

## REPUBLIC OF THE PHILIPPINES SUPREME COURT Manila

## SECOND DIVISION

## NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated October 10, 2022 which reads as follows:

"G.R. No. 252495 (PEOPLE OF THE PHILIPPINES, plaintiff-appellee v. MOHAIMA DIMALIMA y PACOL, accused-appellant). – The failure of the prosecution to comply with the requirements of Republic Act No. 9165, as amended, and provide justifiable grounds for such noncompliance creates reasonable doubt on the identity of the illegal drugs seized, warranting the acquittal of the accused.

This Court resolves the Notice of Appeal<sup>1</sup> filed by Mohaima Dimalima (Dimalima), challenging the Decision<sup>2</sup> of the Court of Appeals that affirmed the Joint Judgment<sup>3</sup> of the Regional Trial Court of Quezon City. The trial court earlier found Dimalima guilty beyond reasonable doubt of illegal sale of dangerous drugs.

In two separate Informations, Dimalima was charged with violating Sections 5 and 11 of Republic Act No. 9165, as amended by Republic Act No. 10640. These Informations read:

Criminal Case No. R-QZN-15-10433-CR

That on or about the 6<sup>th</sup> day of November 2015, in Quezon City, Philippines, the said accused, without lawful authority, did then and there wil[I]fully, unlawfully sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport, or act as broker in the said transaction, zero point eighteen (0.18) gram of white crystalline substance containing Methamphetamine Hydrochloride, a dangerous drug.

Contrary to law.4

Rollo, p. 4.

ph

<sup>1</sup> CA rollo, pp. 16--18.

Rollo, pp. 3-16. The July 29, 2019 Decision in CA-G.R. CR-HC No. 08720 was penned by Associate Justice Mariflor P. Punzalan Castillo and concurred in by Associate Justices Gabriel T. Robeniol and Tita Marilyn B. Payoyo-Villordon of the Special Sixth Division, Court of Appeals, Manula.

CA rollo pp. 76-84 The Joint Judgment dated September 30, 2016 was penned by Presiding Judge Nadine Jessica Corazon J. Fama of the Regional Trial Court Branch 79, Quezon City.

## Criminal Case No. R-QZN-15-10434-CR

That on or about the 6<sup>th</sup> day of November 2015, in Quezon City, Philippines, the said accused, without authority of law, did then and there willfully, unlawfully and knowingly have in her possession and control one (1) heat-sealed transparent sachet containing zero point nineteen (0.19) gram of white crystalline substance containing Methamphetamine Hydrochloride, a dangerous drug.

Contrary to law.5

On arraignment, Dimalima pleaded not guilty to the crimes charged. Trial on the merits then ensued.<sup>6</sup>

The prosecution presented one witness, Police Officer III Rogelio Parane (Parane).<sup>7</sup>

The prosecution alleged that at around 2:00 p.m. on November 6, 2015, Parane and his fellow operatives of the Station Anti-Illegal Drugs Unit of the Quezon City Police Department were instructed by their chief, Police Senior Inspector Sandie Caparoso, to conduct a buy-bust operation against a certain "Marie," who was peddling illegal drugs along Baker Street, Fairmont Subdivision, Fairview, Quezon City. They prepared the coordination form and preoperation report, which were submitted to the Philippine Drug Enforcement Agency.

Parane was assigned as the poseur-buyer. He was provided with a \$\mathbb{P}\$500.00 bill to be used as buy-bust money, which he marked with his initials "RP" on the upper right side.\(^8\)

At around 6:00 p.m. that same day, the team and the confidential informant proceeded to Fairmont Subdivision, Fairview Quezon City. Upon arrival, they saw Dimalima standing along Baker Street. Parane and the confidential informant approached Dimalima, with the confidential informant introducing Parane as the buyer. Dimalima asked Parane how much he was buying, to which the latter responded that he wanted to buy \$\P\$500.00 worth of shabu. Dimalima gave him a plastic sachet containing white crystalline substance and, in return, Parane gave her the marked \$\P\$500.00 bill. The latter then scratched his head, the prearranged signal, causing the team to rush to the area.

Immediately, Parane arrested Dimalima and confiscated the buy-bust money. Meanwhile, Police Officer III Candido Guballa, a member of the



<sup>&</sup>lt;sup>5</sup> Id.

<sup>6</sup> Id.

<sup>&</sup>lt;sup>7</sup> ld. at 5 -7.

<sup>&</sup>lt;sup>8</sup> Id. at 5.

Id.

buy-bust team, confiscated another plastic sachet from Dimalima.<sup>10</sup> Thereafter, they brought Dimalima to the police station for the marking, inventory, and taking of photographs to ensure the presence of witnesses. Parane kept the seized items in his possession during transit. Upon arrival, Parane placed his markings on the seized items in Dimalima's presence.<sup>11</sup> The inventory and taking of photographs were thereafter conducted in the presence of Dimalima, Barangay Kagawad Emil Lagco, and Barangay Kagawad Jason Lazo.<sup>12</sup>

Parane delivered the seized drugs to the crime laboratory. The request for laboratory information was received by Police Chief Inspector Sandra Decena Go (Go), who conducted the qualitative examination of the seized drugs. In the Initial Laboratory Report No. D-431-15 and Chemistry Report No. D-431-15, Go indicated that the sachets were positive for shabu. On the other hand, Initial Laboratory Report No. DT-573-15 showed that Dimalima's urine sample did not contain traces of shabu. 13

The presentation of Go's testimony was dispensed with as the prosecution and the defense stipulated on the following:

- 1. That [Go] is a Forensic Chemist assigned at the Chemistry Section of the Philippine National Police National Headquarters, Crime Laboratory, Camp Crame, Quezon City;
- 2. That on November 6, 2015, she received from [Parane] a request for laboratory examination and two (2) heat-sealed transparent plastic sachets containing white crystalline substance with markings "MDP-11-6-15" and "MDP-11-6-15-1";
- 3. That she conducted qualitative examination on the received specimens and issued Initial Laboratory Report No. D-431-15 and Chemistry Report No. D-431-15, and her findings on the two (2) heat-sealed transparent plastic sachets . . . yielded positive for methamphetamine hydrochloride, a dangerous drug;
- 4 That after examination, she put a masking tape on each of the specimens, marked them, placed them in a transparent bag, which she sealed with a masking tape and marked with "D-431-15 Sdgo Nov. 6, 2015", and turned over to the evidence custodian, [Police Officer II] Ryan Castillo on November 9, 2015;
- 5. That pursuant to the subpoena issued to her, on February 1, 2016, she retrieved from [Castillo] the specimens subject of the case in the same condition as when she turned them over; and
- 6. That she brought to court a transparent plastic bag sealed with a masking tape and marked "D-431-15 Sdgo Nov. 6, 2015" which, when opened, contained (2) heat-sealed transparent plastic sachets containing white crystalline substance with markings "MDP-11-6-15" and "MDP-11-6-15-1.<sup>14</sup>

Yak

i0 Id. at 5-6.

CA rollo, pp. 78–79.

<sup>&</sup>lt;sup>12</sup> Rollo, pp. 5-6.

<sup>13</sup> Id. at 6.

<sup>&</sup>lt;sup>14</sup> Id. at 6–7.

Testifying in her defense, Dimalima denied the accusations against her. She alleged that at around 9:30 a.m. on November 4, 2015, she had just finished taking a bath when 10 armed individuals suddenly entered the house, handcuffed her, and poked their guns at her. She was taken outside the house and asked whether she was "Marmat," which she denied. The individuals then forced her into a car and brought her to the Quezon City Police Department.

Upon arrival, they brought out the contents of her bag and asked for the personal identification number of her ATM card. When she refused, they threatened to slap her and demanded that she call her husband and instruct him to pay them ₱2,000,000.00. As she was unable to contact her husband and produce the amount, Dimalima was detained. At around 9:00 p.m. on November 6, 2015, she underwent inquest proceedings.<sup>15</sup>

Dimalima explained that she did not file any charges against her apprehenders as she was afraid and did not know how to file a case. <sup>16</sup>

Nashiba Haron (Haron), Dimalima's second cousin, corroborated Dimalima's testimony. She alleged that at around 9:00 a.m. on November 4, 2015, while she was visiting Dimalima at her house, police officers suddenly kicked open the door of the house, entered, and pointed their guns at Dimalima. The police officers stated that they had a warrant of arrest for Dimalima, which they did not present. They then brought Dimalima out of the house and made her board a vehicle. Haron asserted that Dimalima was not selling drugs at the time of the arrest.<sup>17</sup>

In its Joint Judgment,<sup>18</sup> the Regional Trial Court of Quezon City convicted Dimalima of illegal sale of dangerous drugs. However, it acquitted her of illegal possession of dangerous drugs.<sup>19</sup>

The dispositive portion of the Joint Judgment reads:

WHEREFORE, judgment is hereby rendered as follows:

- 1. In Criminal Case No. R-QZN-15-10433-CR, the Court finds accused, MOHAIMA DIMALIMA y PACOL GUILTY BEYOND REASONABLE DOUBT of violation of Section 5, Article II, of Republic Act 9165, and she is hereby sentenced to suffer life imprisonment and to pay a fine of Five Hundred Thousand Pesos (\$\frac{1}{2}500,000.00);
- 2. In Criminal Case No. R-QZN-15-10434-CR, accused, MOHAIMA DIMALIMA y PACOL is hereby ACQUITTED of

Phy

<sup>!5</sup> Id.

<sup>6</sup> Id. at 8.

<sup>&</sup>lt;sup>i7</sup> Id

<sup>18</sup> CA rollo, pp. 76-84.

<sup>&</sup>lt;sup>9</sup> Id. at 84.

violation of Section 11, Article II, of Republic Act 9165.

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-431-15, 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.20

The trial court held that the prosecution established all the elements of illegal possession of dangerous drugs and proved that the integrity and evidentiary value of the seized drugs were preserved through an unbroken chain of custody. While the arresting team failed to immediately conduct the marking, inventory, and taking of photographs of the seized items, it found that such failure did not render them inadmissible as evidence since their integrity and evidentiary value remained intact. It likewise gave credence to Parane's testimony narrating the circumstances surrounding the arrest pursuant to the presumption that officers perform their duties in a regular manner, unless there is evidence to the contrary.<sup>21</sup>

However, the trial court acquitted Dimalima of the charge of illegal possession of dangerous drugs since the prosecution was not able to prove the elements thereof. Although Parane identified a plastic sachet containing white crystalline substance as one recovered by Guballa, he did not state that the sachet was recovered from Dimalima. As such, the prosecution failed to establish that Dimalima was in possession of an item or object identified as a prohibited drug.<sup>22</sup>

The Court of Appeals affirmed the ruling of the trial court.<sup>23</sup> The dispositive portion of its Decision reads:

WHEREFORE, the appeal is DENIED. The Decision dated September 30, 2016 rendered by the Regional Trial Court, Branch 79, Quezon City is AFFIRMED.

SO ORDERED,<sup>24</sup>

The Court of Appeals struck down Dimalima's assertions that there was lack of compliance with Section 21 of Republic Act No. 9165, as amended. It found that the integrity and evidentiary value of the seized items were properly preserved as evidenced by the testimony of the prosecution's sole witness.<sup>25</sup> It upheld the validity of the marking in the



<sup>&</sup>lt;sup>20</sup> Id. at 84.

<sup>21</sup> Id. at 80-82.

<sup>&</sup>lt;sup>22</sup> Id. at 83.

<sup>27</sup> Rollo, p. 15.

<sup>&</sup>lt;sup>24</sup> Id.

<sup>25</sup> Id. at-11.

police station, instead of at the scene of the buy-bust transaction and the arrest, as it ruled that the phrase "'marking upon immediate confiscation may include marking at the nearest police station or office of the apprehending team."<sup>26</sup> It also dismissed Dimalima's defenses of denial and frame up, there being no clear and convincing evidence to rebut the presumption of regularity in the police officers' performance of duties.<sup>27</sup>

Dissatisfied, Dimalima filed a Notice of Appeal before the Court of Appeals.<sup>28</sup>

In a Resolution, this Court noted the records of this case forwarded by the Court of Appeals and notified the parties that they may file their supplemental briefs.<sup>29</sup>

Both the Office of the Solicitor General, on behalf of plaintiff-appellee People of the Philippines,<sup>30</sup> and accused-appellant Dimalima<sup>31</sup> manifested that they would no longer file supplemental briefs.

For this Court's resolution is whether or not accused-appellant Mohaima Dimalima y Pacol is guilty beyond reasonable doubt of violating Section 5 of Republic Act No. 9165, as amended by Republic Act No. 10640.

The appeal is meritorious.

To sustain a conviction for illegal sale of dangerous drugs, it is necessary for the prosecution to establish the following elements:

In actions involving the illegal sale of dangerous drugs, the following elements must first be established: (1) proof that the transaction or sale took place and (2) the presentation in court of the *corpus delicti* or the illicit drug as evidence.<sup>32</sup>

Corpus delicti pertains to the dangerous drugs confiscated by the police officers. To establish accused-appellants' guilt, the prosecution must ensure that the integrity and evidentiary value of the seized drugs have been preserved.<sup>33</sup> It must be shown that the items seized from the accused-appellant are the same items presented in court.



<sup>&</sup>lt;sup>26</sup> Id. at 12–13.

<sup>&</sup>lt;sup>27</sup> Id. at 14–15.

<sup>&</sup>lt;sup>28</sup> Id. at 17.

<sup>&</sup>lt;sup>29</sup> Id. at 22.

<sup>&</sup>lt;sup>30</sup> Id. at 32–33.

<sup>&</sup>lt;sup>31</sup> Id. at 36.

People v. Morales, 630 Phil. 215, 228 (2010) [Per J. Del Castillo, Second Division].

<sup>&</sup>lt;sup>33</sup> People v. Casacop, 755 Phil. 265, 276 (2015) [Per J. Leonen, Second Division].

This rule is based on the "illegal drug's unique characteristic that renders it indistinct, not readily identifiable, and easily open to tampering, alteration[,] or substitution either by accident or otherwise."<sup>34</sup>

To ensure that unnecessary doubts are removed as to the items' integrity, Section 21 of Republic Act No. 9165, as amended by Republic Act No. 10640, provides for the procedure to be followed in their custody and disposition:

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. — 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 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[;]
- (2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;
- (3) A certification of the forensic laboratory examination results, which shall be done by the forensic laboratory examiner, shall be issued immediately upon the receipt of the subject item/s: *Provided*, That when the volume of dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: *Provided, however*, That a final certification shall be issued immediately upon completion of the said examination and certification[.] (Emphasis supplied)

12/2

<sup>&</sup>lt;sup>4</sup> People v. Denoman, 612 Phil. 1165, 1175 (2009) [Per J. Brion, Second Division].

This Court consistently mandates a strict adherence to the requirements of Section 21, considering the indistinct nature of illegal drugs that make them easily susceptible to tampering, alteration, or substitution.

The minuscule amount involved here—0.18 gram—renders it even more imperative for the police officers to follow the prescribed procedure. Consequently, the noncompliance produces doubt on the origins of the seized items.<sup>35</sup>

People v. Nandi<sup>36</sup> specified the four links in the chain of custody of the confiscated item:

[T]he following links should be established in the chain of custody of the confiscated item: *first*, the seizure and marking, if practicable, of the illegal drug recovered from the accused by the apprehending officer; *second*, the turnover of the illegal drug seized by the apprehending officer to the investigating officer; *third*, the turnover by the investigating officer of the illegal drug to the forensic chemist for laboratory examination; and *fourth*, the turnover and submission of the marked illegal drug seized from the forensic chemist to the court.<sup>37</sup> (Citation omitted)

To comply with the first link in the chain of custody, the marking of the confiscated articles should be undertaken (1) in the *presence* of the accused and (2) *immediately* upon seizure. This effectively guarantees that the articles seized "are the same items that enter[ed] the chain and are eventually the ones offered in evidence[.]"<sup>38</sup>

In this case, the marking of the seized drugs was not immediately done after their seizure and accused-appellant's arrest, but were done at the police station. The prosecution only offered the flimsy excuse that they wanted the markings to be made in front of witnesses, but failed to explain why they could not have promptly marked the seized drugs in the presence of accused-appellant.<sup>39</sup>

Such marking would have helped remove any uncertainty that the seized drugs marked by Parane and later subjected to laboratory testing were the very same drugs allegedly sold by the accused-appellant to the poseur-buyer.

MA

(385)URES(a)

<sup>&</sup>lt;sup>35</sup> Villasana y Cabahug v. People, G.R. No. 209078, September 4, 2019, <a href="https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65712">https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65712</a> [Per J. Leonen, Third Division].

<sup>36 639</sup> Phil. 134 (2010) [Per J. Mendoza, Second Division].

<sup>&</sup>lt;sup>37</sup> Id. at 144–145.

People v. Suating, G.R. No. 220142, January 29, 2020, <a href="https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/66140">https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/66140</a> [Per J. Leonen, Third Division]. CA Rollo, p. 78.

Furthermore, this Court has held that "[t]he witnesses' absence at the time of seizure is not a justifiable ground for not immediately marking the items, since they should have, at the onset, been present or near the place of seizure."<sup>40</sup>

Worse, the manner by which the allegedly seized drugs were handled after their confiscation and while in transit to the police station remains unaccounted for. All that was alleged was that Parane kept them in his possession.<sup>41</sup> Such act of maintaining possession of unmarked seized items in transit, as decried in *People v. Dela Cruz*,<sup>42</sup> is "fraught with dangers," "reckless, if not dubious," and "a doubtful and suspicious way of ensuring the integrity of the items."

From the beginning, there was doubt on the origin and identity of the items that would later be inventoried, photographed, examined, and presented as evidence. Hence, an apparent break in the chain of custody already existed even before the seized drugs arrived at the police station. No amount of subsequent safety measures can cure this germinal defect.

Another glaring failure was the absence of representatives from either the media or the National Prosecution Service during the inventory and taking of photographs of the seized drugs.<sup>44</sup>

Considering that the incidents of this case transpired in 2015, the amendments introduced by Republic Act No. 10640 should be observed. The amendments require the presence of two third-party witnesses, namely, an elective official and a representative from either the media *or* the National Prosecution Service representative.<sup>45</sup> This was not complied with.

While the implementing rules and regulations of Republic Act No. 9165, as amended by Republic Act No. 10640, permits noncompliance with Section 21, it requires the existence of two requirements. These are (1) that the noncompliance was based on a justifiable ground and (2) that "the integrity and evidentiary value of the seized items are properly preserved." As such, police officers must state the reasons for their noncompliance and prove that they exerted earnest efforts to comply with the mandated procedure and that their actions were reasonable under the circumstances. 47

Jahr.

<sup>40</sup> People ν Ramos, G.R. No. 225325, August 28, 2019 <a href="https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65497">https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65497</a> [Per J. Leonen, Third Division].

<sup>41</sup> CA Rollo, p. 78.

<sup>&</sup>lt;sup>42</sup> 744 Phil. 816 (2014) [Per J. Leonen, Second Division].

<sup>&</sup>lt;sup>43</sup> Id. at 834–835.

<sup>44</sup> Rollo, p. 6.

<sup>45</sup> People v. Asayiuno, Jr., G.R. No. 245972, December 2, 2019 <a href="https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65936">https://elibrary.judiciary.gov.ph/thebookshelf/showdocs/1/65936</a> [Per J Leonen, Third Division].

People v. Bartolini, 791 Phil. 626, 636 (2016) [Per I Carpio, Second Division].

People v. Crispo, 828 Phil. 416, 436 (2018) [Per J. Perlas-Bernabe, Second Division].

Here, the prosecution never bothered to prove, let alone plead, any justifiable ground accounting for the buy-bust team's deviation from the prescribed procedure. All it offered were sweeping and self-serving assurances of compliance and integrity.<sup>48</sup> As such, this Court cannot presume the existence of justifiable grounds for the police officers' deviation.<sup>49</sup>

Finally, this Court stresses that the presumption of regularity in the performance of official duty "stands only when no reason exists in the records by which to doubt the regularity of the performance of official duty. And even in that instance, the presumption of regularity will never be stronger than the presumption of innocence in favor of the accused."<sup>50</sup>

In People v. Mirantes:51

The off-cited presumption of regularity in the performance of official functions cannot by itself affect the constitutional presumption of innocence enjoyed by an accused, particularly when the prosecution's evidence is weak. The evidence of the prosecution must be strong enough to pierce the shield of this presumptive innocence and to establish the guilt of the accused beyond reasonable doubt. And where the evidence of the prosecution is insufficient to overcome this presumption, necessarily, the judgment of conviction of the court a quo must be set aside. The onus probandi on the prosecution is not discharged by casting doubts upon the innocence of an accused, but by eliminating all reasonable doubts as to [their] guilt.<sup>52</sup> (Citations omitted.)

The prosecution failed to comply with the requirements of Republic Act No. 9165, as amended by Republic Act No. 10640, and provide justifiable grounds for such noncompliance.

Such failure creates reasonable doubt on the identity of the illegal drugs seized, ultimately warranting accused-appellant's acquittal.

WHEREFORE, the July 29, 2019 Decision of the Court of Appeals in CA-G.R. CR-HC No. 08720 is **REVERSED** and **SET ASIDE**. Accused-appellant Mohaima Dimalima y Pacol is **ACQUITTED** for failure of the prosecution to prove her guilt beyond reasonable doubt. She is ordered immediately **RELEASED** from detention, unless she is confined for some other lawful cause.

Let a copy of this Resolution be furnished to the Superintendent of the

K

-more-

<sup>&</sup>lt;sup>48</sup> CA Rollo, pp. 101-103.

People v. Crispo, 828 Phil. 416, 432 (2018) [Per J. Perlas-Bernabe, Second Division].

People v. Prudencio, 800 Phil. 128, 143 (2016) [Per J. Brion, Second Division].

<sup>284-</sup>A Phil 630 (1992) [Per J. Regalado, Second Division].

<sup>&</sup>lt;sup>52</sup> Id. at 642.

Correctional Institution for Women for immediate implementation. The Superintendent is directed to report to this Court, within five (5) days from receipt of this Resolution, the action they have taken.

Copies shall also be furnished to the Police General of the Philippine National Police and the Director General of the Philippine Drug Enforcement Agency for their information.

Let entry of final judgment be issued immediately.

SO ORDERED."

By authority of the Court:

TERESITA AQUINO TUAZON
Division Clerk of Court

By:

MA. CONSOLACION GAMINDE-CRUZADA

Deputy Division Clerk of Court 1912

0 2 MAR 2023

PUBLIC ATTORNEY'S OFFICE (reg) Special & Appealed Cases Service Department of Justice PAO-DOJ Agencies Building NIA Road corner East Avenue 1104 Diliman, Quezon City

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

MOHAIMA DIMALIMA y PACOL (x) Accused-Appellant c/o The Superintendent Correctional Institution for Women 1550 Mandaluyong City

THE SUPERINTENDENT (x)
Correctional Institution for Women
1550 Mandaluyong City

THE DIRECTOR (x)
Bureau of Corrections
1770 Muntinlupa City

POLICE GENERAL (reg) Philippine National Police National Headquarters Camp Crame, Quezon City

THE DIRECTOR GENERAL (reg)
Philippine Drug Enforcement Agency
National Government Center
NIA Northside Road Brgy. Pinyahan
Quezon City

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 79
Quezon City
(Crim. Case No. R-QZN-15-10433-CR;
R-QZN-15-10434-CR)

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

COURT OF APPEALS (x) Ma. Orosa Street Ermita, 1000 Manila CA-G.R. CR-HC No. 08720

Please notify the Court of any change in your address. GR252495. 10/10/2022(385)URES(a)