



Republic of the Philippines  
Supreme Court  
Manila

THIRD DIVISION

PEOPLE OF THE G.R. No. 267265  
PHILIPPINES,

Plaintiff-appellee,

- versus -

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

EDWIN CORDOVA *y*  
MANALASTAS, JAYSON  
TALADUA *y* BARBARRA,  
MARY ANTONETTE DEL  
ROSARIO *y* TAMONDONG, and  
JAIME CORDOVA *y*  
MANALASTAS (acquitted)  
Accused;

EDWIN CORDOVA *y*  
MANALASTAS, and JAYSON  
TALADUA *y* BARBARRA,  
Accused-appellants.

Promulgated:

January 24, 2024

*Michael B. ...*

X-----X

DECISION

SINGH, *J.*:

This is an appeal under Rule 122 of the Rules of Court assailing the Decision,<sup>1</sup> dated November 11, 2022, of the Court of Appeals (CA) in CA-

<sup>1</sup> *Rollo*, pp. 8–22. Penned by Associate Justice Carlito B. Calpatura and concurred in by Associate Justices Pedro B. Corales and Roberto P. Quiroz of the Special Sixteenth Division, Court of Appeals, Manila.

G.R. CR HC No. 13028. The CA affirmed the Joint Judgment,<sup>2</sup> dated May 29, 2019, of Branch 79, Regional Trial Court, Quezon City (**RTC**), in Criminal Case Nos. R-QZN-19-01905-CR, R-QZN-19-01906-CR, R-QZN-19-01909-CR, and R-QZN-19-01910-CR which convicted accused-appellants Edwin Cordova y Manalastas (**Edwin**) and Jayson Taladua y Barbarra (**Taladua**) of violating several provisions of Republic Act (**R.A.**) No. 9165,<sup>3</sup> or the Comprehensive Dangerous Drugs Act of 2002.

### *The Facts*

This case stemmed from eight (8) separate Informations filed before the RTC, charging Edwin and Taladua, as well as two (2) other individuals, namely, Jaime Cordova y Manalastas (**Jaime**) and Mary Antonette Del Rosario y Tamondong (**Del Rosario**), of the crimes of Violations of Section 5 (**Illegal Sale of Dangerous Drugs**) and Section 11 (**Illegal Possession of Dangerous Drugs**), Article II of R.A. No. 9165.

In Criminal Case Nos. R-QZN-19-01905-CR to R-QZN-19-01908-CR, Edwin was charged for violation of Section 5, Article II of R.A. No. 9165, allegedly committed as follows:

#### **Criminal Case No. R-QZN-19-01905-CR**

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, without any authority of law, did then and there, willfully, unlawfully and knowingly sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport or act as broker in the said transaction, one (1) heat-sealed transparent plastic sachet with marking **BB-LT-EC 01-17-19** containing **zero point zero seven (0.07) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>4</sup> (Emphasis in the original)

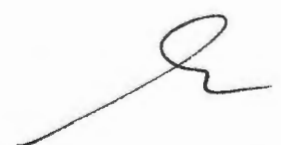
#### **Criminal Case No. R-QZN-19-01906-CR**

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, without any authority of law, did then and there, willfully, unlawfully and knowingly sell, trade, administer, dispense, deliver, give away to **JAYSON TALADUA y BARBARRA**,[,] distribute, dispatch in transit or transport or act as a broker in the said transaction, one (1) heat-sealed transparent plastic sachet with marking **BT-JT 01-17-19** containing **zero point ten (0.10) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

<sup>2</sup> *Id.* at 24–37. Penned by Judge Nadine Jessica Corazon J. Fama.

<sup>3</sup> 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.

<sup>4</sup> RTC records, p. 5, Information.



CONTRARY TO LAW.<sup>5</sup> (Emphasis in the original)

**Criminal Case No. R-QZN-19-01907-CR**

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, without any authority of law, did then and there, willfully, unlawfully and knowingly sell, trade, administer, dispense, deliver, give away to **JAIME CORDOVA y MANALASTAS**[,] distribute, dispatch in transit or transport or act as a broker in the said transaction, one (1) heat-sealed transparent plastic sachet with marking **FRB-JC 01-17-19** containing **zero point zero eight (0.08) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>6</sup> (Emphasis in the original)

**Criminal Case No. R-QZN-19-01908-CR**

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, without any authority of law, did then and there, willfully, unlawfully and knowingly sell, trade, administer, dispense, deliver, give away to **MARY ANTONETTE DEL ROSARIO y T[A]MONDONG**, distribute, dispatch in transit or transport or act as a broker in the said transaction, one (1) heat-sealed transparent plastic sachet with [marking] **MAS-MAD 01-17-19** containing **zero point zero seven (0.07) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>7</sup> (Emphasis in the original)

On the other hand, in Criminal Case Nos. R-QZN-19-01909-CR to R-QZN-19-01912-CR, Edwin, Taladua, Jaime, and Del Rosario were charged with violation of Section 11, Article II of R.A. No. 9165, allegedly committed in the following manner:

**Criminal Case No. R-QZN-19-01909-CR**

*(against Edwin)*

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, not being authorized by law, did then and there, willfully, unlawfully and knowingly have in his possession and control one (1) heat-sealed transparent plastic sachet with marking **LT-EC 01-17-19** containing **zero point zero seven (0.07) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>8</sup> (Emphasis in the original)

**Criminal Case No. R-QZN-19-01910-CR**

*(against Taladua)*

---

<sup>5</sup> *Id.* at 7.

<sup>6</sup> *Id.* at 9.

<sup>7</sup> *Id.* at 11.

<sup>8</sup> *Id.* at 13.

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, not being authorized by law, did then and there, willfully, unlawfully and knowingly have in his possession and control one (1) heat-sealed transparent plastic sachet with marking **BT-JT 01-17-19** containing **zero point ten (0.10) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>9</sup> (Emphasis in the original)

**Criminal Case No. R-QZN-19-01911-CR**  
(*against Jaime*)

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, not being authorized by law, did then and there, willfully, unlawfully and knowingly have in his possession and control one (1) heat-sealed transparent plastic sachet with marking **FRB-JC 01-17-19** containing **zero point zero eight (0.08) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>10</sup> (Emphasis in the original)

**Criminal Case No. R-QZN-19-01912-CR**  
(*against Del Rosario*)

That on or about the **17<sup>th</sup> day of January 2019**, in Quezon City, Philippines, the above-named accused, not being authorized by law, did then and there, willfully, unlawfully and knowingly have in her possession and control one (1) heat-sealed transparent plastic sachet with marking **MAS-MAD 01-17-19** containing **zero point zero seven (0.07) gram** containing white crystalline substance of **Methamphetamine Hydrochloride**, a dangerous drug.

CONTRARY TO LAW.<sup>11</sup> (Emphasis in the original)

During the arraignment on February 11, 2019, Edwin, Taladua, Jaime, and Del Rosario entered their respective pleas of “not guilty” to the charges against them.<sup>12</sup> Thereafter, the Pre-Trial Conference immediately followed where the prosecution and the defense stipulated on the testimony of Police Chief Inspector Bernardo Roque (**PCI Roque**), the Forensic Chemist who examined the specimens seized from Edwin, Taladua, Jaime, and Del Rosario, as follows:

....

4. [PCI Roque] is one of the forensic chemists assigned at the QCPD, Crime Laboratory Office, Police Station 10, Edsa Kamuning, Quezon City;

---

<sup>9</sup> *Id.* at 15.

<sup>10</sup> *Id.* at 17.

<sup>11</sup> *Id.* at 19.

<sup>12</sup> *Id.* at 88, RTC Order, dated February 11, 2019.



5. [O]n January 18, 2019, [PCI] Roque received from PO1 Leehero Torres, PO1 Bernardo Ty, PO1 Fritz Belaza and PO1 Maria Anthonette Sarmiento, a Request for Laboratory Examination and five (5) heat-sealed transparent plastic sachets containing white crystalline substance with markings “BB-LT-EC 01-17-19”, “LT-EC 01-17-19”, “BT-JT 01-17-19”, “FRB-JC 01-17-19” and “MAS-MAD 01-17-19”, all with signature;
6. [U]pon receiving the request and the specimens, [PCI] Roque conducted a qualitative examination of the submitted specimens and he found that the five (5) heat-sealed transparent plastic sachets containing white crystalline substance with markings “BB-LT-EC 01-17-19”, “LT-EC 01-17-19”, “BT-JT 01-17-19”, “FRB-JC 01-17-19” and “MAS-MAD 01-17-19”, all with signature were positive for the presence of Methamphetamine hydrochloride, a dangerous drug;
7. [PCI] Roque issued Chemistry Report No. D-180-19;
8. [PCI] Roque placed all the specimens he examined in a transparent plastic bag, sealed it with a masking tape, placed his markings “D-180-19 BRR” thereon and then he turned over the specimens to the evidence custodian, PO2 Junia Tuccad;
9. Upon receipt of the transparent plastic bag, sealed with a masking tape, with markings “D-180-19 BRR”, PO2 Junia Tuccad placed it in the evidence room of the QCPD Crime Laboratory;
10. [P]ursuant to the subpoena she received, PO2 Junia Tuccad got the transparent plastic bag with markings “D-180-19 BRR” with signature containing the subject specimens in the same condition when it was turned over to her by Chemist Bernardo Roque and submitted it to the court on February 11, 2019;
11. [PCI Roque] can identify the specimens subject of his examination and the documents he prepared and received in connection with his examination;
12. [PCI Roque] has no personal knowledge as to the facts and circumstances of the arrest of the accused;
13. [PCI Roque] has no personal knowledge as to the recovery of the specimens turned over to him for examination;<sup>13</sup>

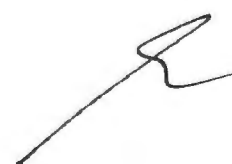
After the termination of the Pre-Trial Conference, trial on the merits ensued.<sup>14</sup>

### *The Version of the Prosecution*

---

<sup>13</sup> *Id.* at 88–89.

<sup>14</sup> *Rollo*, p. 10, CA Decision.



During the trial, the prosecution presented the following witnesses: (1) Police Officer (**PO**) 1 Leehero Torres (**PO1 Torres**); (2) PO1 Bernardo Ty (**PO1 Ty**); and (3) PO1 Fritz Roe Belaza (**PO1 Belaza**).<sup>15</sup>

The prosecution witnesses testified that on January 17, 2019, at around 10:00 a.m., the Station Drug Enforcement Unit (**SDEU**) of the Quezon City Police District (**QCPD**) Police Station 5 received a report from a confidential informant that a certain alias Bong was peddling *shabu* in the area of Barangay Greater Lagro, Quezon City (**Barangay Greater Lagro**), and in nearby barangays. Consequently, a briefing was conducted and a team was formed in order to verify the report given by the confidential informant. Upon verification, the team confirmed that alias Bong was selling illegal drugs.<sup>16</sup>

Thereafter, a buy-bust operation was planned against alias Bong. PO1 Torres was designated as the poseur buyer, while PO1 Ty, PO1 Maria Anthonette Sarmiento (**PO1 Sarmiento**), and PO1 Belaza were assigned as his back-up. As a pre-arranged signal, PO1 Torres would put a towel on his right shoulder once a drug deal was consummated.<sup>17</sup>

At around 3:00 p.m., the confidential informant called alias Bong and asked the latter if he could buy *shabu* for his brother-in-law. Alias Bong told the confidential informant that he would just call later that day, since he was still at the house of his supplier. Subsequently, alias Bong called the confidential informant, confirming that he may already purchase the *shabu*. Alias Bong agreed to meet for the drug transaction at 11:00 p.m. of the same day, along Ascension Road, Barangay Greater Lagro (**Ascension Road**).<sup>18</sup>

The buy-bust team arrived at Ascension Road at around 11:00 p.m. As the team's vehicles were passing Ascension Road corner SB Loop Street, the confidential informant pointed to Edwin, who was standing at the area, and whom he identified as alias Bong. PO1 Torres and the confidential informant then alighted from their vehicle and headed to the corner of Ascension Road and SB Loop Street. The other members of the buy-bust team parked their vehicles several meters away from the area.<sup>19</sup>

PO1 Torres and the confidential informant approached Edwin, and the confidential informant introduced PO1 Torres to Edwin as his brother-in-law who wanted to buy illegal drugs. Edwin asked PO1 Torres for his payment. Consequently, PO1 Torres handed the buy-bust money to Edwin. In exchange, Edwin brought out several plastic sachets of white crystalline substance, and gave one of them to PO1 Torres.<sup>20</sup>

---

<sup>15</sup> *Id.*

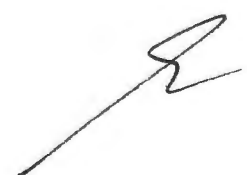
<sup>16</sup> *Id.*

<sup>17</sup> *Id.* at 10–11.

<sup>18</sup> *Id.* at 11.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*



Thereafter, two (2) men and a woman arrived at the area – Taladua, Jaime, and Del Rosario. One of the men introduced his companions to Edwin, saying “*Tol, mga barkada ko. Pautang kami ng kasang tres.*” Edwin then brought out three (3) plastic sachets of white crystalline substance and handed one (1) sachet each to Taladua, Jaime, and Del Rosario.<sup>21</sup> At that instance, PO1 Torres placed a towel on his right shoulder, indicating the consummation of a drug deal. PO1 Torres then introduced himself as a police officer to Edwin. Upon PO1 Torres’ signal, the back-up officers rushed to the area.<sup>22</sup>

PO1 Torres arrested and frisked Edwin. He seized from his right front pocket the buy-bust money, and another plastic sachet of white crystalline substance. On the other hand, PO1 Ty apprehended Taladua and confiscated from his right hand a plastic sachet of white crystalline substance. Meanwhile, PO1 Sarmiento accosted Del Rosario.<sup>23</sup>

The seized items were then marked at the area of arrest in the presence of Barangay Captain Leo Garra (**Barangay Captain Garra**) of Barangay Greater Lagro, and media representative Christopher Yu (**Yu**). Thereafter, an inventory was conducted at the area of operation. The Inventory Sheet was signed by Edwin, Taladua, Jaime, Del Rosario, Barangay Captain Garra, and Yu. Photographs were likewise taken during the conduct of the inventory.<sup>24</sup>

Subsequently, the buy-bust team brought Edwin, Taladua, Jaime, and Del Rosario to the police station. PO1 Torres, PO1 Ty, PO1 Belaza, and PO1 Sarmiento then presented to the investigator, PO3 Joey Madrid, five (5) plastic sachets of white crystalline substance with markings and signatures. Thereafter, PO1 Torres and PO1 Ty submitted the seized items to the QCPD Crime Laboratory, which were received by PCI Roque.<sup>25</sup>

Based on his stipulated testimony, PCI Roque conducted a qualitative examination of the specimens submitted to him, all of which yielded positive results for the presence of Methamphetamine Hydrochloride. PCI Roque then issued Chemistry Report No. D-180-19, stating his findings. After his examination, PCI Roque placed all the specimens in a transparent plastic bag; sealed it with a piece of masking tape; placed his markings “D-180-19 BRR” on the bag; and turned over the sealed plastic bag to the evidence custodian of their office, PO2 Junia Tuccad (**PO2 Tuccad**). Upon receiving the sealed specimens, PO2 Tuccad placed them in the evidence room of the QCPD Crime Laboratory.<sup>26</sup>

---

<sup>21</sup> *Id.* at 11.

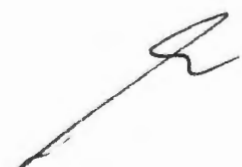
<sup>22</sup> *Id.* at 12

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 12–13.

<sup>26</sup> *Id.* at 13.



Pursuant to the subpoena she received, PO2 Tuccad retrieved the sealed specimens, which were in the same condition when they were turned over to her by PCI Roque, and submitted them to the RTC on February 11, 2019.<sup>27</sup>

### *The Version of the Defense*

The defense presented Taladua, Edwin, and Jaime, to refute the allegations in the Informations and rebut the testimonies of the prosecution witnesses.

Taladua denied the charge against him. He testified that he works as an electrician for Edwin, a businessman who owns J.N.R.E. Auto Supply (**Auto Supply**) which is located at SM Homes Subdivision, Susano Road, Caloocan City. Taladua claimed that he was arrested on January 18, 2019, at around 8:00 p.m. to 9:00 p.m. while he was sleeping inside the Auto Supply. Four (4) to five (5) police officers wearing civilian clothes entered the Auto Supply, instructed him to stand up, and handcuffed him. Taladua was then brought outside and was made to board a van. He noticed that Edwin was also inside the van. They were brought to a 7-11 store where several items were laid out in front of them. Thereafter, they were brought to Police Station 5 and were detained there. According to Taladua, he asked the police officers why he was being arrested, but the officers simply ignored him.<sup>28</sup>

Jaime, on the other hand, narrated that he is a freelance electrician working for Edwin. He was arrested at SM Homes Subdivision on January 17, 2019 at around 8:30 p.m. He was alone in his room when three (3) police officers in civilian clothes entered and searched his room. The officers were looking for a “*bato*” which they did not find in his room. Jaime was taken out of the house and was made to board a vehicle, which proceeded towards the Auto Supply. The police officers then brought Jaime to Police Station 5. He was detained there for an hour, and was brought to a 7-11 store where certain evidence were laid out and photographs of him, Edwin and Taladua, and Del Rosario were taken.<sup>29</sup>

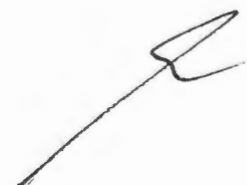
For his part, Edwin also denied the charges against him. He testified that he is the owner of the Auto Supply. He claims that he was arrested on January 18, 2019, at around 7:00 p.m. to 8:00 p.m. Edwin was at the Auto Supply to get spare parts when somebody grabbed him and asked him if he was “Bong.” Then, three (3) persons wearing civilian clothes handcuffed him and mauled him as he was resisting arrest. He said that he was not committing any crime, but he was ignored. The three (3) men were looking for a certain Maris and Inday. Edwin told them that he did not know these people. He was then handcuffed and made to board a van. Inside the van, the men told him to

---

<sup>27</sup> *Id.*

<sup>28</sup> *Id.* at 13–14.

<sup>29</sup> *Id.* at 14.





cooperate with them and hit him with a hammer. Moments later, several men arrived with his brother Jaime. They were brought to Police Station 5, and then to a 7-11 store where people were waiting. He was with Jaime, his brother, Taladua, and a woman named “Star.” Several plastic sachets were laid in front of him but he did not know where they came from.<sup>30</sup>

### *The Ruling of the RTC*

Before the presentation of the prosecution’s evidence, Del Rosario filed a *Motion to Allow the Accused to Enter into a Plea Bargaining Agreement (Motion to Plea Bargain)*,<sup>31</sup> dated March 4, 2019, praying that she be allowed to withdraw her “not guilty” plea and instead enter a plea of guilty for Violation of Section 12, Article II of R.A. No. 9165 in accordance with A.M. No. 18-03-16-SC,<sup>32</sup> or the Plea Bargaining Framework in Drugs Cases.<sup>33</sup>

On March 25, 2019, the RTC issued an Order<sup>34</sup> granting Del Rosario’s Motion to Plea Bargain and convicted her of the lesser offense of violation of Section 12, Article II of R.A. No. 9165, thus:

PREMISES CONSIDERED, in Criminal Case No. R-QZN-19-01912-CR, judgment is hereby rendered finding accused **MARY ANTONETTE DEL ROSARIO y TAMONDONG GUILTY** beyond reasonable doubt of violation of Section 12, Article II of Republic Act No. 9165 and she is hereby sentenced to suffer imprisonment of six months and one day and to pay a fine of Ten [T]housand pesos (P10,000.00). Pursuant to the Supreme Court En Banc Resolution, A.M. No. 18-03-16-SC dated April 10, 2018, she is directed to undergo a drug dependency evaluation/test to be conducted by a DOH accredited physician.<sup>35</sup> (Emphasis in the original)

After the trial, the RTC rendered a Joint Judgment,<sup>36</sup> dated May 29, 2019, finding Edwin and Taladua guilty beyond reasonable doubt of Violation of Sections 5 and 11, Article II of R.A. No. 9165. The dispositive portion of the RTC’s Joint Judgment states:

**WHEREFORE**, judgment is hereby rendered as follows:

1. In Criminal Case No. R-QZN-19-01905-CR, accused **EDWIN CORDOVA y MANALASTAS** is hereby found **GUILTY** beyond reasonable doubt of violation of Section 5, Article II of Republic Act No. 9165 and he is hereby sentenced to suffer life

<sup>30</sup> *Id.*

<sup>31</sup> RTC records, pp. 117–118.

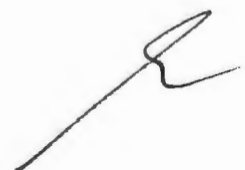
<sup>32</sup> Approved on April 10, 2018.

<sup>33</sup> RTC records, p. 117.

<sup>34</sup> *Id.* at 195–196.

<sup>35</sup> *Id.* at 195.

<sup>36</sup> *Id.* at 243–256.



- imprisonment and to pay a fine of Five [H]undred [T]housand [P]esos (P500,000.00);
2. In Criminal Case No. R-QZN-19-01906-CR, accused **EDWIN CORDOVA y MANALASTAS** is hereby found **GUILTY** beyond reasonable doubt of violation of Section 5, Article II of Republic Act No. 9165 and he is hereby sentenced to suffer life imprisonment and to pay a fine of Five [H]undred [T]housand [P]esos (P500,000.00);
  3. In Criminal Case No. R-QZN-19-01907-CR, accused **EDWIN CORDOVA y MANALASTAS** is hereby **ACQUITTED** of violation of Section 5, Article II of Republic Act No. 9165;
  4. In Criminal Case No. R-QZN-19-01908-CR, accused **EDWIN CORDOVA y MANALASTAS** is hereby **ACQUITTED** of violation of Section 5, Article II of Republic Act No. 9165;
  5. In Criminal Case No. R-QZN-19-01909-CR, accused **EDWIN CORDOVA y MANALASTAS** is hereby found **GUILTY** beyond reasonable doubt of violation of Section 11, Article II of Republic Act No. 9165 and he is hereby sentenced to suffer imprisonment of 12 years and 1 day as minimum to (14) years and eight (8) months as maximum and to pay a fine of Three [H]undred [T]housand [P]esos (P300,000.00);
  6. In Criminal Case No. R-QZN-19-01910-CR, accused **JAYSON TALADUA y BARBARRA** is hereby found **GUILTY** beyond reasonable doubt of violation of Section 11, Article II of Republic Act No. 9165 and he is hereby sentenced to suffer imprisonment of 12 years and 1 day as minimum to (14) years and eight (8) months as maximum and to pay a fine of Three [H]undred [T]housand [P]esos (P300,000.00); and
  7. In Criminal Case No. R-QZN-19-01911-CR, accused **JAIME CORDOVA y MANALASTAS** is hereby **ACQUITTED** of violation of Section 11, Article II of Republic Act No. 9165

The release of accused JAIME CORDOVA y MANALASTAS is hereby ordered, unless, he is being detained for some other lawful cause.

The Branch Clerk of Court is directed to immediately turn over to the Chief of PDEA Crime Laboratory, the subject drugs covered by Chemistry Report No. D-180-19, which are confiscated in favor of the government, to be disposed of in strict conformity with the provisions of RA No. 9165 and its implementing rules and regulations on the matter.

The One [H]undred [P]eso bills with serial numbers CM250182, PP491244 and SH416167 are confiscated in favor of the government and the Branch Clerk of Court is directed to deposit them to the General Fund.

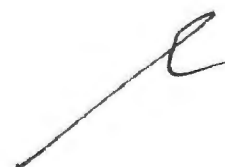
**SO ORDERED.**<sup>37</sup> (Emphasis in the original)

Edwin and Taladua appealed to the CA. They argued, among others, that the RTC gravely erred in convicting them of the crimes charged despite the prosecution's failure to establish every link in the chain of custody of the dangerous drugs allegedly seized from them.<sup>38</sup>

---

<sup>37</sup> *Id.* at 255–256.

<sup>38</sup> *CA rollo*, p. 44, Brief for the Accused-Appellants.



### *The Ruling of the CA*

On November 11, 2022, the CA rendered a Decision<sup>39</sup> affirming Edwin's and Taladua's conviction by the RTC, thus:

**WHEREFORE**, premised considered, the appeal is **DENIED**. The *Joint Judgment* dated May 29, 2019 of the Regional Trial Court of Quezon City, Branch 79, in Criminal Case Nos. R-QZN-19-01905-CR; R-QZN-19-01906-CR; R-QZN-19-01909-CR; R-QZN-19-01910-CR is **AFFIRMED**.

**SO ORDERED**.<sup>40</sup> (Emphasis in the original)

Edwin and Taladua appealed the CA Decision before the Court, pursuant to Rule 122 of the Rules of Court.

### *The Issue*

Did the CA commit reversible error when it upheld Edwin's and Taladua's conviction of violation of Sections 5 and 11, Article II of R.A. No. 9165?

### *The Ruling of the Court*

At the outset, the Court emphasizes that it is a well-settled rule that in criminal cases, an appeal throws the entire case wide open for review and the reviewing tribunal can correct errors, though unassigned in the appealed judgment, or even reverse the trial court's decision based on grounds other than those that the parties raised as errors.<sup>41</sup> The appeal confers the appellate court full jurisdiction over the case and renders such court competent to examine records, revise the judgment appealed from, increase the penalty, and cite the proper provision of the penal law.<sup>42</sup>

After a review of the pleadings and other documents forming part of the records of this case, the Court resolves to grant the appeal and reverse the CA Decision.

### *The rule on chain of custody in drugs cases*

To sustain a conviction for the offense of illegal sale of dangerous drugs under Section 5, and illegal possession of dangerous drugs under Section 11,

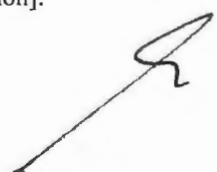
---

<sup>39</sup> *Rollo*, pp. 8–22.

<sup>40</sup> *Id.* at 21.

<sup>41</sup> *People v. Bernardo*, 890 Phil. 97, 110 (2020) [Per J. Perlas-Bernabe, Second Division].

<sup>42</sup> *People v. XXX*, G.R. No. 240750, June 21, 2021 [Per J. J. Lopez, Third Division].



Article II of R.A. No. 9165, the prosecution must be able to establish with moral certainty the identity of the confiscated drug.<sup>43</sup> To remove any doubt or uncertainty as to the identity and integrity of the seized drug, it must be proven that the substance illegally sold by the accused is the same substance offered and identified in court.<sup>44</sup> This requirement is known as the chain of custody rule. Chain of custody has been defined as “the duly recorded, authorized movements, and custody of the seized drugs at each stage, from the moment of confiscation to the receipt in the forensic laboratory for examination until it is presented to the court.”<sup>45</sup>

The chain of custody rule is provided for under Section 21, Article II of R.A. No. 9165, as amended by R.A. No. 10640,<sup>46</sup> which was passed on July 15, 2014. Considering that the illegal acts of selling and/or possessing dangerous drugs were allegedly committed by Edwin and Taladua on January 17, 2019, the revised chain of custody rule applies in this case. In this regard, Section 21, Article II of R.A. No. 9165, as amended by R.A. No. 10640, provides that:

SEC. 21. Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment. – The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

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

(2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential

<sup>43</sup> *People v. Del Rosario*, 874 Phil. 881, 893 (2020) [Per J. Gesmundo, Third Division].

<sup>44</sup> *Id.* at 893.

<sup>45</sup> *Id.* at 894.

<sup>46</sup> An Act to Further Strengthen the Anti-drug Campaign of the Government, Amending for the Purpose Section 21 of Republic Act No. 9165, otherwise known as the ‘Comprehensive Dangerous Drugs Act of 2002, approved on July 15, 2014.



chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;

(3) A certification of the forensic laboratory examination results, which shall be done by the forensic laboratory examiner, shall be issued immediately upon the receipt of the subject item/s: Provided, That when the volume of dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: Provided, however, That a final certification shall be issued immediately upon completion of the said examination and certification[.] (Emphasis supplied)

From the foregoing, the following are the links that must be established in the chain of custody in a buy-bust situation:

1. The first link is the seizure and marking, if practicable, of the illegal drug recovered from the accused by the apprehending officer;
2. The second link refers to the turnover of the illegal drug seized by the apprehending officer to the investigating officer;
3. The third link pertains to the turnover by the investigating officer of the illegal drug to the forensic chemist for laboratory examination; and
4. The fourth link is the turnover and submission of the marked illegal drug seized from the forensic chemist to the court.<sup>47</sup>

While non-compliance with the prescribed procedural requirements will not automatically render the seizure and custody of the items void and invalid, this is true only when (i) there is a justifiable ground for such non-compliance, and (ii) the integrity and evidentiary value of the seized items are properly preserved. Thus, any divergence from the prescribed procedure must be justified and must not affect the integrity and evidentiary value of the confiscated contraband. Absent any of the said conditions, the non-compliance is an irregularity, a red flag, that casts reasonable doubt on the identity of the *corpus delicti*.<sup>48</sup>

*The prosecution failed to establish the first link in the chain of custody*

The first link in the chain of custody involves the seizure, marking, and conduct of inventory of the seized dangerous drug. In *People v. Somira*,<sup>49</sup> the

---

<sup>47</sup> *People v. Somira*, G.R. No. 252152, June 23, 2021 [Per J. Delos Santos, Third Division].

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*



Court, citing its ruling in *People v. Zakaria*,<sup>50</sup> emphasized the importance of this first link as follows:

Crucial in proving the chain of custody is the marking of the seized dangerous drugs or other related items immediately after they are seized from the accused, for the marking upon seizure is the starting point in the custodial link that succeeding handlers of the evidence will use as reference point. Moreover, the value of marking of the evidence is to separate the marked evidence from the corpus of all other similar or related evidence from the time of seizure from the accused until disposition at the end of criminal proceedings, obviating switching, “planting” or contamination of evidence. A failure to mark at the time of taking of initial custody imperils the integrity of the chain of custody that the law requires.<sup>51</sup>

In *Nisperos v. People*<sup>52</sup> (*Nisperos*), the Court adopted the following guidelines in the marking, inventory, and taking of photographs of seized dangerous drugs:

In order to guide the bench, the bar, and the public, particularly our law enforcement officers, the Court hereby adopts the following guidelines:

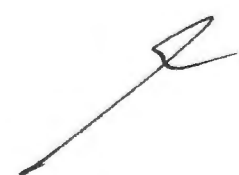
- 1. The marking of the seized dangerous drugs must be done:**
  - a. Immediately upon confiscation;**
  - b. At the place of confiscation; and
  - c. In the presence of the offender (unless the offender eluded the arrest);
- 2. The conduct of inventory and taking of photographs of the seized dangerous 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 R.A. 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;

---

<sup>50</sup> 699 Phil. 367 (2012) [Per J. Bersamin, First Division].

<sup>51</sup> *Id.* at 380–381.

<sup>52</sup> G.R. No. 250927, November 29, 2022 [Per J. Rosario, *En Banc*].



- ii. if the seizure occurred after the effectivity of R.A. 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.<sup>53</sup> (Emphasis supplied)**

Based on the foregoing, the inventory and taking of photographs of the seized dangerous drugs must be done immediately after their seizure and confiscation. In this regard, the Court ruled in *People v. Casa*<sup>54</sup> (*Casa*) that “the phrase ‘immediately after seizure and confiscation’ means that the physical inventory and photographing of the drugs were intended by the law to be made immediately after, or at the place of apprehension.”<sup>55</sup> Consequently, the insulating witnesses are also required “to be at or near the intended place of the arrest so that they can be ready to witness the inventory and photographing of the seized and confiscated drugs ‘immediately after seizure and confiscation.’”<sup>56</sup>

In *People v. Bartolini*,<sup>57</sup> the Court ruled that the failure of the apprehending officers to immediately mark the seized dangerous drug casts doubt on the authenticity of the *corpus delicti*, which warrants an acquittal based on reasonable doubt:

In this case, we find that the prosecution failed to sufficiently establish the first link in the chain of custody. **There was a failure to mark the drugs immediately after the items were seized from Bartolini. The items were marked only at the police station and the prosecution offered no reasonable explanation as to why the items were not immediately marked after seizure. We have previously held that the failure to mark the drugs immediately after seizure from the accused cast doubt on the prosecution’s evidence, which warrants an acquittal on reasonable doubt.**

....

This Court has been consistent in holding that the failure of the authorities to immediately mark the seized drugs raises reasonable doubt on the authenticity of the *corpus delicti* and suffices to rebut the presumption of regularity in the performance of official duties.

---

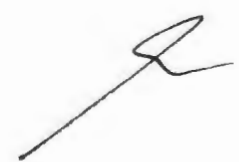
<sup>53</sup> *Id.*

<sup>54</sup> G.R. No. 254208, August 16, 2022 [Per C.J. Gesmundo, *En Banc*].

<sup>55</sup> *Id.*, citing *People v. Musor*, 842 Phil. 1159, 1176 (2018) [Per J. Caguioa, Second Division]. (Emphasis supplied)

<sup>56</sup> *Nisperos v. People*, *supra* note 52.

<sup>57</sup> 791 Phil. 626 (2016) [Per J. Carpio, Second Division].



There have been cases when the Court relaxed the application of Section 21 and held that the subsequent marking at the police station is valid. However, this non-compliance is not fatal only when there are (1) justifiable grounds and (2) the integrity and evidentiary value of the seized items are properly preserved. **And while the amendment of RA 9165 by RA 10640 now allows the conduct of physical inventory in the nearest police station, the principal concern remains to be the preservation of the integrity and evidentiary value of the seized items.** In this case, however, the prosecution offered no explanation at all for the non-compliance with Section 21, more particularly that relating to the immediate marking of the seized items. This non-explanation creates doubt on whether the buy-bust team was able to preserve the integrity and evidentiary value of the items seized from Bartolini.<sup>58</sup> (Emphasis supplied)

In this case, the CA ruled that the prosecution was able to successfully prove the police officers' compliance with the chain of custody rule.<sup>59</sup> Consequently, the CA concluded that the prosecution had established the integrity of the *corpus delicti* beyond reasonable doubt.<sup>60</sup>

The Court disagrees.

A review of the records of this case reveals that the first link in the chain of custody rule was not complied with. The testimonies of the prosecution witnesses show that the insulating witnesses were not at or near the place of arrest at the time of apprehension.

PO1 Torres, the buy-bust team's poseur buyer, admitted that the buy-bust team only contacted the insulating witnesses, Barangay Captain Garra of Barangay Greater Lagro and media representative Yu, after Edwin's and Taladua's arrest, thus:

Q: Now, Mr. Witness, who were present during the markings of these specimens?

A: During the Inventory, we called the barangay officials and the barangay captain arrived at the area, Barangay Captain Leo B. Garra, and the media representative, Christopher Yu. We also called the DOJ representative but there [was] no available DOJ [representative] at that time.<sup>61</sup> (Underscoring supplied)

Additionally, during PO1 Torres' cross-examination, the defense counsel was able to elicit an admission proving that the marking and inventory of the seized items were conducted at least 25 minutes after the arrest of Edwin and Taladua. As shown in Edwin's and Taladua's Arrest and Booking

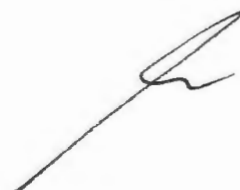
---

<sup>58</sup> *Id.* at 635–636.

<sup>59</sup> *Rollo*, p. 21, CA Decision, dated November 11, 2022.

<sup>60</sup> *Id.*

<sup>61</sup> TSN, PO1 Leehero Torres, March 4, 2019, p. 13.





Sheet,<sup>62</sup> they were arrested at about 11:20 p.m. of January 17, 2019.<sup>63</sup> On the other hand, PO1 Torres testified that Barangay Captain Garra and Yu arrived at the place of arrest at 11:30 p.m. and 11:45 p.m., respectively:

Q: And, Mr. Witness, you mentioned a while ago that during the Inventory[,] you called the barangay captain and a media representative, correct?

A: Yes, sir.

Q: So, these witnesses whom you called went to the place of arrest after you have arrested the four (4) accused, correct?

A: Yes, sir.

Q: After you have allegedly confiscated the items from them, correct?

A: Yes, sir.

Q: Who arrived first, the barangay captain or the media representative?

A: The barangay captain.

**Q: And what time did the barangay captain arrive?**

**A: At around 11:30.**

**Q: How about the media representative?**

**A: 11:45.<sup>64</sup> (Emphasis and underscoring supplied)**

The above testimony of PO1 Torres about the time of the arrival of the insulating witnesses was corroborated by PO1 Ty during his own cross-examination:

Q: Mr. Witness, you mentioned that when you were conducting the Inventory, a barangay captain and a reporter arrived at the place?

A: Yes, sir.

Q: Did the barangay captain and the reporter arrive simultaneously?

A: No, sir.

Q: Who came first?

A: It was Captain Leo Garra who arrived first.

**Q: What time did the barangay captain arrive, if you remember?**

**A: At 11:30 in the evening, sir.**

**Q: How about the reporter?**

**A: At 11:45 in the evening, sir.<sup>65</sup> (Emphasis supplied)**

As uniformly found by the CA and the RTC, the marking and the inventory of the seized items were conducted only after the arrival of Barangay Captain Garra and Yu, at least 25 minutes from the arrest of Edwin

---

<sup>62</sup> RTC records, pp. 46-47.

<sup>63</sup> *Id.*

<sup>64</sup> TSN, PO1 Leehero Torres, March 4, 2019, pp. 22-23.

<sup>65</sup> *Id.* at 17-18.

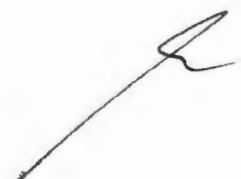
and Taladua. Notably, in *Nisperos*, the Court ruled that an interval of 30 minutes between seizure of the dangerous drugs and the conduct of the inventory amounts to an unjustifiable deviation from the chain of custody rule, thus:

**Here, while the purported sale transpired at 11:30 [a.m.] of June 30, 2015, the inventory took place half an hour later. While Barangay Captain Taguinod was already present at the place of transaction, DOJ representative Gangan arrived only at 12 noon. Without his presence, the inventory could not be conducted for lack of one required witness. Given that the inventory was done at the place of seizure and did not need to be performed at the nearest police station or the nearest office of the apprehending team, the buy-bust team should have been able to conduct the same immediately after the seizure, were it not for the tardy arrival of the DOJ representative. Certainly, his late arrival is not a justifiable ground for the delay. The buy-bust team only had itself to blame for not ensuring that all required witnesses were readily available for them to be able to immediately conduct the inventory.**

We find, therefore, that the buy-bust team unjustifiably deviated from the chain of custody rule when only one of the mandatory witnesses was readily available at the place of transaction, thus constraining the buy-bust team to conduct the inventory only half an hour after the seizure and confiscation of the drugs. (Emphasis supplied)

In this case, the Court rules that the 25-minute interval between Edwin's and Taladua's arrest and seizure of the dangerous drugs, on the one hand, and the marking and inventory of the seized items, on the other, is unreasonable. Considering that the inventory was done at the place of seizure and did not need to be performed at the nearest police station or the nearest office of the apprehending team, the buy-bust team should have been able to conduct the same immediately after the seizure, were it not for the late arrival of the insulating witnesses. Thus, the buy-bust team unjustifiably deviated from the chain of custody rule as it is clear that the marking of the seized dangerous drugs was not done immediately upon confiscation. Additionally, the inventory and taking of photographs of the seized items were not conducted immediately after seizure and confiscation. Thus, the totality of the prosecution's evidence actually revealed that the guidelines prevailing in jurisprudence, as consolidated in *Casa* and *Nisperos*, have been violated by the buy-bust team.

Admittedly, the last paragraph of Section 21(a) of R.A. No. 9165, as amended by R.A. No. 10640, contains a saving *provisio* to the effect 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 the said items." However, in order for the saving *provisio* to apply, the prosecution must first recognize and explain the



lapse or lapses in procedure committed by the arresting officers.<sup>66</sup> That did not happen in this case. Neither the prosecution nor the apprehending officers offered any justification for the non-compliance with the procedure required under Section 21 of R.A. No. 9165, as amended by R.A. No. 10640. This unjustified departure from the chain of custody rule casts doubt on the prosecution's evidence.

The lapses committed by the prosecution and the apprehending officers are not minor. Indeed, establishing every link in the chain of custody is crucial to the preservation of the integrity, identity, and evidentiary value of the seized items. Failure to demonstrate compliance with even just one of these links creates reasonable doubt that the items confiscated from the accused are the same items offered in evidence,<sup>67</sup> as in this case.

In view of the foregoing, the Court holds that the integrity and evidentiary value of the dangerous drugs allegedly seized from Edwin and Taladua had not been adequately preserved. The lapses and significant gaps in the chain of custody cast serious doubts and taint the integrity of the *corpus delicti*. Consequently, the Court acquits Edwin and Taladua of the crimes charged against them.

*Del Rosario should benefit from the acquittal of Edwin and Taladua*

The records of the case reveal that Del Rosario was one of Edwin's and Taladua's co-accused in the case before the RTC. However, before the presentation of the prosecution's evidence, Del Rosario filed a Motion to Plea Bargain,<sup>68</sup> praying that she be allowed to withdraw her "not guilty" plea of violation of Section 11, Article II of R.A. No. 9165, and instead enter a plea of guilty to violation of Section 12, Article II of R.A. No. 9165 in accordance with A.M. No. 18-03-16-SC. Del Rosario's Motion to Plea Bargain was granted by the RTC, in its Order,<sup>69</sup> dated March 25, 2019, and convicted her of the lesser offense of violation of Section 12, Article II of R.A. No. 9165.

The Court rules that notwithstanding the finality of Del Rosario's conviction, she must benefit from the subsequent acquittal of her co-accused pursuant to Section 11(a), Rule 122 of the Rules of Court, which provides:

Section 11. *Effect of appeal by any of several accused.* —


- (a) An appeal taken by one or more of several accused shall not affect those who did not appeal, except insofar as the judgment of the appellate court is favorable and applicable to the latter;

<sup>66</sup> *People v. Bermejo*, 855 Phil. 65, 83 (2019) [Per J. Carandang, First Division].

<sup>67</sup> *People v. Rivera*, G.R. No. 252886, March 15, 2021 [Per J. Perlas-Bernabe, Second Division].

<sup>68</sup> RTC records, pp. 117–118.

<sup>69</sup> *Id.* at 195–196.



Based on the above provision, a favorable judgment such as an acquittal “shall benefit the co-accused who did not appeal or those who appealed from their judgments of conviction but for one reason or another, the conviction became final and executory.”<sup>70</sup> This is in line with the principle earlier stated that an appeal of a criminal case throws the entire case open for review by the higher tribunal.

In *Fuentes v. People*,<sup>71</sup> the Court applied the above rule to a similar criminal proceeding involving violation of Section 11, Article II of R.A. No. 9165. In the said case, although two (2) Informations were separately filed against petitioner Edwin Fuentes (**Fuentes**) and his co-accused, the acquittal of Fuentes during appeal was used as basis in acquitting his co-accused who did not appeal his conviction, considering that the criminal case against said co-accused arose from the same set of facts as the case against Fuentes.

The same rule was applied by the Court in *People v. Dy*.<sup>72</sup> In the said case, accused-appellant Loren Dy (**Dy**) and her co-accused William Cepeda (**Cepeda**), were jointly charged with violation of Section 5, Article II of R.A. No. 9165. Additionally, a separate Information was filed against Cepeda for violation of Section 11, Article II of R.A. No. 9165. Only Dy appealed her conviction to the Court. When the Court acquitted Dy due to the failure of the prosecution to establish the unbroken chain of custody of the dangerous drugs, the Court likewise acquitted Cepeda, including his conviction of violation of Section 11, Article II of R.A. No. 9165, notwithstanding his failure to perfect an appeal. According to the Court, Dy’s conviction rested on the same set of facts and circumstances as the conviction of Cepeda.

In *People v. Fulgado*,<sup>73</sup> the Court also acquitted the accused-appellant’s co-accused who did not appeal her conviction for violation of Sections 5 and 11, Article II of R.A. No. 9165, thus:

All told, Fulgado must be and is so acquitted for failure of the prosecution to justify the arresting officers’ non-compliance with the three-witness rule under Section 21 of R.A. No. 9165.

In view of this, **Tamayo, Fulgado’s co-accused in this case, must perforce be acquitted as well considering that (1) under Section 11 (a), Rule 122 of the Revised Rules of Criminal Procedure, a favorable judgment shall benefit the co-accused who did not appeal; and (2) the evidence against and the conviction of Tamayo and Fulgado are inextricably linked.** Hence, the acquittal of Fulgado based on reasonable doubt should likewise apply to her co-accused Tamayo albeit no appeal was filed by the latter.<sup>74</sup> (Emphasis supplied)

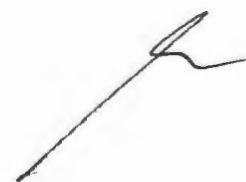
<sup>70</sup> *People v. Bernardo*, 890 Phil. 97, 114 (2020) [Per J. Perlas-Bernabe, Second Division].

<sup>71</sup> 845 Phil. 379 (2019) [Per J. Perlas-Bernabe, Second Division].

<sup>72</sup> 858 Phil. 283 (2019) [Per J. Caguioa, Second Division].

<sup>73</sup> 871 Phil. 531 (2020) [Per J. J. Reyes, Jr., First Division].

<sup>74</sup> *Id.* at 546.



In the present case, Edwin, Taladua, and Del Rosario were simultaneously arrested by the buy-bust team. Additionally, the marking and inventory of dangerous drugs allegedly seized from Edwin, Taladua, and Del Rosario were conducted only after the arrival of the insulating witnesses. As such, the acquittal of Edwin and Taladua on the basis of non-observance of the chain of custody rule squarely applies to Del Rosario. The evidence against and the conviction of Edwin, Taladua, and Del Rosario are inextricably linked.

**ACCORDINGLY**, the appeal is **GRANTED**. The Decision, dated November 11, 2022, of the Court of Appeals in CA-G.R. CR-HC No. 13028, which affirmed the Joint Judgment, dated May 29, 2019, of Branch 79, Regional Trial Court, Quezon City, in Criminal Case Nos. R-QZN-19-01905-CR, R-QZN-19-01906-CR, R-QZN-19-01909-CR, and R-QZN-19-01910-CR, is **REVERSED**.


Accused-appellants Edwin Cordova y Manalastas and Jayson Taladua y Barbarra are **ACQUITTED** of the crimes of violation of Sections 5 and 11, Article II of Republic Act No. 9165, in Criminal Case Nos. R-QZN-19-01905-CR, R-QZN-19-01906-CR, R-QZN-19-01909-CR, and R-QZN-19-01910-CR before Branch 79, Regional Trial Court, Quezon City on the ground of reasonable doubt and they are **ORDERED RELEASED** immediately from detention, unless they are being held in custody for other lawful cause.

Let a copy of this Decision be furnished to the Director General of the Bureau of Corrections, Muntinlupa City, for immediate implementation. The Director General is **ORDERED** to **REPORT** to this Court, within five (5) days from receipt of this Decision, the action taken in compliance with this order.

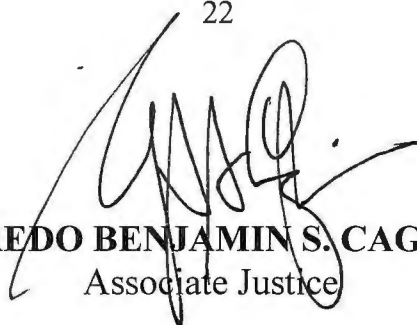
Additionally, the Order, dated March 22, 2019, of Branch 79, Regional Trial Court, Quezon City with regard to Criminal Case No. R-QZN-19-01912-CR is **SET ASIDE**. Accused therein Mary Antonette Del Rosario y Tamondong is **ACQUITTED** on the ground of reasonable doubt.

Let entry of judgment be issued immediately.

**SO ORDERED.**

  
**MARIA FILOMENA D. SINGH**  
Associate Justice


WE CONCUR:



**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice



**HENRI JEAN PAUL B. INTING**  
Associate Justice



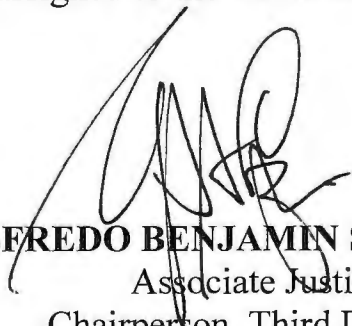
**SAMUEL H. GAERLAN**  
Associate Justice



**JAPAR B. DIMAAMPAO**  
Associate Justice

**ATTESTATION**

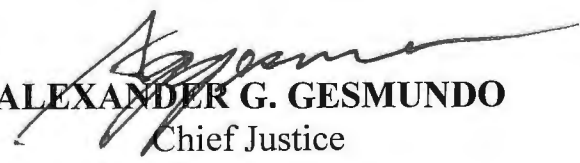
I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



**ALFREDO BENJAMIN S. CAGUIOA**  
Associate Justice  
Chairperson, Third Division

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution, and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.



**ALEXANDER G. GESMUNDO**  
Chief Justice

