



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

CANDELARIA DE MESA G.R. No. 236848
MANGULABNAN,

Petitioner, Present:

- versus -

PEOPLE OF THE
PHILIPPINES, Respondent.

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

Promulgated:

08 JUN 2020

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DECISION

PERLAS-BERNABE, J.:

Assailed in this petition for review on *certiorari*¹ are the Decision² dated October 6, 2017 and the Resolution³ dated January 15, 2018 of the Sandiganbayan (SB) in Criminal Case No. SB-11-CRM-0228 which found petitioner Candelaria De Mesa Mangulabnan (Mangulabnan) guilty beyond reasonable doubt of Direct Bribery under Article 210 of the Revised Penal Code.⁴

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

¹ *Rollo*, pp. 58-73.

² *Id.* at 10-21. Penned by Associate Justice Reynaldo P. Cruz with Associate Justices Alex L. Quiroz and Geraldine Faith A. Econg, concurring.

³ *Id.* at 86-88.

⁴ Act No. 3815 entitled, "AN ACT REVISING THE PENAL CODE AND OTHER PENAL LAWS," approved on December 8, 1930.

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The Facts

The instant case stemmed from an Information⁵ charging Mangulabnan of Direct Bribery under Article 210 of the Revised Penal Code, the accusatory portion of which states:

That on or about March 1998 or for sometime subsequent thereto, in the City of San Fernando, Pampanga, Philippines, accused RODRIGO R. FLORES, Presiding Judge of the Municipal Trial Court in Cities (MTCC), Branch 2, City of San Fernando, Pampanga, with Salary Grade 27, thus, within the jurisdiction of this Honorable Court, together with CANDELARIA MANGULABNAN, Court Interpreter and specially assigned as Chairman of the Revision Committee of the same MTCC of San Fernando City, Pampanga, while in the performance of their official functions, committing the offense in relation to their office, taking advantage of their respective official positions, and with grave abuse of authority, confederating together and mutually helping one another, did then and there willfully, unlawfully and feloniously demanded and request the amount of P20,000.00 from Dario Manalastas, a party to an election protest case filed by Alberto Guinto against Dario Manalastas where accused Rodrigo R. Flores and Candelaria Mangulabnan have to intervene in their official capacities since such case is pending before the Court where accused Rodrigo R. Flores is the Presiding Judge and Candelaria Mangulabnan is the Court Interpreter and Chairman of the Revision Committee, which amount accused Candelaria Mangulabnan actually received for accused Rodrigo R. Flores in consideration of a decision in the case favorable to Dario Manalastas which is unjust, since the decision should be based on the merits of the case and not the monetary consideration, the damage and prejudice of Dario Manalastas and public service.

CONTRARY TO LAW.⁶

The prosecution alleged that sometime in May 1997, private complainant Alberto Guinto (Guinto) filed an election protest against Dario Manalastas (Manalastas) before the Municipal Trial Court in Cities (MTCC) of the City of San Fernando, Pampanga, Branch 2, where Rodrigo R. Flores was Presiding Judge (Judge Flores) and Mangulabnan worked as a Court Interpreter. On several occasions, Judge Flores allegedly visited Guinto in the latter's workplace and asked for several monetary favors. Despite receiving these favors, Judge Flores decided the case in favor of Manalastas. Guinto then filed complaints before the Office of the Court Administrator (OCA), charging Judge Flores for his failure to decide the election protest within the required period, and against Mangulabnan for releasing an unauthorized copy of the decision. These administrative complaints were referred to Executive Judge Adelaida Ala-Medina (Judge Medina) for investigation, review, and recommendation. In her report, Judge Medina revealed that while the election protest case was pending before the MTCC, Judge Flores borrowed Twenty Thousand Pesos (P20,000.00) from

⁵ Not attached to the *rollo*.

⁶ See *rollo*, p. 11.

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Manalastas, which Mangulabnan received as middleman in favor of Judge Flores. Hence, Judge Medina recommended Mangulabnan's dismissal from service for her participation as conduit in the commission of the crime.⁷ In a Resolution⁸ dated August 10, 2006, the Court adopted Judge Medina's findings, suspended Mangulabnan for one (1) year,⁹ and ordered that the Court's Resolution be furnished to the Office of the Ombudsman (OMB) for investigation. Thereafter, the OMB found that the allegations make out a case for Direct Bribery; hence, the Information was filed.¹⁰

Mangulabnan pleaded "not guilty" to the charge.¹¹

During the proceedings before the SB, the prosecution did not present any witnesses, and instead presented the documents culled from the administrative case, the due execution of which was stipulated on by the parties. After the prosecution rested its case, Mangulabnan filed a Motion for Leave to File Demurrer to Evidence, which the SB denied.¹² Thereafter, Mangulabnan filed an Ex-Parte Manifestation waiving her right to present evidence. The SB then ordered the parties to submit their respective Memoranda; following which, the case would be submitted for decision.¹³ In her Memorandum, Mangulabnan principally argued that the prosecution failed to prove her guilt beyond reasonable doubt considering its heavy reliance on the evidence adduced during the administrative proceedings, without presenting a single witness to identify the same or to be cross-examined.¹⁴ She argued that administrative accountability cannot amount to a finding of guilt in a criminal case.¹⁵ Thus, she prayed that the Information be dismissed.¹⁶

The SB Ruling

In a Decision¹⁷ dated October 6, 2017, the SB found Mangulabnan guilty beyond reasonable doubt of Direct Bribery¹⁸ and accordingly,

⁷ Id. at 13-14.

⁸ *Guinto v. Flores and Mangulabnan*, A.M. MTJ-02-1399, August 10, 2006. Since Judge Flores had already been dismissed from service in a previous administrative case, he was simply ordered to pay a P50,000.00 fine. As regards Mangulabnan, the Court held that: "we find that she, indeed, acted as a conduit in the solicitation of money from the litigants. While she claimed that she did so only under the instruction of respondent judge, we believe, however, that respondent Mangulabnan was not at all ignorant of what respondent judge had asked her to do. She knew it was illegal for Judge Flores to "borrow" money from litigants who had pending cases in his *sala*. She was aware that it was wrong yet she still allowed herself to be a part of respondent judge's immoral activities. Her complicity notwithstanding, the penalty of dismissal from the service is too harsh considering that this appears to be her first offense."

⁹ *Rollo*, p. 13.

¹⁰ Id. at 13-14.

¹¹ Id. at 11.

¹² Id. at 12.

¹³ Id. at 13.

¹⁴ Id. at 111-112.

¹⁵ Id. at 112.

¹⁶ Id.

¹⁷ Id. at 10-21.

¹⁸ Id. at 19. Accordingly, the SB sentenced her to suffer imprisonment for an indeterminate period of four years, two months, and one day of *prision correccional* as minimum, to nine (9) years, four (4)

sentenced her to suffer the indeterminate penalty of imprisonment for a period of four (4) years, two (2) months, and one (1) day of *prision correccional* as minimum, to nine (9) years, four (4) months, and one (1) day of *prision mayor* as maximum, and to pay a fine in the amount of Sixty Thousand Pesos (₱60,000.00), with special temporary disqualification from holding public office.¹⁹

The SB noted Mangulabnan's admission in open court in a separate civil case for injunction filed by Manalastas, which formed part of the administrative case's records, that she indeed received money from the latter and delivered it to Judge Flores, thus proving their conspiracy in committing the crime. Moreover, it found that the prosecution had established all the elements constituting Direct Bribery under Article 210 of the Revised Penal Code, considering that: (a) Judge Flores and Mangulabnan were both public officers, being the Presiding Judge and Court Interpreter, respectively, of the MTCC of the City of San Fernando, Pampanga, Branch 2 at the time of the commission of the offense; (b) Mangulabnan acted as a conduit of Judge Flores when she received Twenty Thousand Pesos (₱20,000.00) from Manalastas, and delivered the same to Judge Flores; (c) the amount was in consideration of the rendition of judgment in the pending election protest in favor of Manalastas; and (d) that the rendition of judgment relates to the function of Flores as Presiding Judge. Considering the concurrence of all the elements, and that Mangulabnan was a co-conspirator of Judge Flores, the SB found the prosecution's evidence sufficient to prove her guilt beyond reasonable doubt.²⁰

Aggrieved, Mangulabnan filed a Motion for Reconsideration and/or To Reopen Case,²¹ but was denied in a Resolution²² dated January 15, 2018. It found no showing that the SB deprived Mangulabnan of her right to present evidence to justify the reopening of the case;²³ hence, this petition.

The Issue Before the Court

The issue for the Court's resolution is whether or not the SB correctly convicted Mangulabnan of the crime of Direct Bribery under Article 210 of the Revised Penal Code.

months, and one (1) day of *prision mayor*, as maximum, and ordered her to pay a fine of ₱60,000.00 with special temporary disqualification from holding public office.

Note: The case was deemed submitted for decision only with respect to accused Mangulabnan per the SB's Court Agendum dated May 24, 2017. Hence, the case of her co-accused, Judge Flores, remained pending before the SB. (See *id.* at 74)

¹⁹ See *id.* at 19.

²⁰ *Id.* at 14-19.

²¹ Dated October 18, 2017; *id.* at 89-94.

²² *Id.* at 86-88.

²³ *Id.* at 88.

The Court's Ruling

The petition is without merit.

Article 210 of the Revised Penal Code, as amended, states:

ARTICLE 210. *Direct Bribery*. — Any public officer who shall agree to perform an act constituting a crime, in connection with the performance of his official duties, in consideration of any offer, promise, gift or present received by such officer, personally or through the mediation of another, shall suffer the penalty of *prision mayor* in its medium and maximum periods and a fine not less than three times the value of the gift, in addition to the penalty corresponding to the crime agreed upon, if the same shall have been committed.

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In addition to the penalties provided in the preceding Paragraphs, the culprit shall suffer the penalty of special temporary disqualification.

As may be gleaned from above, the elements of the crime charged are as follows: (a) the offender is a public officer; (b) he accepts an offer or promise or receives a gift or present by himself or through another; (c) such offer or promise be accepted or gift or present be received by the public officer with a view to committing some crime, or in consideration of the execution of an act which does not constitute a crime but the act must be unjust, or to refrain from doing something which it is his official duty to do; and (d) the act which the offender agrees to perform or which he executes is connected with the performance of his official duties.²⁴

After a judicious review of the case, the Court is convinced that the SB correctly convicted Mangulabnan for Direct Bribery under Article 210 of the Revised Penal Code as the co-conspirator of Judge Flores. Firstly, the conspiracy between the two accused has been duly proven by the findings of Judge Medina and by Mangulabnan's own admission.²⁵ When conspiracy is established, the responsibility of the conspirators is collective, not individual, rendering all of them **equally liable regardless of the extent of their respective participations**.²⁶ Secondly, the elements constituting Direct Bribery have been sufficiently established considering that: (a) Mangulabnan and Judge Flores were indisputably public officers, being the Court Interpreter and Presiding Judge, respectively, of the MTCC of the City of San Fernando, Pampanga, Branch 2 at the time of the offense; (b) she acted as Judge Flores' middleman in committing the crime, specifically by receiving Twenty Thousand Pesos (₱20,000.00) from Manalastas and delivering it to Judge Flores; (c) the amount was given in exchange for the

²⁴ Re: Decision dated 17 March 2011 in Criminal Case No. SB-28361 entitled "People of the Philippines vs. Joselito C. Barrozo," 764 Phil. 310, 317-318 (2015).

²⁵ Rollo, pp. 15-18.

²⁶ *People v. Dionaldo*, 739 Phil. 672, 681 (2014).

rendition of a judgment favorable to Manalastas, as may be inferred from Mangulabnan's own admission that Judge Flores ordered the release of the decision only after receiving the Twenty Thousand Pesos (₱20,000.00);²⁷ and (d) the rendition of judgment relates to the functions of Judge Flores.²⁸

Moreover, the SB also correctly held that Mangulabnan failed to provide any sufficient reason to reopen the case on the ground of violation of her right to due process since she was given ample opportunity to adduce evidence in her behalf but willingly waived her right to do so.²⁹

While the SB's findings appear to have been sourced from the documentary evidence submitted and the admissions made in the related administrative and civil cases, the due execution of these documentary evidence has been stipulated upon by the parties, thus dispensing with the presentation of further witnesses.³⁰ Given that these evidence formed part of the records of the case, they may be properly considered by the SB in its own independent determination of Mangulabnan's guilt, which it did in this case. Although it is true that the quantum of evidence for administrative and civil cases differ greatly from those of criminal cases,³¹ the evidence adduced in the former may result in a criminal conviction. "Proof beyond reasonable doubt does not, of course, mean such degree of proof as, excluding the possibility of error, produce absolute certainty. **Moral certainty only is required, or that degree of proof which produces conviction in an unprejudiced mind.**"³²

In view of the foregoing, the Court finds no reason to overturn these findings, as there was no showing that the SB overlooked, misunderstood, or misapplied the surrounding facts and circumstances of the case.³³ "It bears pointing out that in appeals from the [SB], as in this case, only questions of law and not questions of fact may be raised. Issues brought to the Court on whether the prosecution was able to prove the guilt of the accused beyond reasonable doubt, whether the presumption of innocence was sufficiently debunked, whether or not conspiracy was satisfactorily established, or whether or not good faith was properly appreciated, are all, invariably, questions of fact. Hence, absent any of the recognized exceptions to the above-mentioned rule, the [SB's] findings on the foregoing matters should be deemed as conclusive."³⁴ As such, Mangulabnan's conviction for Direct Bribery under Article 210 of the Revised Penal Code must stand.

²⁷ *Rollo*, pp. 16-17.

²⁸ *Id.* at 18-19.

²⁹ *Id.* at 87-88.

³⁰ *Id.* at 12.

³¹ See *Miro v. Mendoza*, 721 Phil. 772, 788-789 (2013).

³² *People v. Ganguso*, 320 Phil. 324, 335 (1995).

³³ See *Cahulogan v. People*, G.R. No. 225695, March 21, 2018, 860 SCRA 86, 96, citing *Peralta v. People*, 817 Phil. 554, 567-568 (2017).

³⁴ *SPOI Ramon Lihaylihay v. People*, 715 Phil. 722, 728 (2013).

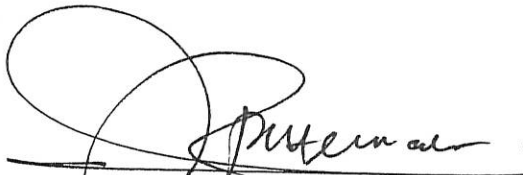
As regards the proper penalty to be imposed on Mangulabnan, Article 210 of the Revised Penal Code prescribes the penalty of *prision mayor* in its medium and maximum periods and a fine not less than three times the value of the gift with the accessory penalty of special temporary disqualification. Thus, taking into consideration the provision of the Indeterminate Sentence Law,³⁵ the SB correctly sentenced her to suffer the indeterminate penalty of imprisonment for a period of four (4) years, two (2) months, and one (1) day of *prision correccional* as minimum, to nine (9) years, four (4) months, and one (1) day of *prision mayor* as maximum, and a fine in the amount of Sixty Thousand Pesos (₱60,000.00), with special temporary disqualification from holding public office.³⁶

WHEREFORE, the petition is **DENIED**. The Decision dated October 6, 2017 and the Resolution dated January 15, 2018 of the Sandiganbayan in Criminal Case No. SB-11-CRM-0228 are **AFFIRMED**. Petitioner Candelaria De Mesa Mangulabnan is found **GUILTY** beyond reasonable doubt of the crime of Direct Bribery under Article 210 of the Revised Penal Code, and accordingly, sentenced to suffer the indeterminate penalty of imprisonment for a period of four (4) years, two (2) months, and one (1) day of *prision correccional* as minimum, to nine (9) years, four (4) months, and one (1) day of *prision mayor* as maximum, and a fine in the amount of Sixty Thousand Pesos (₱60,000.00), with special temporary disqualification from holding public office.


SO ORDERED.


ESTELA M. PERLAS-BERNABE
 Senior Associate Justice

WE CONCUR:


RAMON PAUL L. HERNANDO
 Associate Justice


HENRI JEAN PAUL B. INTING
 Associate Justice


EDGARDO L. DELOS SANTOS
 Associate Justice


³⁵ Act No. 4103, entitled "AN ACT TO PROVIDE FOR AN INDETERMINATE SENTENCE AND PAROLE FOR ALL PERSONS CONVICTED OF CERTAIN CRIMES BY THE COURTS OF THE PHILIPPINE ISLANDS; TO CREATE A BOARD OF INDETERMINATE SENTENCE AND TO PROVIDE FUNDS THEREFOR; AND FOR OTHER PURPOSES," approved on December 5, 1933.

³⁶ See *rollo*, p. 19.


SAMUEL H. GAERLAN
Associate Justice

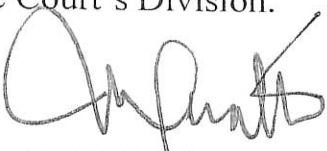
ATTESTATION

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


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson, Second 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.


DIOSDADO M. PERALTA
Chief Justice