



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated August 3, 2022 which reads as follows:

“G.R. No. 239778 - (People of the Philippines v. Danilo Devibar y Formilles a.k.a. Daniela “Bayot” Devibar). –This Court resolves the Notice of Appeal¹ filed by Danilo Devibar y Formilles a.k.a. Daniela “Bayot” Devibar (*Devibar*) challenging the Decision² dated January 31, 2018 of the Court of Appeals (*CA*) in CA-G.R. CR-HC No. 02457. The *CA* earlier affirmed the Joint Judgment³ dated November 16, 2016 of the Regional Trial Court (*RTC*) of Dumaguete City, Negros Oriental, Branch 30, in Criminal Case No. 2015-22888 and Criminal Case No. 2015-22887, finding him guilty of Illegal Sale and Illegal Possession of Dangerous Drugs, penalized respectively under Sections 5 and 11, Article II of Republic Act (*R.A.*) No. 9165 also known as the “Comprehensive Dangerous Drugs Act of 2002,” as amended.

Facts

In an Amended Information⁴ dated May 7, 2015, Devibar was indicted for illegal sale of dangerous drugs in Criminal Case No. 2015-22888. The accusatory portion of the said Information reads:

That on or about the 14th day of April, 2015, in the City of Dumaguete, Philippines, and within the jurisdiction of this Honorable Court, the said accused, not being authorized by law, did then and there willfully, unlawfully and criminally sell and/or deliver to PO1 Archimedes T. Olasiman[,] a poseur [-] buyer one (1) heat-sealed transparent plastic sachet containing 0.07 gram of white crystalline substance of Methamphetamine Hydrochloride, commonly known as “shabu,” a dangerous drug.

That the accused has been found positive for Methamphetamine Hydrochloride as reflected in Chemistry Report No. DT-117-15.

Contrary to law.⁵ (Underscoring in the original)

¹ *Rollo*, p. 18.

² Penned by Associate Justice Marilyn B. Lagura-Yap, with Associate Justices Gabriel T. Ingles and Gabriel T. Robeniol, concurring; *id.* at 4-17.

³ Penned by Presiding Judge Rafael Crescencio C. Tan Jr. *CA rollo*, pp. 45-60.

⁴ *Id.* at 45-46.

⁵ *Id.*

On even date, he was also charged with illegal possession of dangerous drugs in Criminal Case No. 2015-22887. The Amended Information⁶ filed against him is quoted hereunder:

That on or about the 14th day of April, 2015 in the City of Dumaguete, Philippines, and within the jurisdiction of this Honorable Court, the said accused, not being then authorized by law, did, then and there[,] willfully, unlawfully and feloniously possess twenty (20) heat-sealed transparent plastic sachets containing a total aggregate weight of 3.82 grams of Methamphetamine Hydrochloride, commonly called “shabu,” *(sic)* a dangerous drug *(sic)*

That the accused has been found positive for Methamphetamine [Hydrochloride] as reflected in Chemistry Report No. DT-117-15 *(sic)*

Contrary to law.⁷ (Underscoring in the original)

During his arraignment, Devibar pleaded “not guilty” to the charges.⁸ After the pre-trial was concluded, joint trial of the cases then ensued.⁹

The evidence for the prosecution established that sometime in March 2015, the Special Operations Group (*SOG*) of the Negros Oriental Police Provincial Office received an intelligence report that a certain Daniela “*Bayot*” Devibar was involved in illegal drug trade at Barangay Looc, Dumaguete.¹⁰ Acting on this information, the team conducted a surveillance and confirmed the report.¹¹

On April 14, 2015, Senior Police Officer 4 Allen June Germodo (*SPO4 Germodo*), the team leader, held a briefing in preparation for the entrapment against the said subject.¹² During the briefing, *SPO4 Germodo* designated Police Officer 2 Archimedes Olasiman (*PO2 Olasiman*) as the *poseur*-buyer, with Police Officer 2 Peter Sarita (*PO2 Sarita*) and the rest of the *SOG* members, as his back-up.¹³ *PO2 Olasiman* was handed three ₱100.00 bills with serial numbers “*NH105084*,” “*JA099442*” and “*YB370299*” to be used as buy-bust money.¹⁴ They also instructed him to make a missed call on his mobile phone once the sale had been consummated.¹⁵ After coordinating with the Philippine Drug Enforcement Agency (*PDEA*), the team proceeded to the target area.¹⁶

There, *PO2 Olasiman* and the confidential agent walked towards the inner portion of the location until they saw a makeshift house that fit the

⁶ *Id.* at 46.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Rollo*, p. 7.

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *CA rollo*, p. 47.

¹⁵ *Rollo*, p. 7.

¹⁶ *Id.*

description of the subject's residence.¹⁷ The subject saw the duo and approached them.¹⁸ PO2 Olasiman introduced himself as an interested buyer of *shabu* and handed the ₱300.00 buy-bust money.¹⁹ The subject accepted the money and placed it in a rectangular box.²⁰ From the same box, he took a plastic sachet containing white crystalline substance and gave it to PO2 Olasiman.²¹ PO2 Olasiman examined the contents of the sachet and after confirming his suspicion, executed the pre-arranged signal and arrested the subject.²² The subject was later on identified as Devibar.²³ Afterwards, PO2 Olasiman frisked Devibar and recovered from him the rectangular box with 19 plastic sachets inside containing white crystalline substance.²⁴ He was also able to recover another medium-sized plastic sachet suspected to contain *shabu* after further body search.²⁵

At the crime scene, PO2 Olasiman marked the plastic sachet sold to him with the initials "DD-BB 4/14/15," while he marked the plastic sachets inside the rectangular box recovered from Devibar with "DD-P1 4/14/15" to "DD-P19 4/14/15."²⁶ Likewise, he marked the other medium-sized plastic sachet seized with the initials "DD-P20 4/14/15."²⁷ Thereafter, PO2 Olasiman conducted an inventory of all the items confiscated during the buy-bust operation in the presence of Devibar,²⁸ Department of Justice (DOJ) representative Anthony Chilius Benlot, media practitioner Juancho Gallarde and Barangay Kagawad Dandy Catada.²⁹ Except for Devibar, all these witnesses signed the Inventory/Receipt of Property Seized.³⁰ Meanwhile, PO2 Sarita took photographs during the inventory.³¹

PO2 Olasiman kept sole possession and custody of all the items confiscated from Devibar while in transit to the police station.³² Upon their arrival, he placed the 21 marked plastic sachets in a brown evidence envelope which he tape-sealed and signed.³³ The team prepared a Memorandum Request for Laboratory Examination and Drug Test³⁴ (*memorandum request*), which PO2 Olasiman signed.³⁵ Thereafter, he brought the Memorandum Request, as well as the brown evidence envelope, and Devibar to the crime laboratory for examination and drug test.³⁶

17 *Id.* at 8.

18 *Id.*

19 *Id.*

20 *Id.*

21 *Id.*

22 *Id.*

23 *Id.*

24 CA *rollo*, p. 48.

25 *Id.*

26 *Id.*

27 *Id.*

28 *Id.*

29 *Id.* at 49.

30 Records, pp. 21-24.

31 CA *rollo*, p. 49.

32 *Id.*

33 *Id.*

34 Records, pp. 25-28.

35 CA *rollo*, p. 49.

36 *Id.*

At the crime laboratory, Police Officer 3 Edilmar Manaban (*PO3 Manaban*) received the brown envelope with signature from PO2 Olasiman.³⁷ He checked whether its contents tallied with those listed in the memorandum request which he received.³⁸ After ascertaining that they indeed tallied, he resealed the brown envelope and forwarded the same, with its contents to the forensic chemist, Police Chief Inspector Josephine Llana (*PCI Llana*).³⁹

PCI Llana labeled the 21 plastic sachets contained in the brown envelope as Specimens “A-1” to “A-21,” respectively and recorded their corresponding net weights.⁴⁰ She conducted a qualitative examination on the subject specimens and reduced her findings in her Chemistry Report No. D-141-15 indicating that the contents thereof all tested positive for the presence of *methamphetamine hydrochloride*, a dangerous drug.⁴¹

She also examined the urine sample taken from Devibar.⁴² The results of her screening and confirmatory tests were reduced in writing in her Chemistry Report No. DT-117-15, which stated that the urine sample also yielded positive results for the presence of *methamphetamine hydrochloride*, a dangerous drug.⁴³

After examining the said pieces of evidence, PCI Llana kept the same in the evidence vault to which only she had access.⁴⁴ She eventually submitted the said pieces of evidence, together with her chemistry reports, to the court when the joint trial of these cases commenced on May 7, 2015.⁴⁵

On the other hand, the defense presented Devibar as its sole witness.⁴⁶ He asserted that the pieces of evidence against him were planted.⁴⁷ According to him, on the day of the incident, he was with his cousin outside their friend’s house when some police officers arrived.⁴⁸ The said police officers bodily searched him but did not recover any illegal substance.⁴⁹ While he was being searched, he saw these police officers place some items in a nearby hut.⁵⁰ Later on, he was implicated for illegal sale and possession of dangerous drugs.⁵¹

37 *Id.*

38 *Id.*

39 *Id.*

40 *Id.* at 50.

41 *Id.*

42 *Id.*

43 *Id.*

44 *Id.*

45 *Id.*

46 *Id.* at 51.

47 *Id.*

48 *Id.*

49 *Id.*

50 *Id.*

51 *Id.*

After trial, the RTC rendered a Joint Judgment⁵² dated November 16, 2016, finding Devibar guilty beyond reasonable doubt of the crimes charged. It held that the testimony of the *poseur*-buyer, PO2 Olasiman, corroborated by the Chemistry Report No. D-141-15, issued by forensic chemist PCI Llena, both of which duly established the elements of illegal sale and possession of dangerous drugs.⁵³ Thus, the RTC decreed:

WHEREFORE, in light of the foregoing, the Court hereby renders judgment as follows:

1. In Criminal Case No. 2015-22888, the accused DANILO DEVIBAR [y] FORMILLES a.k.a. DANIELA "BAYOT" DEVIBAR is hereby found GUILTY beyond reasonable doubt of the offense of illegal sale of 0.07 gram of *shabu* in violation of Section 5, Article II of RA No. 9165 and is hereby sentenced to suffer a penalty of life imprisonment and to pay a fine of Five Hundred Thousand Pesos (₱ 500,000.00).

The one (1) heat-sealed transparent plastic sachet with markings "DD-BB 4/14/15" containing 0.07 gram of *shabu* is hereby confiscated and forfeited in favor of the government and to be disposed of in accordance with law.

2. In Criminal Case No. 2015-22887, the accused DANILO DEVIBAR [y] FORMILLES a.k.a. DANIELA "BAYOT" DEVIBAR is hereby found GUILTY beyond reasonable doubt of the offense of illegal possession of 3.82 grams of *shabu* in violation of Section 11, Article II of R.A. No. 9165 and is hereby sentenced to suffer an indeterminate penalty of twelve (12) years and one (1) day[,] as minimum term[,] to fourteen (14) years[,] as maximum term[,] and to pay a fine of Four Hundred Thousand Pesos (₱ 400,000.00).

The twenty (20) heat-sealed transparent plastic sachets with markings "DD-P1 4/14/15" to "DD-P20 4/14/15," respectively, containing the total aggregate weight of 3.82 grams of *shabu* are hereby confiscated and forfeited in favor of the government and to be disposed of in accordance with law.

In the service of sentence, the accused DANILO DEVIBAR [y] FORMILLES a.k.a. DANIELA "BAYOT" DEVIBAR shall be credited with the full time during which he has undergone preventive imprisonment, provided he agrees voluntarily in writing to abide by the same disciplinary rules imposed upon convicted prisoners.

SO ORDERED.⁵⁴

Undaunted, Devibar appealed to the CA.⁵⁵

⁵² *Id.* at 45-60.

⁵³ *Id.* at 54.

⁵⁴ *Id.* at 59.

⁵⁵ *Rollo*, p. 21.

In its Decision⁵⁶ dated January 31, 2018, the CA upheld the ruling of the RTC. The CA ruled that the evidence on record proved beyond reasonable doubt the elements of illegal sale and possession of dangerous drugs.⁵⁷ Moreover, the prosecution also established the chain of custody of the *corpus delicti*.⁵⁸ Hence, the CA affirmed the Joint Judgment of the RTC *in toto*.⁵⁹

Unrelenting, Devibar filed a Notice of Appeal.⁶⁰

In a Resolution⁶¹ dated July 23, 2018, this Court noted the records forwarded by the CA which gave due course to Devibar's Notice of Appeal. Likewise, the parties were ordered to file their respective supplemental briefs, should they so desire, within 30 days from notice.

On September 24, 2018, the Office of the Solicitor General (*OSG*), on behalf of the People, filed a Manifestation,⁶² stating that it will no longer submit a supplemental brief since its contentions had been exhaustively discussed in the Appellee's Brief which it submitted to the CA.

On October 5, 2018, accused-appellant Devibar, through the Public Attorney's Office (*PAO*), filed a similar Manifestation.⁶³

Issue

Whether the CA correctly affirmed accused-appellant's conviction for illegal sale and possession of dangerous drugs

Our Ruling

The appeal lacks merit.

Accused-appellant was convicted of illegal sale and possession of dangerous drugs. In *Cristobal v. People*,⁶⁴ this Court enumerated the elements of the said crimes in this manner:

For the crime of Illegal Sale of Dangerous Drugs under Section 5, Article II of RA No. 9165, the prosecution must prove the following elements: (a) the identity of the buyer and the seller, the object, and the consideration; and (b) the delivery of the thing sold and the payment. On the

⁵⁶ *Id.* at 4-17

⁵⁷ *Id.* at 11-14.

⁵⁸ *Id.* at 12.

⁵⁹ *Id.* at 16.

⁶⁰ *Id.* at 18.

⁶¹ *Id.* at 30.

⁶² *Id.* at 25-26.

⁶³ *Id.* at 32-33.

⁶⁴ G.R. No. 254852 (*Resolution*), March 17, 2021.

other hand, the elements of Illegal Possession of Dangerous Drugs under Sec. 11, Art. II of RA No. 9165 are: (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. (Citations omitted)

Here, all the elements of illegal sale and possession of dangerous drugs were sufficiently established by the prosecution. As regards the illegal sale of dangerous drugs, PO2 Olasiman as the *poseur*-buyer, positively identified Devibar as the seller who handed him the plastic sachet suspected to contain *shabu*, in exchange for the ₱300.00 buy-bust money which the latter accepted.⁶⁵

PO2 Olasiman also testified that after the sale, Devibar was arrested and frisked, from which 20 more plastic sachets containing the same substance were recovered.⁶⁶ At that time, Devibar could not present any proof or justification that he had lawful authority to possess the said substance. Moreover, he freely and consciously possessed the same since he was even offering them for sale. "At any rate, mere possession of a prohibited drug constitutes *prima facie* evidence of knowledge or *animus possidendi* sufficient to convict an accused in the absence of any satisfactory explanation."⁶⁷

Consequently, PCI Llena confirmed in her Chemistry Report No. D-141-15 that the contents of the plastic sachets bought and recovered from Devibar were *methamphetamine hydrochloride*, commonly known as *shabu*, a dangerous drug.⁶⁸

All told, the elements of illegal sale and possession of dangerous drugs are present.

In the prosecution of drugs cases, "the State bears the burden not only of proving the elements of the offense but also the *corpus delicti* itself."⁶⁹ The *corpus delicti* in cases involving dangerous drugs is the dangerous drug itself and its offer as evidence.⁷⁰ In this case, the dangerous drugs which accused-appellant sold to PO2 Olasiman and those which were eventually recovered from him constitute the *corpus delicti*. "It is thus imperative for the prosecution to establish that the identity and integrity of these dangerous drugs were duly preserved in order to sustain a verdict of conviction."⁷¹ "The chain of custody rule performs this function as it

⁶⁵ CA rollo, pp. 47-48.

⁶⁶ *Id.* at 48.

⁶⁷ *People v. Custodio*, G.R. No. 251741 (*Resolution*), November 11, 2021.

⁶⁸ CA rollo, p. 50.

⁶⁹ *People v. Valdez*, G.R. No. 233321, December 5, 2019.

⁷⁰ *People v. Moyo*, G.R. No. 253650 (*Resolution*), July 28, 2021.

⁷¹ *People v. Valdez*, *supra* note 69.

ensures that unnecessary doubts concerning the identity of the evidence are removed.”⁷²

In *People v. Siu Ming Tat*,⁷³ this Court discussed the links which must be shown to establish an unbroken chain of custody:

Generally[,] there are four links in the chain of custody of the seized illegal drug: (i) its seizure and marking, if practicable, from the accused, by the apprehending officer; (ii) its turnover by the apprehending officer to the investigating officer; (iii) its turnover by the investigating officer to the forensic chemist for examination; and, (iv) its turnover by the forensic chemist to the court.

Notably, the commission of these crimes happened on April 14, 2015, when R.A. No. 10640⁷⁴ was already in effect. In this regard, Section 21 (1) of R.A. No. 10640, provides:

SECTION 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.* — x x x

(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 persons 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[.]

Verily, the law requires that the “marking, physical inventory, and photography of the seized items be conducted immediately after seizure and

⁷² *People v. Siu Ming Tat*, G.R. No. 246577, July 13, 2020. (Citations omitted).

⁷³ *Id.* (Citations omitted).

⁷⁴ 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. RA No. 10640 took effect on July 23, 2014. *See also* OCA Circular No. 77-2015 dated April 23, 2015.

confiscation.”⁷⁵ Thus, “marking ‘immediately’ contemplates, ideally, marking at the place of seizure and apprehension.”⁷⁶

On this score, the records bear that the seized sachets of *shabu* were inventoried and photographed immediately at the place of arrest.⁷⁷ It is also well to note that while R.A. No. 10640 now requires only two witnesses aside from the accused, there were even three witnesses who were present and who signed the Inventory/Receipt of Property Seized⁷⁸ to attest to the same.

After the marking and inventory, PO2 Olasiman retained custody over the marked sachets of *shabu* until they reached the police station.⁷⁹ Upon their arrival, he placed the 21 marked plastic sachets with a total weight of 3.89 grams, in a brown evidence envelope which he tape-sealed and signed.⁸⁰ After the Memorandum Request was prepared, PO2 Olasiman brought the same, together with the brown evidence envelope, and the living person of Devibar to the crime laboratory for examination and drug testing.⁸¹ Thereat, PO3 Manaban counterchecked the contents of the brown envelope with those listed in the Memorandum Request which he received.⁸² After ascertaining that they indeed tallied, he resealed the brown envelope and forwarded the same, with its contents to the forensic chemist, PCI Llena.⁸³

PCI Llena conducted a qualitative examination on the subject specimens and the urine sample from which she concluded that all tested positive for the presence of *methamphetamine hydrochloride*, a dangerous drug.⁸⁴ After examining the said pieces of evidence, she kept the same in the evidence vault to which only she has access.⁸⁵ She eventually submitted the same, together with her chemistry reports to the court when the joint trial of these cases commenced.⁸⁶

Indeed, the prosecution established that the identity and integrity of the seized drugs were preserved since every step and precaution were identified and documented until the seized contraband was offered as evidence in court.

⁷⁵ *People v. Bernal*, G.R. No. 242946, (Resolution), June 14, 2021.

⁷⁶ *Id.*

⁷⁷ CA rollo, p. 48.

⁷⁸ Records, pp. 21-24.

⁷⁹ CA rollo, p. 49.

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.* at 50.

⁸⁵ *Id.*

⁸⁶ *Id.*

This notwithstanding, Devibar maintains that the pieces of evidence against him were planted.⁸⁷

It bears to stress that “[this] Court has time and time again held that categorical and consistent positive identification, without any ill motive, prevails over *alibi* and denial.”⁸⁸ Jurisprudence⁸⁹ holds that “[u]nless there is clear and convincing evidence that the police officers were inspired by any improper motive or did not properly perform their duty, their testimonies on the operation deserve full faith and credit.” In other words, “the presumption of regularity in the performance of official functions operates in favor of the arresting officers”⁹⁰ and “unless the presumption is rebutted, it becomes conclusive.”⁹¹

Moreover, jurisprudence⁹² underscored that “when the issues involve matters of credibility of witnesses, the findings of the trial court, its calibration of the testimonies, and its assessment of the probative weight thereof, as well as its conclusions anchored on said findings, are accorded high respect, if not conclusive effect.” The reason for this rule is that “the trial court has the unique opportunity to observe the demeanor of witnesses and is in the best position to discern whether they are telling the truth.”⁹³ Owing to this vantage point, “appellate courts will not overturn the factual findings of the RTC unless there is a showing that the latter overlooked facts or circumstances of weight and substance that would affect the result of the case.”⁹⁴ Consequently, “[w]ithout any showing that the trial and the appellate courts overlooked certain facts and circumstances that could substantially affect the outcome, their rulings must be upheld.”⁹⁵

FOR THESE REASONS, the Appeal is **DISMISSED**. The Decision dated January 31, 2018 of the Court of Appeals in CA-G.R. CR-HC No. 02457, affirming the Joint Judgment dated November 16, 2016 of the Regional Trial Court of Dumaguete City, Negros Oriental, Branch 30, in Criminal Case Nos. 2015-22888 and 2015-22887, finding Danilo Devibar y Formilles *a.k.a.* Daniela “*Bayot*” Devibar guilty beyond reasonable doubt of violating Sections 5 and 11, Article II of Republic Act No. 9165, as amended is **AFFIRMED**.

Accordingly, in Criminal Case No. 2015-22888, for violation of Section 5, Article II of Republic Act No. 9165, as amended, Danilo Devibar y Formilles *a.k.a.* Daniela “*Bayot*” Devibar is hereby sentenced to suffer the

⁸⁷ *Id.* at 51.

⁸⁸ *People v. Kitane*, G.R. No. 248847 (*Resolution*), July 15, 2020. (Citations omitted).

⁸⁹ *People v. Estabillo*, G.R. No. 252902, June 16, 2021. (Citations omitted).

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² *People v. Taglucop*, G.R. No. 243577, March 15, 2022. (Citations omitted).

⁹³ *Id.* (Citations omitted).

⁹⁴ *Id.* (Citations omitted).

⁹⁵ *People v. Kitane*, *supra* note 86.

penalty of life imprisonment and to pay a fine of Five Hundred Thousand Pesos (₱500,000.00).

In Criminal Case No. 2015-22887, for violation of Section 11, Article II of Republic Act No. 9165, as amended, Danilo Devibar y Formilles *a.k.a.* Daniela “Bayot” Devibar is sentenced to suffer an indeterminate penalty of 12 years and one day, as minimum term, to 14 years, as maximum term, and to pay a fine of Four Hundred Thousand Pesos (₱400,000.00).

SO ORDERED.” (*Kho, Jr., J., on leave*)

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court
 U 9 MAR 2023

PUBLIC ATTORNEY’S OFFICE (reg)
 Regional Special & Appealed Cases Unit
 3F, Taft Commercial Center
 Metro Colon Carpark, Osmeña Boulevard
 Brgy. Kalubihan, 6000 Cebu City

OFFICE OF THE SOLICITOR GENERAL (reg)
 134 Amorsolo Street
 1229 Legaspi Village
 Makati City

DANILO DEVIBAR Y FORMILLES
 @ Daniela “Bayot” Devibar (reg)
 Accused-Appellant
 c/o The Director
 Bureau of Corrections
 1770 Muntinlupa City

THE DIRECTOR (reg)
 Bureau of Corrections
 1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 30
 Dumaguete City
 (Crim. Case Nos. 2015-22887 to 22888)

COURT OF APPEALS (reg)
 Visayas Station
 Cebu City
 CA-G.R. CR-HC No. 02457

JUDGMENT DIVISION (x)
 Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)
LIBRARY SERVICES (x)
 [For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)
PHILIPPINE JUDICIAL ACADEMY (x)
 Supreme Court, Manila

Please notify the Court of any change in your address.
 GR239778. 08/03/2022(221)URES