]</i> ¹⁴	People of the Philippines	01/20/10
<i>Supplemental Objection and Motion [Re: Accused Celso G. Delos Angeles, Jr.'s Arrest and Detention]</i> ¹⁵	People of the Philippines	03/04/10

In sum, the respondents' motions sought to defer the proceedings, to quash the informations and warrants of arrest, and to dismiss the criminal actions for lack of probable cause.¹⁶ On the other hand, the petitioner prayed for the immediate implementation of the warrants of arrest already issued by the RTC.

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⁶ Id. at 222-229.

⁷ Id. at 263-265.

⁸ Id. at 268-282.

⁹ Id. at 299-305.

¹⁰ Id. at 308-314.

¹¹ Id. at 316-322.

¹² Id. at 330-334.

¹³ Id. at 335-338.

¹⁴ Id. at 339-346.

¹⁵ Id. at 347-354.

¹⁶ Id. at 228, 265, 282, 304, 314, and 321.

The RTC Orders

On August 30, 2010, the RTC issued the assailed order partially dismissing Criminal Case No. 21304 in favor of seven (7) out of the thirteen (13) accused.¹⁷ According to the RTC, the seven (7) accused were denied the requisite due process because of the hasty and premature filing of the criminal case. The RTC further noted that respondent Novo was not properly summoned due to his erroneous name and address.¹⁸ The dispositive portion of the order issued on August 30, 2010 provides:

ACCORDINGLY, the cases against:

1. Namnama Pesetes-Santos
2. Carolina Hinola
3. Alexis Petralba
4. Virgilio Odejar
5. Arnel Sulquiano
6. Cresencio Wagas, Jr.
7. Wilfredo Novo (the name in the Information is Alfredo Novo)

are hereby ordered DISMISSED for having been hastily/prematurely filed, thereby depriving them their requisite due process. All pending incidents/motions filed by the above-named accused need not be resolved anymore.

As regards the accused who are at large, namely: Christine Antenor Cruz-Limpin, Roy Hilario, Bruce Rafanan, Edgar U. Cando, Rolando Labrador, let an alias warrant be issued for their arrest.

Also regards Celso delos Angeles, let a commitment Order be issued against him. Calendar his arraignment on November 18, 2010 at 2:00 o'clock in the afternoon.

SO ORDERED.¹⁹

The petitioner filed a motion for reconsideration²⁰ which the RTC denied through an order issued on January 18, 2011. In the same order, the RTC also denied the petitioner's motions for inhibition²¹ in both Criminal Case Nos. 21304 and 21772. The dispositive portion of the order issued on January 18, 2011 provides:

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¹⁷ Id. at 35.

¹⁸ Id. at 75.

¹⁹ Id.

²⁰ Id. at 85-101.

²¹ Id. at 421-442; 443-453.

WHEREFORE, premises considered, the court DENIES the Motion for Reconsideration for reasons stated above.

A last note on the Motion for Inhibition filed by the prosecution. The main argument advanced by the prosecution in said motion is the delay in the resolution of the pending motions.

The prosecution should have been a little circumspect in filing said motion without understanding the position that the presiding judge is into. The undersigned presiding judge does not only preside his court, with a case load of more than 500 cases, but performs other functions as well, such as Executive Judge, Member of the Regional Planning and Procurement Committee, and Judge designate for the Justice on Wheels of Sarangani Province, who hears cases twice a week from six out of the seven Municipalities of Sarangani with a case load of nearly 2000 cases. While every case is an important one, the undersigned presiding judge has to maximize his time in giving his attention to all these cases. The prosecution should likewise understand the volume of documents relative to this case. A long bench in the Court room is not even enough to accommodate all the documents submitted before the Court, if only to describe the extent of the effort of the undersigned to go over the documents to resolve the pending incidents relative thereto.

The prosecution should not ascribe such as bias on the part of the Court for while it is true that Justice delayed is justice denied, it is equally true that each of the parties in the case must be afforded the opportunity to present his case, and that the court considers them, for what is at stake is his right to life, liberty and property.

If only to show the prosecution and all parties concerned that the Court is never a biased Court, the Motion for Inhibition is likewise denied.

SO ORDERED.²²

Aggrieved, the petitioner directly filed its *Consolidated Petition for Review on Certiorari and Petition for Certiorari* before this Court.


Issues

The petitioner raised the following issues in support of its consolidated petitions:

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²² Id. at 83-84.



I.

WHETHER THE ASSAILED ORDERS DATED **30 AUGUST 2010** AND **18 JANUARY 2011**, WHICH DISMISSED CRIMINAL CASE NO. 21304 AGAINST SEVEN (7) OF THE PRIVATE RESPONDENTS ARE IN ACCORDANCE WITH PROCEDURAL RULES AND APPLICABLE JURISPRUDENCE

II.

WHETHER RESPONDENT JUDGE COMMITTED GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION IN DENYING THE MOTIONS FOR HIS INHIBITION AS CONTAINED IN THE ASSAILED ORDER DATED **18 JANUARY 2011**²³

Ruling

The consolidated petitions lack merit.

I

The petitioner failed to observe the doctrine of judicial hierarchy

The Court notes that the petitioner disregarded the hierarchy of courts by coming directly to Us without any special, important or compelling reasons.

Once again We stress that the observance of the policy on the hierarchy of courts should not be ignored. The strictness of the policy is designed to shield the Court from having to address causes that are well within the competence of the lower courts, and thus, leave time to the Court to deal with the more fundamental and more essential tasks that the Constitution has assigned to it. The Court may act on petitions for the extraordinary writs of *certiorari*, prohibition and *mandamus* only when absolutely necessary or when serious and important reasons exist to justify an exception to the policy.²⁴ In *Dacudao v. Gonzales*, the Court stressed that undue disregard of the policy shall cause the dismissal of the action, *viz.*:

We emphasize that the concurrence of jurisdiction among the Supreme Court, Court of Appeals and the Regional Trial Courts to issue the writs of *certiorari*, prohibition, *mandamus*, *quo warranto*, *habeas corpus* and *injunction* did not give petitioners the unrestricted freedom of choice of court forum. An undue disregard of this policy against direct resort to the Court will cause the dismissal of the recourse x x x

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²³ Id. at 36.

²⁴ *Bañez, Jr. v. Concepcion*, G.R. No. 159508, August 29, 2012, 679 SCRA 237, 250.

Accordingly, every litigant must remember that the Court is not the only judicial forum from which to seek and obtain effective redress of their grievances. As a rule, the Court is a court of last resort, not a court of the first instance. Hence, every litigant who brings the petitions for the extraordinary writs of *certiorari*, prohibition and *mandamus* should ever be mindful of the policy on the hierarchy of courts x x x²⁵

Moreover, in the recent case of *GIOS-Samar, Inc. v. Department of Transportation and Communication*,²⁶ We explained that the doctrine of hierarchy of courts operates as a filtering mechanism to enable the Court to focus on more fundamental tasks assigned by the Constitution. Thus, the litigants should strictly observe the doctrine and avoid direct resort to the Court if questions of fact would be raised, *viz.*:

In fine, while this Court has original and concurrent jurisdiction with the RTC and the CA in the issuance of writs of *certiorari*, prohibition, *mandamus*, *quo warranto*, and *habeas corpus* (extraordinary writs), direct recourse to this Court is proper only to seek resolution of questions of law. Save for the single specific instance provided by the Constitution under Section 18, Article VII, cases the resolution of which depends on the determination of questions of fact cannot be brought directly before the Court because we are not a trier of facts. We are not equipped, either by structure or rule, to receive and evaluate evidence in the first instance; these are the primary functions of the lower courts or regulatory agencies. This is the *raison d'être* behind the doctrine of hierarchy of courts. It operates as a constitutional filtering mechanism designed to enable this Court to focus on the more fundamental tasks assigned to it by the Constitution. It is a bright-line rule which cannot be brushed aside by an invocation of the transcendental importance or constitutional dimension of the issue or cause raised.

x x x x

Strict observance of the doctrine of hierarchy of courts should not be a matter of mere policy. It is a constitutional imperative given (1) the structure of our judicial system and (2) the requirements of due process.

First. The doctrine of hierarchy of courts recognizes the various levels of courts in the country as they are established under the Constitution and by law, their ranking and effect of their rulings in relation with one another, and how these different levels of court interact with one another. It determines the venues of appeals and the appropriate forum for the issuance of extraordinary writs.

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²⁵ *Dacudao v. Gonzales*, G.R. No. 188056, January 8, 2013, 688 SCRA 109, 115-118.

²⁶ G.R. No. 217158, March 12, 2019.

Second. Strict adherence to the doctrine of hierarchy of courts also proceeds from considerations of due process. While the term "due process of law" evades exact and concrete definition, this Court, in one of its earliest decisions, referred to it as a law which hears before it condemns which proceeds upon inquiry and renders judgment only after trial. It means that every citizen shall hold his life, liberty, property, and immunities under the protection of the general rules which govern society. Under the present Rules of Court, which governs our judicial proceedings, warring factual allegations of parties are settled through presentation of evidence. Evidence is the means of ascertaining, in a judicial proceeding, the truth respecting a matter of fact. As earlier demonstrated, the Court cannot accept evidence in the first instance. By directly filing a case before the Court, litigants necessarily deprive themselves of the opportunity to completely pursue or defend their causes of actions. Their right to due process is effectively undermined by their own doing.

X X X X

Accordingly, for the guidance of the bench and the bar, we reiterate that when a question before the Court involves determination of a factual issue indispensable to the resolution of the legal issue, the Court will refuse to resolve the question regardless of the allegation or invocation of compelling reasons, such as the transcendental or paramount importance of the case. Such question must first be brought before the proper trial courts or the CA, both of which are specially equipped to try and resolve factual questions.

Thus, the direct filing of this combined Rule 45 petition for review on *certiorari* and Rule 65 petition for *certiorari* before this Court should be disallowed for its clear disregard of the policy on the hierarchy of courts. The petitioner should have been mindful of this policy and sought proper recourse before the appellate court. There being no special, important or compelling reason for its direct recourse, the petitioner violated the observance of the hierarchy of courts, warranting the immediate dismissal of the joined petitions.

II

The inhibition of Judge Oscar P. Noel, Jr. rendered the petition for certiorari as moot and academic

The Court notes that on February 1, 2011²⁷ respondent Judge Oscar P. Noel, Jr. issued an order reconsidering his denial of the petitioner's twin motions for inhibition. Judge Noel explained therein

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²⁷ *Rollo*, pp. 857-858.

that he opted to inhibit himself from these cases when the private prosecutors ascribed bias upon him in the December 11 and 12, 2010 issues of the Philippine Daily Inquirer. Judge Noel characterized the conduct of the private prosecutors in airing their grievances in print media as unbecoming, for it had unduly subjected the trial court to public pressure.²⁸

Under its petition for *certiorari* under Rule 65, the petitioner prayed for the inhibition of Judge Noel in Criminal Case Nos. 21304 and 21772.²⁹ Hence, the voluntary recusal of Judge Noel from both cases had rendered the *certiorari* petition as moot and academic. The Court has repeatedly ruled that an issue becomes moot and academic when it ceases to present a justiciable controversy so that a declaration on the issue would be of no practical use or value. The Court will therefore abstain from expressing its opinion where no legal relief is needed or called for.³⁰

III

Rule 45 petition as an improper remedy in assailing the partial dismissal of Criminal Case No. 21304

With the issue of inhibition rendered moot, the only remaining matter to be resolved would be the propriety of the partial dismissal of Criminal Case No. 21304 in favor of seven (7) out of the thirteen (13) accused.

However, even if the Court exercises leniency and liberality in dealing with the aforementioned errors, a Rule 45 petition is still an improper remedy in assailing the partial dismissal. Contrary to the OSG's assertions, the petition raised mixed questions of fact and law.

The Court's jurisdiction in a Rule 45 petition is generally limited to the review of pure questions of law. Stated differently, Rule 45 does not allow the review of questions of fact because the Court is not a trier of facts. The test in determining whether a question is one of law or of fact is whether the appellate court can resolve the issue raised without reviewing or evaluating the evidence, in which case, it is a question of law. Any question that invites calibration of evidence, as well as their relation to each other and to the whole, is a question of fact and thus proscribed in a Rule 45 petition.³¹

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²⁸ Id. at 858.

²⁹ Id. at 62.

³⁰ *Ilusorio v. Baguio Country Club Corp.*, G.R. No. 179571, July 2, 2014, 728 SCRA 592, 598.

³¹ *General Mariano Alvarez Services Cooperative, Inc. (GEMASCO) v. National Housing Authority (NHA)*, G.R. Nos. 175417 & 198923, February 9, 2015, 750 SCRA 156, 162.

Here, the petitioner argued, among others, that nothing in the record show, even remotely, that the respondents had been denied due process of law.³²

The respondents had successfully disputed the petitioner's argument. According to respondent Wagas, he was denied the opportunity to file his counter-affidavit which rendered him unable to refute the allegations against him.³³ On the other hand, respondent Novo also claimed that he failed to receive a notice of preliminary investigation which resulted in his failure to file a counter-affidavit.³⁴

Ineluctably, the petitioner would have the Court evaluate the records of the case to determine the factual circumstances behind the dismissal of the complaints against the respondents, thus violating Section 1, Rule 45³⁵ of the *1997 Rules of Civil Procedure* which demands that an appeal by petition for review on *certiorari* be limited to questions of law. The petitioner should have first elevated these matters before the Court of Appeals which was in a better position to review and determine mixed questions of fact and law.

Before writing *finis* to this consolidated petitions, the Court notes of the unusual manner adopted by the petitioner in combining petitions separately covered by Rules 45 and 65 of the *Rules of Court*.

While the *Rules* allow a party to assert in one pleading, in the alternative or otherwise, as many causes of action one may have against another; the same is not allowed for special civil actions or actions governed by special rules.³⁶ A petition for *certiorari* under Rule 65 is an original action where the issue is limited to grave abuse

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³² *Rollo*, p. 51.

³³ *Id.* at 461.

³⁴ *Id.* at 503.

³⁵ SECTION 1. *Filing of petition with Supreme Court.* — A party desiring to appeal by *certiorari* from a judgment, final order or resolution of the Court of Appeals, the Sandiganbayan, the Court of Tax Appeals, the Regional Trial Court or other courts, whenever authorized by law, may file with the Supreme Court a verified petition for review on *certiorari*. The petition may include an application for a writ of preliminary injunction or other provisional remedies and shall raise only questions of law, which must be distinctly set forth. The petitioner may seek the same provisional remedies by verified motion filed in the same action or proceeding at any time during its pendency.

³⁶ The Rules of Court

RULE 2.

Sec. 5. Joinder of Causes of Action. — A party may in one pleading assert, in the alternative or otherwise, as many causes of action as he may have against an opposing party, subject to the following conditions:

x x x x

(b) The joinder shall not include special civil actions or actions governed by special rules;

of discretion. On the other hand, a petition for review on *certiorari* under Rule 45 is a mode of appeal where the issue is limited to questions of law.³⁷ The Court further elaborated on this distinction in *Agrarian Reform Beneficiaries Association (ARBA) v. Nicolas*:

This Court has consistently elaborated on the difference between Rule 45 and 65 petitions. A petition for review on *certiorari* under Rule 45 is an ordinary appeal. It is a continuation of the case from the CA, Sandiganbayan, RTC, or other courts. The petition must only raise questions of law which must be distinctly set forth and discussed.

A petition for *certiorari* under Rule 65 is an original action. It seeks to correct errors of jurisdiction. An error of jurisdiction is one in which the act complained of was issued by the court, officer, or quasi-judicial body without or in excess of jurisdiction, or with grave abuse of discretion which is tantamount to lack of or in excess of jurisdiction. The purpose of the remedy of *certiorari* is to annul void proceedings; prevent unlawful and oppressive exercise of legal authority; and provide for a fair and orderly administration of justice.

Applying the foregoing, errors in the appreciation of evidence may only be reviewed by appeal and not by *certiorari* because they do not involve any jurisdictional ground. Likewise, errors of law do not involve jurisdiction and may only be corrected by ordinary appeal.³⁸

A petition for review on *certiorari* under Rule 45 and a petition for *certiorari* under Rule 65 cannot be practically joined since these remedies are governed by distinct procedural rules. The OSG should have filed two separate petitions on account of the different nature of these two remedies.

WHEREFORE, We **DENY** the petition for review on *certiorari* for lack of merit and **DISMISS** the petition for *certiorari* for being moot and academic.

No pronouncement on costs of suit.

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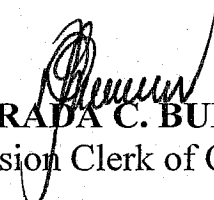
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³⁷ *Fuji Television Network, Inc. v. Espiritu*, G.R. Nos. 204944-45, December 3, 2014, 744 SCRA 31, 62-63.

³⁸ G.R. No. 168394, October 6, 2008, 567 SCRA 540, 550.

SO ORDERED.” *Perlas-Bernabe, J., on official business; Gesmundo, J., designated as Acting Working Chairperson per Special Order No. 2717 dated October 10, 2019; Zalameda, J., designated as Additional Member per Special Order No. 2712 dated September 27, 2019.*

Very truly yours,


LIBRADA C. BUENA
Division Clerk of Court *of 11/12*
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The Hon. Presiding Judge
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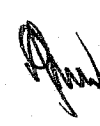
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