



Republic of the Philippines
Supreme Court
Baguio

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-appellee,

G.R. No. 266047

Present:

-versus-

LEONEN, *SAJ*, Chairperson,
LAZARO-JAVIER,
LOPEZ, M.,
LOPEZ, J., and
KHO, JR., *JJ*.

**JEFFREY BECAYLAS y REMON @
“BELLA,” KIER ROME DE
LEON y ALFONSO @ “MISHE,”
and JUSTINE LUMANLAN y
SANGALANG @ “CHIEE,”**
Accused-appellants.

Promulgated:

APR 11 2024

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DECISION

LAZARO-JAVIER, J.:

The Case

This Appeal¹ seeks to reverse the Decision² dated November 12, 2021 of the Court of Appeals in CA-G.R. CR-HC No. 12848 affirming the conviction of accused-appellants Jeffrey Becaylas y Remon @ “Bella”

¹ *Rollo*, pp. 3–5. Notice of Appeal under Section 13[c], Rule 124 of the 2000 Rules of Criminal Procedure, as amended by A.M. No. 00-5-03-SC.

² *Id.* at 9–41. Penned by Associate Justice Alfredo D. Ampuan and concurred in by Associate Justices Pedro B. Corales and Raymond Reynold R. Lauigan of the Sixteenth Division, Court of Appeals, Manila.

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(Becaylas), Kier Rome De Leon y Alfonso @ “Mishe” (De Leon), and Justine Lumanlan y Sangalang @ “Chiee” (Lumanlan) for Qualified Trafficking in Persons under Section 4(a),³ in relation to Section 6(a)⁴ of Republic Act No. 9208,⁵ as amended by Republic Act No. 10364.⁶

Accused-appellants were charged in the following Amended Information⁷ dated August 30, 2018, thus:

That on or about the 3rd day of August 2018, in [REDACTED], Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, conspiring and confederating together and mutually aiding and abetting one another, by means of deceit/fraud and by taking advantage of the vulnerability and dire financial needs of AAA,* a minor of 16 years of age, did then and there willfully, unlawfully and feloniously recruit and hire, harbor and deliver, match for money &/or other consideration the said victims/persons for the purpose of sexual services, prostitution and sexual exploitation, where the said accused instruct their recruit to perform explicit sexual activities with their customer/s deriving profits from said business.

The above-named accused committed the crime with the qualifying circumstances of syndicated action, the three (3) accused working in conspiracy with each [other] participating in the offense and sharing a single criminal intent.

CONTRARY TO LAW.⁸

On arraignment, accused-appellants pleaded *not guilty*. The prosecution presented the testimonies of Supervising Agent Arcelito C. Albao (SA Albao), Special Investigator III Aries Soliman Manaloto (SI Manaloto), AAA, and AAA’s uncle, BBB. The parties also stipulated on the testimony of Christine Anne Gatmaitan-Plásigue, the social

³ SEC. 4. *Acts of Trafficking in Persons*. – It shall be unlawful for any person, natural or juridical, to commit any of the following acts:

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

⁴ Section 6. *Qualified Trafficking in Persons*. – The following are considered as qualified trafficking:
(a) When the trafficked person is a child;

⁵ Otherwise known as the “Anti-Trafficking in Persons Act of 2003.”

⁶ Otherwise known as the “Expanded Anti-Trafficking in Persons Act of 2012.”

⁷ *Rollo*, p. 10.

* In line with Amended Administrative Circular No. 83-2015, as mandated by Republic Act No. 9208, as amended by Republic Act No. 10364, the names of the private offended parties, along with all other personal circumstances that may tend to establish their identities, are made confidential to protect their privacy and dignity.

⁸ *Id.* at 10–11.

worker who handled the victim's case and prepared a report thereon.⁹ On the other hand, the defense waived its right to present evidence.¹⁰

Version of the Prosecution

Sometime in 2018, the National Bureau of Investigation (NBI) Central Luzon Regional Office received a tip from a confidential informant that accused-appellants were offering women for sexual pleasure, activity, or intercourse for a fee of PHP 4,000.00 and they were communicating with their clients through Becaylas' Facebook account named "Bella Nikki Mendoza."¹¹

Acting on this information, SA Albao did a two-week surveillance operation wherein they made a dummy Facebook account to reach Becaylas. Initially, the confidential informant communicated with Becaylas. When it was confirmed that Becaylas was indeed offering women for sexual purposes, SA Albao took over the negotiation. Acting as the poseur customer, he transacted with Becaylas for six women for PHP 4,000.00 each. Becaylas then scheduled their meet-up on August 3, 2018, around 9:00 p.m., at [REDACTED]. The confidential informant personally met with Becaylas to confirm the transaction.¹²

The team prepared for an entrapment and rescue operation, with SA Albao as the designated poseur customer, and SI Manaloto and Special Agent Leo Carreon (SA Carreon) as back-up officers. They agreed that SA Albao would look and wave towards the direction of SI Manaloto as pre-arranged signal for the arrest and rescue. They coordinated with the Department of Social Welfare and Development (DSWD), prepared the marked money amounting to PHP 24,000.00, then separately boarded three vehicles.¹³

On August 3, 2018, around 9:00 p.m., the team arrived at Eurotel and saw accused-appellants with six women outside [REDACTED]. SA Albao and the confidential informant approached Becaylas, who introduced them to the six women. Becaylas told them to wait for the other two women before paying. After the other two women had arrived, SA Albao instructed accused-appellants to board his van for the payment. Once they were all inside the vehicle, Becaylas instructed SA Albao to

⁹ *Id.* at 11.

¹⁰ *Id.* at 13.

¹¹ *Id.*

¹² *Id.* at 13-14.

¹³ *Id.* at 14.

give PHP 1,000.00 each to De Leon and Lumanlan. SA Albao obliged, then handed the remaining PHP 22,000.00 to Becaylas. Thereafter, SA Albao announced that he is an NBI agent, alighted from the vehicle, and gestured the pre-arranged signal. The back-up officers then came, arrested accused-appellants, and rescued the eight women.¹⁴

The team thereafter proceeded to the NBI office in [REDACTED] where they took the women's respective *Sinumpaang Salaysay*. They later transferred the women to DSWD's custody. Accused-appellants were subjected to ultraviolet powder testing which yielded positive results for the presence of fluorescent ultraviolet powder, per Chemistry Report No. PIUV-065-2018 RCLO3 through PIUV-067-2018 RCLO3 dated August 3, 2018. Accused-appellants were thereafter detained.¹⁵

AAA, one of the women rescued during the entrapment operation, testified that she first met De Leon whom she called "Mishe." After two or three days, De Leon accompanied her to [REDACTED] and introduced her to Becaylas. She later met Lumanlan. At first, she had no idea about the kind of trade accused-appellants were engaged in. She only came to know of it when De Leon asked her if she needed money, and upon confirming that she did, he brought her to [REDACTED] where she had sex for a fee with the "guests" whom De Leon had contacted. De Leon gave her PHP 2,000.00 to PHP 2,500.00 for each "guest." Since then, accused-appellants had pimped her to different clients for approximately 30 times and gave her PHP 2,000.00 to PHP 3,000.00 for her services. The last time accused-appellants had pimped her was on August 3, 2018, the date the NBI's entrapment and rescue operation happened. She recalled that she was with other women at that time, but she had no idea who they were.¹⁶

Version of the Defense

For their part, accused-appellants argued that the prosecution failed to prove beyond reasonable doubt the elements of the crime and to overthrow the presumption of innocence in their favor. The inconsistent testimonies of the NBI agents and the victim failed to establish the element of recruiting, hiring, harboring, delivering and/or matching during the transaction covered by the entrapment operation. Too, conspiracy was not proven as the prosecution witnesses failed to show what each accused-appellant had done, or the degree of their participation in the

¹⁴ *Id.* at 14–15.

¹⁵ *Id.* at 15.

¹⁶ *Id.* at 15–16.

recruitment, hiring, harboring, delivery, or matching of the victim to the undercover NBI agents.¹⁷

The Ruling of the Regional Trial Court

By Decision¹⁸ dated March 11, 2019, the trial court found accused-appellants guilty of Qualified Trafficking in Persons, thus:

WHEREFORE, premises considered, the court renders judgment declaring accused Jeffrey Becaylas y Remon @Bella, Kier Rome Alfonso [De Leon] @Mishe and Justine Lumanlan y Sangalang @ Chiee **GUILTY BEYOND REASONABLE DOUBT** of the offense of Qualified Trafficking (Violation of Section 4(a) in relation to Section 6(a) of R.A. No. 9208, as amended by R.A. No. 10364), embodied in the Amended Information dated August 30, 2018.

Accordingly, accused Jeffrey Becaylas y Remon @Bella, Kier Rome Alfonso [De Leon] @Mishe and Justine Lumanlan y Sangalang @ Chiee are hereby **SENTENCED** to each suffer the penalty of life imprisonment and to pay a fine of Two [M]illion [P]esos (P2,000,000.00).

Furthermore, [accused Jeffrey] Becaylas y Remon @Bella, Kier Rome Alfonso [De Leon] @Mishe and Justine Lumanlan y Sangalang @ Chiee are hereby ordered to **INDEMNIFY** victim AAA: (a) moral damages in the amount of Five [H]undred [T]housand [P]esos (P500,000.00); and (b) exemplary damages in the amount of One [H]undred [T]housand [P]esos (P100,000.00).

In view of the conviction of the three accused, let a Mittimus be issued for their immediate transfer to the New Bilibid Prison.

No costs.¹⁹ (Emphasis in the original)

The trial court ruled that the prosecution had sufficiently established all the elements of the crime. It gave great weight to the positive and convincing testimony of AAA that accused-appellants recruited and pimped her for sex with their clients in exchange for money. Since her minority was established through her Certificate of Live Birth, the prosecution need not prove the means employed, specifically taking advantage of the victim's vulnerability or dire financial needs as Section 3 (a) of Republic Act No. 9208, as amended, considers the recruitment of a child for purposes of exploitation as an act of trafficking in persons even without the said act. Too, since the victim was merely 17 years old when she took the witness stand, minor inconsistencies may be

¹⁷ *Id.* at 16.

¹⁸ *Id.* at 44–75. Penned by Presiding Judge Maria Angelica T. Paras-Quiambao.

¹⁹ *Id.* at 75.

expected from her testimony. Finally, conspiracy was also established as the concerted acts of accused-appellants showed their intent to pursue the same objective which is to traffic the women into having sex with their clients.²⁰

Ruling of the Court of Appeals

Dissatisfied, accused-appellants appealed to the Court of Appeals and prayed for a verdict of acquittal. They faulted the trial court for convicting them despite the prosecution witnesses' improbable and dubious testimonies. They insist that the prosecution failed to prove conspiracy and their act of recruiting, harboring, delivery, or matching for money of AAA on August 3, 2018. For one, AAA initially stated that it was Becaylas, through De Leon, who offered her PHP 3,000.00 for her services and booked her, together with several women, for someone on August 3, 2018. She later revealed, however, that it was a certain lady named "Ava" who called her, invited her to a party, and brought her to [REDACTED]. She admitted that she did not know any of the girls that were allegedly rescued and she never talked to any of the accused-appellants on the night of August 3, 2018. Too, the prosecution failed to present any evidence to corroborate SA Albao's testimony that he communicated and transacted with Becaylas for the purpose of hiring women for sexual purposes.²¹

On the other hand, the People of the Philippines through the Office of the Solicitor General (OSG) supported the verdict of conviction. It posited that the prosecution was able to establish all the elements of the crime charged and that the trial court did not err in giving credence to the testimonies of the prosecution witnesses. Since the prosecution has established AAA's minority, it need not prove the means employed by accused-appellants in trafficking AAA. Accused-appellants were arrested through a valid entrapment operation.²²

By its assailed Decision²³ dated November 12, 2021, the Court of Appeals affirmed in the main, but modified the assailed Decision by imposing interest on the total monetary awards, viz.:

WHEREFORE, the instant appeal is **DISMISSED**. The *Decision* dated 11 March 2019 of the Regional Trial Court (RTC), [REDACTED] in Criminal Case No. R-ANG-18-01902-CR,

²⁰ *Id.* at 65-75.

²¹ *CA rollo*, pp. 29-46.

²² *Id.* at 85-102.

²³ *Rollo*, pp. 9-41.

finding accused-appellants **Jeffrey Becaylas y Remon @ “Bella”, Kier Rome De Leon y Alfonso @ “Mishe”, and Justin Lumanlan y Sangalang @ “Chie”,** guilty beyond reasonable doubt of the crime of Qualified Trafficking in Persons defined under Section 4 (a) in relation to Section 6 (a) of Republic Act No. 9208 (RA 9208) as amended by RA 10364, is **AFFIRMED with MODIFICATION** in that, an interest rate of six percent (6%) per annum is imposed on the total amount of monetary awards to be computed from the date of the finality of this Decision until fully paid.

SO ORDERED.²⁴ (Emphasis in the original)

The Present Appeal

Accused-appellants now seek affirmative relief from the Court and pray anew for their acquittal.²⁵ In compliance with Resolution²⁶ dated April 24, 2023, accused-appellants²⁷ and the OSG,²⁸ manifested that in lieu of supplemental briefs, they were adopting their respective briefs before the Court of Appeals.

Ruling

We affirm.

Section 3 of Republic Act No. 9208,²⁹ as amended by Republic Act No. 10364³⁰ defines Trafficking in Persons, to wit:

Section 3. Definition of Terms. – As used in this Act:

- (a) *Trafficking in Persons* – refers to the recruitment, obtaining, hiring, providing, **offering**, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over **another person for the purpose of exploitation which includes**

²⁴ *Id.* at 40.

²⁵ *Id.* at 3–5.

²⁶ *Id.* at 76–77.

²⁷ *Id.* at 83–85

²⁸ *Id.* at 78–79.

²⁹ Anti-Trafficking in Persons Act of 2003. Approved, May 26, 2003.

³⁰ Expanded Anti-Trafficking in Persons Act of 2012. Approved, February 6, 2013.

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at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as ‘trafficking in persons’ even if it does not involve any of the means set forth in the preceding paragraph. (Emphasis supplied.)

Trafficking in Persons requires the following elements: (1) The act of “recruitment, transportation, transfer or harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders”; (2) The *means* used which includes “threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another”; and (3) The *purpose* of trafficking is exploitation which includes “exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.”³¹

The crime is further qualified under Section 6³² of Republic Act No. 9208, as amended, when the trafficked person is a child or when the crime is committed by a syndicate or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three or more persons, individually or as a group.

Here, all the elements of qualified trafficking in persons have been established to a moral certainty by the clear, straightforward, and convincing testimony of the prosecution witnesses. Consider:

³¹ *People v. Bandojo*, 842 Phil. 511, 524 (2018) [Per J. Reyes, Jr., A., Second Division] citing *People v. Casio*, 749 Phil. 458, 472–473 (2014) [Per J. Leonen, Third Division].

³² Section 6. *Qualified Trafficking in Persons*. – The following are considered as qualified trafficking:

(a) When the trafficked person is a child;

....

(c) When the crime is committed by a syndicate, or in large scale. Trafficking is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. It is deemed committed in large scale if committed against three (3) or more persons, individually or as a group;

....

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First, AAA's testimony proved that accused-appellants recruited her for the purpose of prostitution. The offense is qualified trafficking in persons because at the time accused-appellants committed the crime on August 3, 2018, AAA was only 16 years old as alleged in the Information and evidenced by her birth certificate.

AAA clearly narrated how she was recruited or hired for sexual purposes, first by De Leon, and later on, by Becaylas and Lumanlan. After meeting her, De Leon asked if she wanted money. Upon confirming that she needed money, De Leon contacted "guests" to meet with her. Not knowing she would be offered to them for sexual purposes in exchange for money, she accepted De Leon's offer. De Leon later introduced her to Becaylas and Lumanlan who also exploited her under the same scheme. Accused-appellants offered her for sex for a fee on 30 separate occasions, with her share ranging from PHP 2,000.00 to PHP 3,000.00 per guest.

During the entrapment operation on August 3, 2018, AAA knew that she was being offered again for sexual purposes. The fact that she testified that she was invited by a certain "Ava" at [REDACTED] for a party does not negate her statement that the meet-up was for the purpose of pimping her and the other girls to the customers of accused-appellants. She confirmed the presence of the accused-appellants at [REDACTED] and positively identified them in open court as the perpetrators who pimped her that night.

It is settled that the trafficked victim's testimony that she had been sexually exploited is "material to the cause of the prosecution."³³ Too, testimonies of child-victims are given full weight and credit, since youth and immaturity are generally badges of truth.³⁴ The revelation of innocent children whose chastity has been abused deserves full credit as they could only have been impelled to tell the truth, especially in the absence of proof of ill motive,³⁵ as here.

Second, SA Albao, SI Manaloto, and SA Carreon also positively identified accused-appellants as the perpetrators of the crime charged.

SA Albao testified that he and the confidential informant communicated with Becaylas in order to procure women for sex. The negotiation was done initially through Becaylas's Facebook account, and later by phone. Becaylas was the one who determined the date, time, and

³³ *Brozoto v. People*, G.R. No. 233420, April 28, 2021 [Per J. Lopez, Third Division].

³⁴ *Brozoto v. People, id.*; *People v. Maycabalong*, 867 Phil. 486 (2019) [Per J. Reyes, Jr., J., First Division].

³⁵ *XXX v. People*, G.R. No. 248348, January 15, 2020 [Notice, First Division].

place of the meet-up, as well as the price for each woman. During the entrapment and rescue operation, their team and the confidential informant saw accused-appellants with six women. He and the confidential informant approached Becaylas who then introduced them to the women and told them to wait for the two other women before paying. When the two women arrived, he told accused-appellants to board the vehicle so that he could give them the payment. Once inside, Becaylas instructed him (SA Albao) to give De Leon and Lumanlan PHP 1,000.00 each. After he handed the remaining PHP 22,000.00 to Becaylas, the team rushed in to arrest accused-appellants.³⁶

Verily, the corroborative testimonies of the arresting officer and the minor victims are sufficient to sustain a verdict of conviction under the law.³⁷ The mere transaction consummates the crime, even if no sexual intercourse had taken place.³⁸

Third, paragraph 2, Section 3(a) of Republic Act No. 9208, as amended expressly provides that the recruitment, transportation, transfer, harboring, adoption or receipt of a **child for the purpose of exploitation shall also be considered as trafficking in persons even if it does not involve any of the means stated under the law**. Trafficking is considered qualified when the trafficked person is a child.³⁹

Here, it is undisputed that AAA was a 16-year-old minor when accused-appellants committed the crime. Even if AAA was aware of the transaction and received payment on her behalf, the same shall not exculpate accused-appellants.⁴⁰ *People v. Casio*⁴¹ ordains that a victim's consent is rendered meaningless due to the coercive, abusive, or deceptive means employed by perpetrators of human trafficking. Even without the use of coercive, abusive, or deceptive means, a minor's consent is not given out of his or her own free will.

Trafficking in persons may also be committed by means of taking advantage of a minor's vulnerability. Accused-appellants achieved this element when they offered AAA financial gain for the illicit services that she provided to their customers.⁴²

³⁶ *Rollo*, pp. 13–15.

³⁷ *People v. Ramirez*, 846 Phil. 314, 323 (2019) [Per J. Leonen, Third Division].

³⁸ *People v. Casio*, 749 Phil. 458, 478 (2014) [Per J. Leonen, Third Division].

³⁹ Republic Act No. 9208 (2003), Sec. 6(a); *People v. Ramirez*, 846 Phil. 314, 321 (2019) [Per J. Leonen, Third Division].

⁴⁰ *People v. Ramirez*, 846 Phil. 314, 324 (2019) [Per J. Leonen, Third Division].

⁴¹ 749 Phil. 458, 475 (2014) [Per J. Leonen, Third Division].

⁴² *People v. De Dios*, 832 Phil. 1034, 1044 (2018) [Per J. Reyes, Jr., Second Division].



Fourth, conspiracy among the accused-appellants was established through their concerted acts which revealed their common criminal design to traffic women for sexual purposes in exchange of money. For one, they were all present and seen accompanying AAA and the other women at the meet-up place. Another, they all boarded SA Albano's van where they received payment from the latter. Becaylas instructed SA Albano to give PHP 1,000.00 each to De Leon and Lumanlan, while he received the rest of the money. Finally, they were all previously engaged in the scheme of procuring guests and offering women to them for a fee.

Penalty and Damages

Section 10(e)⁴³ of Republic Act No. 9208, as amended prescribes life imprisonment and a fine of not less than PHP 2,000,000.00 but not more than PHP 5,000,000.00, against any person found guilty of qualified trafficking in persons.

Further, in line with prevailing jurisprudence, the Court of Appeals correctly affirmed the award of moral damages of PHP 500,000.00 and exemplary damages of PHP 100,000.00. Likewise, the Court of Appeals correctly imposed on the total monetary awards 6% interest per annum pursuant to prevailing jurisprudence.⁴⁴

ACCORDINGLY, the Appeal is **DISMISSED**. The Decision dated November 12, 2021 of the Court of Appeals in CA-G.R. CR-HC No. 12848 is **AFFIRMED**. Accused-appellants Jeffrey Becaylas *y* Remon @ "Bella," Kier Rome De Leon *y* Alfonso @ "Mishe," and Justine Lumanlan *y* Sangalang @ "Chiee" are found guilty of qualified trafficking in persons under Section 4(a), in relation to Section 6(a) of Republic Act No. 9208, as amended by Republic Act No. 10364 and sentenced to life imprisonment and to **PAY** a fine of PHP 2,000,000.00. They are further ordered to jointly and severally **PAY** AAA PHP 500,000.00 as moral damages and PHP 100,000.00 as exemplary damages.


These monetary awards shall earn 6% interest per annum from finality of this Decision until fully paid.

⁴³ Section 12. Section 10 of Republic Act No. 9208 is hereby amended to read as follows:
SEC. 10. *Penalties and Sanctions*. – The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

.....
(e) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (PhP2,000,000.00) but not more than Five million pesos (PhP5,000,000.00) . . .

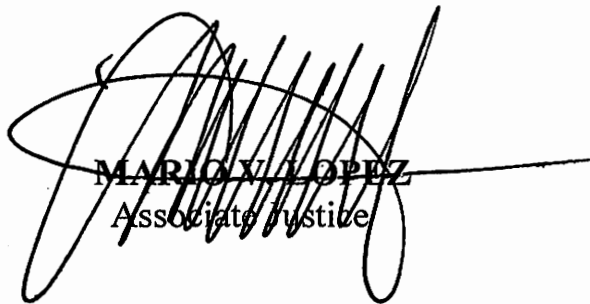
⁴⁴ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta, *En Banc*].

SO ORDERED.


AMY C. LAZARO-JAVIER
Associate Justice

WE CONCUR:


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson


MARIO Y. LOPEZ
Associate Justice


JHOSEP Y. LOPEZ
Associate Justice


ANTONIO T. KHO, JR.
Associate Justice

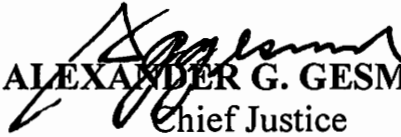
ATTESTATION

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.


MARVIC M.V.F. LEONEN
Senior Associate Justice
Chairperson

CERTIFICATION

Pursuant to Article VIII, Section 13 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

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