



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **16 February 2022** which reads as follows:*

“G.R. No. 239893 (*People of the Philippines v. Mark Louie Reyes y Archangel*). – Before Us is an ordinary appeal¹ from the Decision² dated January 16, 2018 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 08792, which affirmed the November 17, 2016 Joint Judgment³ of the Regional Trial Court (RTC), Branch 79, Quezon City finding Mark Louie Reyes y Archangel (accused-appellant) guilty beyond reasonable doubt for violation of Sections 5⁴ and 11⁵ of Republic Act (R.A.) No. 9165.⁶

THE FACTS

Through two separate Informations, accused-appellant was charged with violation of Sections 5 and 11 of R.A. No. 9165. The accusatory portions of the Informations read:

Criminal Case No. R-QZN-15-06672-CR

That on or about the 14th day of July, 2015, in Quezon City, Philippines, the above-named accused, without lawful authority, did then and there willfully and unlawfully sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport, or act as a broker in the transaction, One (1) heat sealed transparent plastic sachet containing a net weight of zero point one zero (0.10) gram of white crystalline substance containing Methamphetamine Hydrochloride, a dangerous drug.

¹ CA rollo, pp. 123-125.

² Rollo, pp. 2-12; penned by Associate Justice Danton Q. Bueser and concurred in by Associate Justices Sesinando E. Villon and Henri Jean Paul B. Inting (now a Member of this Court).

³ CA rollo, pp. 51-61; penned by Presiding Judge Nadine Jessica Corazon J. Fama.

⁴ Section 5. *Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.* x x x

⁵ Section 11. *Possession of Dangerous Drugs.* x x x

⁶ Comprehensive Dangerous Drugs Act of 2002, which took effect on July 4, 2002.

CONTRARY TO LAW.⁷

Criminal Case No. R-QZN-15-06673-CR

That on or about the 14th of July, 2015, in Quezon City, Philippines, the above-named accused, without lawful authority of law, did then and there willfully, unlawfully and knowingly have in his possession and control six (6) heat sealed transparent plastic sachets containing white crystalline substance containing Methamphetamine Hydrochloride, a dangerous drug, to wit: sachet marked “JM/MR-2 7/14/15” containing zero point one one (0.11) gram; “JM/MR-3 7/14/15” containing zero point zero nine (0.09) gram; “JM/MR-4 7/14/15” containing zero point zero seven (0.07) gram; “JM/MR-5 7/14/15” containing zero point ten (0.10) gram; “JM/MR-6 7/14/15” containing zero point zero three (0.03) gram and; “JM/MR-7 7/14/15” containing zero point zero eight (0.08) gram or a total net weight of zero point four eight (0.48) gram.

CONTRARY TO LAW.⁸

On arraignment, accused-appellant pleaded not guilty and trial ensued.⁹

The parties’ respective versions of the events that transpired relative to accused-appellant’s arrest were summed up by the CA, to wit:

Version of the prosecution

x x x [O]n July 14, 2014 (sic), the District Anti-Illegal Drugs Special Operations Task Group, Quezon City Police District received a tip, from their confidential informant, that a certain alias Makoy was selling illegal drugs along Zuzuaregui Drive, Barangay Old Balara, Quezon City. Acting on the tip, a buy-bust team was formed. Senior Police Officer I Joselito Mendoza [SPO1 Mendoza] was designated as poseur-buyer while Police Officer I Melvin Castillo [PO1 Castillo] was assigned as back-up. SPO1 Mendoza was provided with a marked money of P500.00, to be used as buy-bust money. During the pre-operation meeting, the team prepared the – (a) Coordination Form; and (b) Pre-Operation Report which were all submitted to the Philippine Drug Enforcement Agency (PDEA).

At about 12:15 o’clock in the afternoon of the same date, the buy-bust team, together with the confidential informant, proceeded to the target area. Upon arrival thereat, the confidential informant pointed alias Makoy, who turned out to be the [accused-appellant] to the team. Thereafter, SPO1 Mendoza and the confidential informant alighted from the vehicle and approached [accused-appellant]. As the two were approaching, [accused-appellant] commented, “O, may kasama ka pala.” The confidential informant introduced SPO1 Mendoza, as a friend, who is interested to buy shabu. After the introduction, [accused-appellant] asked

⁷ CA *rollo*, p. 51.

⁸ *Id.* at 52.

⁹ *Rollo*, p. 4.

SPO1 Mendoza how much shabu he was going to buy and the latter replied; P500.00. SPO1 Mendoza then gave the marked money to [accused-appellant] and the latter in turn handed SPO1 Mendoza a plastic sachet containing white crystalline substance. Upon getting hold of the illegal substance, SPO1 Mendoza lighted a cigarette, which was the pre-arranged signal to signify consummation of the transaction. Immediately thereafter, SPO1 Mendoza apprehended [accused-appellant] and introduced himself as a police officer. He frisked [accused-appellant] and recovered the buy bust money as well as six (6) more plastic sachets containing white crystalline substance. Meanwhile, the rest of the buy-bust team came forward and went into action.

While at the crime scene, SPO1 Mendoza marked the seized items. However, since a crowd was beginning to form, the team decided to take [accused-appellant] and the seized items to the barangay hall. **In the barangay hall, the team called up the Department of Justice and media and requested for representatives to witness the inventory of the seized items but no one came.** SPO1 Mendoza and Police [Officer 3] Nilo Duazo [PO3 Duazo] proceeded to conduct an inventory and prepared the necessary reports. Thereafter, SPO1 Mendoza handed the seized items to [PO3 Duazo] who in turn delivered the same to the Crime Laboratory for examination. Initial Laboratory Report No. D-242-15 and Final Chemistry Report No. D-242-15 confirmed that the seized items tested positive for the presence of Methamphetamine Hydrochloride, a dangerous drug.¹⁰ (Emphasis supplied.)

Version of the defense

[Accused-appellant] denied the allegations. He claimed that on that date, at around 12:15 o'clock in the afternoon, his wife asked him to buy shampoo so he went to Barangay Old Balara, Tandang Sora, Quezon City. While going along his way, six (6) men suddenly alighted from a vehicle and told him not to run. One of these men then approached and frisked him. Thereafter, he was ordered to board their vehicle but he resisted so he was forced to get therein. [Accused-appellant] instructed the people around to inform his wife about what happened.

[Accused-appellant] narrated that he was subsequently taken to Camp Karingal at around 2:30 o'clock in the afternoon. As he was presented before the Barangay Kagawad, several plastic sachets and a P500.00 bill were placed on top of the table and a barangay staff photographed the items on the table.¹¹

THE RTC RULING

On November 17, 2016, the RTC rendered a Joint Judgment,¹² the dispositive portion of which reads:

WHEREFORE, judgment is hereby rendered as follows:

¹⁰ Id. at 4-5.

¹¹ Id. at 5-6.

¹² CA *rollo*, pp. 51-61.

1. In Criminal Case No. R-QZN-15-06672-CR, accused **MARK LOUIE REYES y ARCHANGEL**, is hereby found **GUILTY BEYOND REASONABLE DOUBT** of violation of Section 5, Article II of Republic Act 9165, and he is sentenced to suffer life imprisonment, and to pay a fine of Five Hundred Thousand Pesos (P500,000.00);

2. In Criminal Case No. R-QZN-15-06673, accused **MARK LOUIE REYES y ARCHANGEL**, is hereby found **GUILTY BEYOND REASONABLE DOUBT** of violation of Section 11, Article II of Republic Act 9165, and he is sentenced to suffer imprisonment of twelve (12) years and one (1) day, as minimum, to fourteen (14) years and eight (8) months as maximum, and to pay a fine of Three Hundred Thousand Pesos (P300,000.00)

X X X X

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-242-15, to be disposed of in strict conformity with the provisions of R.A. 9165 and its implementing rules and regulations on the matter.

SO ORDERED.¹³

The RTC found that all the elements for the Illegal Sale and Possession of Dangerous Drugs were established by the prosecution. Accused-appellant was arrested during a buy-bust operation, a legitimate form of entrapment of persons suspected of being involved in illegal drug transactions. He was positively identified by Senior Police Officer (SPO) 1 Joselito Mendoza (SPO1 Mendoza0, the poseur buyer, who caught accused-appellant *in flagrante delicto* selling illegal drugs. On subsequent search, SPO1 Mendoza recovered from accused-appellant the buy-bust money and six (6) more plastic sachets of white crystalline substance that turned out to be *shabu*.¹⁴ The RTC further held that the failure of the arresting team to immediately photograph and inventory the subject drugs at the place of arrest and the absence of representatives from the Department of Justice (DOJ) or the media during the inventory did not render the seized drugs inadmissible in evidence. Non-compliance with Section 21, Article II of R.A. No. 9165, particularly the conduct of the inventory and photography of the drugs confiscated, will not render the drugs inadmissible in evidence as long as the integrity and evidentiary value of the seized items have been properly preserved. The RTC gave more credence to the testimony of the arresting officers *vis-à-vis* accused-appellant's bare denial and ultimately ruled that the integrity and evidentiary value of the subject *shabu* have been properly preserved. Hence, accused-appellant was convicted of the offenses charged.¹⁵

¹³ Id. at 60.

¹⁴ Id. at 56-57.

¹⁵ Id. at 57-59

THE CA RULING

On appeal, the CA, through the assailed Decision,¹⁶ affirmed the RTC Judgment, *viz.*:

WHEREFORE, the assailed November 17, 2016 Joint Judgment of the Regional Trial Court, Branch 79, of Quezon City is hereby **AFFIRMED**.

SO ORDERED.¹⁷

The CA sustained the conclusion of the RTC that all the elements of Illegal Sale and Possession of *shabu* were established by the prosecution.¹⁸ In addition, the CA found that the prosecution convincingly proved compliance by the arresting officers with the required unbroken chain in the custody of the subject illegal drugs. SPO1 Mendoza marked the seven (7) sachets of *shabu* confiscated from accused-appellant and inventoried and photographed the same in the presence of *Kagawad* Noel¹⁹ dela Cruz²⁰ and the Barangay Captain. Thereafter, the items were turned over to Police Officer (PO) 3 Nilo Duazo (PO3 Duazo), who then delivered them to the Crime Laboratory for examination. During trial, SPO1 Mendoza identified the subject seven (7) sachets of *shabu* as the drugs sold by and confiscated from accused-appellant. Finally, the seized drugs were marked as exhibits and formally offered in court as evidence for the prosecution.²¹ From these established facts, the CA held that the chain of custody was properly documented and the integrity and evidentiary value of the seized drugs were safeguarded.²² Accused-appellant's denial cannot prevail against the positive testimonies of the prosecution witnesses.²³ Finding no error on the RTC Judgment, the CA upheld the conviction of accused-appellant for the offenses charged.

Hence, the present appeal before this Court.

THE ISSUE

The crux of the appeal is whether the CA correctly affirmed the RTC Judgment finding accused-appellant guilty beyond reasonable doubt for Illegal Sale and Possession of *shabu*.

¹⁶ *Rollo*, pp. 2-12.

¹⁷ *Id.* at 12.

¹⁸ *Id.* at 9-10.

¹⁹ Ruel in some parts of the TSN.

²⁰ Records, p. 17.

²¹ *Rollo*, p. 10.

²² *Id.*

²³ *Id.* at 11.

THE COURT'S RULING

We acquit.

The elements for conviction under Section 5, Article II of R.A. No. 9165 are: (1) the identity of the buyer and the seller, the object and the consideration; and (2) the delivery of the thing sold and the payment therefor.²⁴ On the other hand, to convict an accused for Illegal Possession of Dangerous Drugs under Section 11, Article II of R.A. No. 9165, the prosecution must establish the following elements: (a) the accused was in possession of an item or object identified as a prohibited drug; (b) such possession was not authorized by law; and (c) the accused freely and consciously possessed the said drug.²⁵ The burden is on the State to prove not only these elements but also the *corpus delicti* or the body of the crime.²⁶

In drug cases, the dangerous drug itself is the very *corpus delicti* of the violation of the law. Consequently, compliance with the rule on chain of custody over the seized illegal drugs is crucial in any prosecution that follows a buy-bust operation.²⁷ While it is true that a buy-bust operation is a legally effective and proven procedure, sanctioned by law, for apprehending drug peddlers and distributors, the law nevertheless also requires **strict compliance** with procedures laid down by it to ensure that rights are safeguarded.²⁸

Corollarily, Section 21 (1), Article II of R.A. No. 9165, as amended by R.A. No. 10640²⁹ provides:

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

²⁴ *People v. Tanes*, G.R. No. 240596, April 3, 2019.

²⁵ *Plan, Jr. v. People*, G.R. No. 247589, August 24, 2020.

²⁶ *People v. Tanes*, supra.

²⁷ *Id.*

²⁸ *People v. Manabat*, G.R. No. 242947, July 17, 2019.

²⁹ Entitled 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.

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. (Emphasis and underscorings supplied.)

In *People v. Claudel*,³⁰ We held that “[t]he 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.”³¹ When the same is not practical, the Implementing Rules and Regulations of R.A. No. 9165 allows the inventory and photography to be done at the nearest police station or the nearest office of the apprehending officer/team.³² This is now expressly provided in the law, with the enactment of R.A. No. 10640 amending Section 21 of R.A. No. 9165. Thus, the immediate physical inventory and photograph taking of the confiscated items at the place of arrest may be excused in instances when the safety and security of the apprehending officers and the witnesses required by law or of the items seized are threatened by immediate or extreme danger (e.g. retaliatory action of those who have the resources and capability to mount a counter-assault).³³

It must be stressed nonetheless that **the required witnesses should already be physically present at the time of the conduct of the inventory of the seized items** — a requirement that can easily be complied with by the buy-bust team, considering that the buy-bust operation is, by its nature, a planned activity.³⁴

Further, in *People v. Lim*,³⁵ We held:

It must be alleged and proved that the presence of the three witnesses to the physical inventory and photograph of the illegal drug seized was not obtained due to reason/s such as:

³⁰ G.R. No. 219852, April 3, 2019.

³¹ Id.

³² Id.

³³ See *People v. Lim*, G.R. No. 231989, September 4, 2018.

³⁴ See *People v. Claudel*, supra.

³⁵ Supra.

(1) their attendance was impossible because the place of arrest was a remote area; (2) their safety during the inventory and photograph of the seized drugs was threatened by an immediate retaliatory action of the accused or any person/s acting for and in his/her behalf; (3) the elected official themselves were involved in the punishable acts sought to be apprehended; (4) earnest efforts to secure the presence of a DOJ or media representative and an elected public official within the period required under Article 125 of the Revised Penal Code prove futile through no fault of the arresting officers, who face the threat of being charged with arbitrary detention; or (5) time constraints and urgency of the anti-drug operations, which often rely on tips of confidential assets, prevented the law enforcers from obtaining the presence of the required witnesses even before the offenders could escape.

Earnest effort to secure the attendance of the necessary witnesses must be proven. *People v. Ramos* requires:

It is well to note that the absence of these required witnesses does not *per se* render the confiscated items inadmissible. However, a justifiable reason for such failure or a **showing of any genuine and sufficient effort to secure the required witnesses** under Section 21 of RA 9165 must be adduced. In *People v. Umipang*, the Court held that the prosecution must show that **earnest efforts** were employed in contacting the representatives enumerated under the law for “**a sheer statement that representatives were unavailable without so much as an explanation on whether serious attempts were employed to look for other representatives, given the circumstances is to be regarded as a flimsy excuse.**” Verily, **mere statements of unavailability, absent actual serious attempts to contact the required witnesses are unacceptable as justified grounds for non-compliance.** These considerations arise from the fact that police officers are ordinarily given sufficient time - beginning from the moment they have received the information about the activities of the accused until the time of his arrest - to prepare for a buy-bust operation and consequently, make the necessary arrangements beforehand knowing full well that they would have to strictly comply with the set procedure prescribed in Section 21 of RA 9165. As such, **police officers are compelled not only to state reasons for their non-compliance, but must in fact, also convince the Court that they exerted earnest efforts to comply with the mandated procedure, and that under the given circumstances, their actions were reasonable.**³⁶ (Emphasis and underscorings supplied, citations omitted.)

³⁶ Id.

Here, the inventory and photography of the seized drugs were not immediately done at the place of accused-appellant's arrest. Neither were they done at the nearest police station or at the nearest office of the apprehending team. The prosecution attempted to justify the arresting officers' deviation from the required procedure through SPO1 Mendoza's testimony that his team decided to bring accused-appellant and the seized items to the **barangay hall** because people started to crowd the area.³⁷ Apart from such testimony, however, no other evidence was adduced by the prosecution to show that it was indeed dangerous for the apprehending team to conduct an inventory and photography of the confiscated drugs at the place of accused-appellant's arrest; or that it was impractical or impossible to conduct the same at the nearest police station or office.

Worse, the absence of a representative from the DOJ or the media is evident from the Inventory of Seized/Confiscated Item/Property,³⁸ which was signed only by *Kagawad* Noel S. Mira and the alleged *punong barangay* of Old Balara.³⁹ Again, other than SPO1 Mendoza's uncorroborated statement – that he and his team called the media and the DOJ but no one came⁴⁰ – there was no other evidence to show that earnest albeit unsuccessful efforts were made to secure the attendance of the other required witness. The sheer statement of SPO1 Mendoza, without more, cannot be deemed reasonable enough to justify a deviation from the mandatory directives of the law.⁴¹ Notably, the Inventory of Seized/Confiscated Item/Property was also not signed by accused-appellant.⁴²

The Court has long recognized that strict compliance with the requirements of Section 21, Article II of R.A. No. 9165 may not always be possible because of varied field conditions. This is now crystallized into statutory law with the enactment of R.A. No. 10640. Thus, non-compliance with the requirements of Section 21 – **under justifiable grounds** – will not automatically render void and invalid the seizure and custody over the seized items so long as the integrity and evidentiary value of the seized items are properly preserved by the apprehending officer or team.⁴³

It must be emphasized that for the saving clause to apply, the prosecution must duly explain the reasons behind the procedural lapses. Further, the justifiable ground for non-compliance must be proven as a fact because the Court cannot presume what these grounds are or that

³⁷ TSN dated October 19, 2015, p. 3.

³⁸ Records, p. 17.

³⁹ Id.; see also TSN dated October 19, 2015, p.4.

⁴⁰ TSN dated October 19, 2015, p. 4; see also *rollo*, p. 5.

⁴¹ See *People v. Santos*, G.R. No. 243627, November 27, 2019.

⁴² Records, p. 17.

⁴³ See *People v. Colabres*, G.R. No. 240752, January 19, 2021, citing *People v. Año*, 828 Phil. 439, 449-450 (2018).

they even exist.⁴⁴ Stated differently, the prosecution must recognize the lapse or lapses and justify or explain them. Such justification or explanation would be the basis for applying the saving mechanism.⁴⁵

As already stated, the prosecution failed to offer sufficient explanation or justification for the apprehending officers' non-compliance with Section 21 (1), Article II of R.A. No. 9165, as amended, particularly on the required witnesses. The importance of these witnesses cannot be overstated. Their presence during the inventory and photography of the seized items would not only preserve an unbroken chain of custody but also prevent the possibility of tampering with, or "planting" of, evidence.⁴⁶ To reiterate, **mere claims of unavailability, absent a showing that actual and serious attempts were employed to contact the required witnesses, are unacceptable as they fail to show that genuine and sufficient efforts were exerted by police officers.**⁴⁷ Consequently, the failure of the police officers to strictly comply with the requirements of the law, and to give justifiable grounds for their deviations had compromised the integrity and evidentiary value of the *corpus delicti*, warranting accused-appellant's acquittal for reasonable doubt.⁴⁸

On a final note, Our pronouncement in *People v. Año*⁴⁹ is timely more than ever, viz.:

x x x [P]rosecutors are strongly reminded that they have the positive duty to prove compliance with the procedure set forth in Section 21 of RA 9165, as amended. As such, they must have the initiative to not only acknowledge but also justify any perceived deviations from the said procedure during the proceedings before the trial court. Since compliance with this procedure is determinative of the integrity and evidentiary value of the *corpus delicti* and ultimately, the fate of the liberty of the accused, the fact that any issue regarding the same was not raised, or even threshed out in the court/s below, would not preclude the appellate court, including this Court, from fully examining the records of the case if only to ascertain **whether the procedure had been completely complied with, and if not, whether justifiable reasons exist to excuse any deviation. If no such reasons exist, then it is the appellate court's bounden duty to acquit the accused, and perforce, overturn a conviction.**⁵⁰ (Emphasis and underscoring supplied.)

WHEREFORE, the appeal is **GRANTED**. The Decision dated January 16, 2018 of the Court of Appeals in CA-G.R. CR-HC No. 08792 is hereby **REVERSED** and **SET ASIDE**. Accordingly, accused-appellant

⁴⁴ Id. citing *People v. Dela Torre*, G.R. No. 238519, June 26, 2019.

⁴⁵ *People v. Manabat*, supra note 28, citing *People v. Reyes*, 797 Phil. 671, 690 (2016).

⁴⁶ See *Tolentino v. People*, G.R. No. 227217, February 12, 2020, citing *People v. Mendoza*, 736 Phil. 749, 764 (2014).

⁴⁷ *People v. Santos*, supra note 41.

⁴⁸ *People v. Colabres*, supra note 43.

⁴⁹ Supra note 43.

⁵⁰ Id. at 452-453.

Mark Louie Reyes y Archangel is **ACQUITTED** of the crimes charged. The Director of the Bureau of Corrections is **ORDERED** to cause his immediate release unless he is being lawfully held in custody for any other reason.

Let copies of this Resolution be furnished to the Director General of the Bureau of Corrections, Muntinlupa City, for immediate implementation.

The Director General is **DIRECTED** to immediately implement this Resolution and to inform this Court of the action he has taken within five days from receipt thereof.

SO ORDERED.” (Lopez, J.Y. J., designated additional Member per Raffle dated January 31, 2022; Inting, J., no part.)

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court *m 7/6*
 05 JUL 2022

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 Accused-Appellant
 c/o The Director
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THE DIRECTOR (x)
 Bureau of Corrections
 1770 Muntinlupa City

THE SUPERINTENDENT (x)
 New Bilibid Prison
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HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 79
 Quezon City
 (Crim. Case Nos. R-QZN-15-06672-CR &
 R-QZN-15-06673-CR)

JUDGMENT DIVISION (x)
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