



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 31, 2022 which reads as follows:

“G.R. No. 242821 (*People of the Philippines v. Eden Edanio y Castañeda*). — This Court resolves an appeal pursuant to Rule 124, Section 13(c)¹ of the Revised Rules of Criminal Procedure, as amended by A.M. No. 00-5-03-SC,² of the Decision³ dated July 10, 2018 of the Court of Appeals (CA) in CA-G.R. CR HC No. 09264 which affirmed the conviction of appellant Eden Edanio y Castañeda (*Eden*) for violations of Sections 5 and 11, Article II of Republic Act No. 9165 (*R.A. 9165*), or the Comprehensive Dangerous Drugs Act of 2002, in the Consolidated Decision⁴ dated April 20, 2017 by the Regional Trial Court (*RTC*) of Manila, Branch 28 in Criminal Case Nos. 16-325323 and 16-325324.

Eden was charged with violations of Sections 5 and 11, Article II of R.A. 9165 under two separate Informations, allegedly committed as follows:

Criminal Case No. 16-325323

That on or about **May 15, 2016**, in the City of Manila, Philippines, the said accused, not having been authorized by law to sell, trade, deliver, transport or distribute any dangerous drug did then and there, willfully, unlawfully and knowingly sell or offer for sale to a police officer/poseur buyer, **one (1) heat-sealed transparent plastic sachet marked as “ECE-1” containing ZERO POINT ONE TWO SEVEN (0.127) gram** of white crystalline substance containing **Methamphetamine hydrochloride**, commonly known as **“shabu”**, a dangerous drug.

Contrary to law.⁵

¹ Section 13. *Certification or appeal of cases to the Supreme Court.* –
x x x x

c. In cases where the Court of Appeals imposes *reclusion perpetua*, life imprisonment or a lesser penalty, it shall render and enter judgment imposing such penalty. The judgment may be appealed to the Supreme Court by notice of appeal filed with the Court of Appeals.

² Re: Amendments to the Revised Rules of Criminal Procedure to Govern Death Penalty Cases, September 28, 2004.

³ Penned by Associate Justice Amy C. Lazaro-Javier (now a member of this Court), with Associate Justices Fernanda Lampas Peralta and Maria Luisa C. Quijano-Padilla, concurring; *rollo*, pp. 2–32.

⁴ CA *rollo*, pp. 43–53.

⁵ Records, pp. 2–3.

Criminal Case No. 16-325324

That on or about **May 15, 2016**, in the City of Manila, Philippines, the said accused, not being authorized by law to possess any dangerous drug, did then and there, willfully, unlawfully, and knowingly have in his possession and under his (sic) custody and control **one (1) heat-sealed transparent plastic sachet marked as "ECE-2" containing ZERO POINT ZERO SEVEN ZERO (0.070) gram** of white crystalline substance known as **Methamphetamine hydrochloride**, commonly known as "**shabu**", a dangerous drug.

Contrary to law.⁶

Eden pleaded not guilty to both charges when arraigned.⁷ After pretrial, trial on the merits followed.

The prosecution alleged that in the afternoon of May 15, 2016, Police Senior Inspector Cicero M. Pura, Chief of the Manila Police District–Police Station 8 (*MPD-PS8*), Special Anti-Illegal Drugs instructed his operatives to conduct a buy-bust operation after receiving confidential information from an informant that Eden was engaged in illegal drug trade. The police officers coordinated with the Philippine Drug Enforcement Agency which approved the Authority to Operate and Pre-Operation Report. Police Officer 3 Aris F. Macapobre (*PO3 Macapobre*) was tasked to act as poseur-buyer and to prepare two ₱100.00 bills which will be used as buy-bust money.⁸

After the briefing, the informant and the buy-bust team proceeded to the target area on Parcel Street, Railroad Track, Sta. Mesa, Manila at around 8 o'clock in the evening of the same date. When they arrived, the informant and PO3 Macapobre approached Eden, while the rest of the buy-bust team positioned themselves strategically within the area. Upon coming face-to-face with Eden, the informant introduced PO3 Macapobre as his friend and buyer of *shabu*. When Eden asked for the payment, PO3 Macapobre handed her the buy-bust money which the former placed inside her right front pocket. Eden then took out two plastic sachets containing white crystalline substance from which PO3 Macapobre chose one. Thereafter, he gave the prearranged signal by removing his bull cap to signify the consummation of the transaction, and immediately held Eden's arm, arrested her, and ordered her to open her right palm. PO3 Macapobre confiscated from her the plastic sachet that she was holding. Meanwhile, the rest of the team closed in to render assistance. PO3 Macapobre then instructed Eden to empty her pockets where the buy-bust money was recovered.⁹

⁶ Id. at 4–5.

⁷ Id. at 28.

⁸ *Rollo*, p. 4; *CA rollo*, p. 68.

⁹ *Rollo*, pp. 4–5, *CA rollo*, pp. 68–69.

Before the police operatives could start marking the seized items, people started to mill in the area. Fearing that people might get hostile, the buy-bust team, together with Eden, proceeded to MPD-PS8. At the station, the marking, actual physical inventory and photography of the items seized were conducted in the presence of *Barangay Kagawad* Jeffrey D. Cervantes and media representative Crimson M. Heramis, who both signed the Receipt of Property/Evidence Seized¹⁰ (*Inventory Receipt*). PO3 Macapobre marked the plastic sachets with white crystalline substance as “ECE-1” and “ECE-2.”¹¹

PO3 Macapobre submitted the seized items to Police Chief Inspector Elisa Reyes Arturo (*PCI Arturo*), Forensic Chemist of the Manila Police District Crime Laboratory Office, for testing. She subjected the specimens to qualitative analyses and issued Chemistry Report No. D-438-16¹² which stated that the specimens tested positive for the presence of methamphetamine hydrochloride or *shabu*.¹³

For her part, Eden denied having in her possession and being engaged in the sale of illegal drugs. According to her, at around 8 p.m. of May 15, 2016, she was inside her *kubo* sleeping when she was roused by the noise of her merchandise falling on the ground. When she went outside to check her merchandise, two individuals suddenly appeared and grabbed her. There were two other individuals trailing behind. When she asked them, “*Bakit po, ano pong problema?*,” the individuals introduced themselves as police officers and forced her to go with them. Despite her objection, she was brought to MPD-PS8 where she was locked in a secret detention cell and forced to name the persons who earlier ran near her *kubo*. She told the police officers that she just woke up and had no knowledge of the identities of the persons they were looking for. Thereafter, she was transferred to a regular detention cell and charged with illegal possession and illegal sale of prohibited drugs.¹⁴

On April 20, 2017, the RTC rendered a Consolidated Decision,¹⁵ holding that the prosecution was able to prove all the elements necessary to convict Eden for violations of Sections 5 and 11 of R.A. 9165. It also held that the records of the case are bereft of any evidence to show that PO3 Macapobre, the poseur buyer, was impelled by improper motive to testify falsely against Eden. Hence, it ruled that his testimony was worthy of belief.¹⁶

¹⁰ Records, p. 17.

¹¹ *Rollo*, p. 5; *CA rollo*, p. 69; Records, p. 17.

¹² Records, p. 15.

¹³ *CA rollo*, p. 69.

¹⁴ *Id.* at 34–35.

¹⁵ *Id.* at 43–53.

¹⁶ *Id.* at 49; 51–53.

The RTC also rejected the claim of Eden that the buy-bust operation was illegal for the following reasons: (a) surveillance or prior personal knowledge is not required to make the buy-bust operation valid, and neither will the fact that the police acted upon an informant's tip invalidate the procedure; (b) it is not unusual that it was the poseur buyer who offered to purchase from the drug pusher since when PO3 Macapobre was introduced to Eden, the latter was already informed that the former was buying drugs; (c) nonpresentation of the informant during trial is not fatal to the prosecution's case as the informant's testimony is merely corroborative.¹⁷ Thus, the RTC disposed of the case in this wise:

WHEREFORE, with the foregoing, the court finds the accused Eden Edanio [y] Castañeda:

1. **GUILTY** in Crim. Case No. 16-325323 for violation of Section 5, Article II of RA 9165 or The Dangerous Drugs Act of 2002[,] and she is hereby imposed with the penalty of life imprisonment and she is ordered to pay a fine of P500,000; and
2. **GUILTY** in Crim. Case No. 16-325324 for violation of Section 11(3), Article II of RA 9165 or The Dangerous Drugs Act of 2002[,] and she is hereby sentenced to suffer the indeterminate penalty of 12 years and 1 day, as minimum penalty, to 15 years, as maximum penalty. She is likewise ordered to pay a fine of P300,000.00.

No pronouncement of civil liability ex-delicto.

SO ORDERED.¹⁸

The CA affirmed the Consolidated Decision on appeal. It held that the essential elements of violation of Sections 5 and 11 of R.A. 9165 had been duly established. The prosecution was also found to have established all the links in the chain of custody of the seized drugs. Like the RTC, the CA also brushed aside for lack of merit Eden's insistence that the non-presentation of the confidential informant was fatal to its case and the absence of prior surveillance rendered the buy-bust operation void. It likewise affirmed the penalties imposed by the RTC for being consistent with the ruling in *People v. Casacop*¹⁹ and the provisions of R.A. 9165.²⁰ The *fallo* of its decision reads:

¹⁷ Id. at 49–51.

¹⁸ Id. at 53.

¹⁹ 778 Phil. 369 (2016).

²⁰ *Rollo*, pp. 11–31.

ACCORDINGLY, the appeal is **DENIED** and the Consolidated Decision dated April 20, 2017, **AFFIRMED**.

SO ORDERED.²¹

Undaunted, Eden filed her Notice of Appeal.²²

For this Court's resolution is whether the guilt of accused-appellant for illegal sale and possession of dangerous drugs, penalized in Sections 5 and 11 of R.A. 9165 was proven beyond reasonable doubt.

Appellant argues that she was wrongfully convicted of the crimes charged inasmuch as the prosecution failed to establish an unbroken chain of custody of the illegal drugs seized due to the absence of any evidence showing that the identity and integrity of the confiscated items were preserved while they were in the custody of the Manila Police District Crime Laboratory. Appellant likewise contends that her conviction must be overturned as no valid buy-bust operation was conducted. She insists that no surveillance happened and the buy-bust operation was conducted based solely on the unverified information of an informant and without any evidence of her involvement in illegal drug activities. She also faults the RTC and CA for not giving any weight to her defense of denial. Despite the ostensible weakness of her defense, she contends that she must be acquitted due to the weakness of the prosecution evidence which failed to defeat the presumption of innocence that she enjoys.²³

Appellee, on the other hand, contends that the guilt of the appellant had been proven beyond reasonable doubt for the following reasons: (a) the prosecution was able to establish her guilt for the crimes charged beyond reasonable doubt; (b) there had been no breach in the chain of custody of the seized drugs; (c) the presentation of the informant is not a requisite for the prosecution of drug cases; (d) prior surveillance is not required for a valid buy-bust operation; (e) appellant's unsubstantiated defense of denial is not sufficient to disprove the testimony of PO3 Macapobre who is presumed to have performed his duties in a regular manner.²⁴

To sustain convictions for illegal sale of dangerous drugs under Section 5, and illegal possession of dangerous drugs under Section 11 of R.A. 9165, the following elements must be proved:

Under Section 5, Article II of R.A. No. 9165 or illegal sale of prohibited drugs, in order to be convicted of the said violation, the following must concur: (1) the identity of the buyer and the seller, the object of the sale and its

²¹ Id. at 32.

²² Id. at 33-34.

²³ CA *rollo*, pp. 35, 37, and 39-40.

²⁴ Id. at 70-71, 75-76, and 78-81.

consideration; and (2) the delivery of the thing sold and the payment therefor. x
x x

On the other hand, in prosecutions for illegal possession of dangerous drugs, it must be shown that: (1) the accused was in possession of an item or an object identified to be a dangerous drug; (2) such possession is not authorized by law; and (3) the accused was freely and consciously aware of being in possession of the drug. x x x²⁵

The prosecution established the elements of illegal sale of dangerous drugs through the testimony of PO3 Macapobre who positively identified the appellant as the person who sold to him a sachet of *shabu*. He firmly declared that after receiving ₱200.00 from him, appellant took out two plastic sachets containing white crystalline substance from which he picked one. This sachet was later marked by him as “ECE-1.” The contents of this sachet tested positive for methamphetamine hydrochloride or *shabu*. The very drug subject of the sale, the buy-bust money as well as the chemistry report proving the said sachet contained *shabu* were all presented in evidence in court.²⁶

The elements of illegal possession of dangerous drugs are likewise shown to exist. The testimony of PO3 Macapobre likewise established that he was able to recover one transparent plastic sachet from appellant’s right hand, which later tested positive for methamphetamine hydrochloride or *shabu*. This is the sachet that was earlier offered to him but which he did not choose, and marked by him as “ECE-2.” Appellant’s act of allowing him to choose from the two sachets and keeping the sachet not chosen demonstrates that appellant freely and consciously possessed the same. No evidence was presented to show appellant’s authority to possess the same.²⁷

It bears stressing that in drugs cases, it is not enough that the State prove the elements of the offense. It is also burdened to prove the *corpus delicti*, the dangerous drugs themselves.²⁸ For both offenses, it is imperative for the prosecution to establish the identity of the seized dangerous drugs in a way that their integrity has been duly preserved from the moment of seizure or confiscation from the accused until they are presented as evidence in court.²⁹ By identity is meant that the substance offered in evidence must be the very substance found in the accused’s possession.³⁰ To establish the identity of the dangerous drugs with moral certainty, the prosecution must be able to account for each link of the chain of custody from the time the drugs are seized up its presentation in court as

²⁵ *People v. Goyenoche*, G.R. No. 243985, September 3, 2020. (Citations omitted)

²⁶ *Rollo*, pp. 11–19; TSN, November 17, 2016, pp. 5–13, 15–17, 20, and 23.

²⁷ *Rollo*, pp. 19–20; TSN, November 17, 2016, pp. 12, 16, and 18.

²⁸ *People v. Guzon*, 719 Phil. 441, 450-451 (2013).

²⁹ *Reyes v. Court of Appeals*, 686 Phil. 137, 148 (2012).

³⁰ See *People v. Diputado*, 813 Phil. 160, 168-169 (2017). (Citation omitted)

evidence of the crime.³¹ In other words, its identity must be established with unwavering exactitude for it to lead to a finding of guilt.³²

Chain of custody means the duly recorded authorized movements and custody of seized drugs of each stage, from the time of seizure or confiscation to receipt in the forensic laboratory for testing to safekeeping to presentation in court for destruction.³³

The chain of custody is divided into four links:

[F]irst, the seizure and marking, if practicable, of the illegal drug recovered from the accused by the apprehending officer;

[S]econd, the turnover of the illegal drug seized by the apprehending officer to the investigating officer;

[T]hird, the turnover by the investigating officer of the illegal drug to the forensic chemist for laboratory examination; and,

[F]ourth, the turnover and submission of the marked illegal drug seized from the forensic chemist to the court.³⁴

The prosecution established all the crucial links in the chain. As testified to by PO3 Macapobre, before the conduct of the buy-bust operation, he made sure his pockets were all empty so that whatever evidence that may be seized during the operation would not be commingled with other items. The sachets of *shabu* seized from appellant were immediately placed inside the resealable plastic bags to avoid contamination before he pocketed them. He was also the one who marked and inventoried the seized items the very moment they arrived at MPD-PS8. Photographs were also taken of the evidence seized. The marking, inventory and photography of the said items were all witnessed by all those required to be present under the law.³⁵

Armed with a request for laboratory examination,³⁶ PO3 Macapobre submitted the seized items to PCI Arturo of the Manila Police Department Crime Laboratory for testing. Concededly, the second link requires the apprehending officer to turn over the seized items to the investigating officer so as to enable the investigating officer to turn over the seized items to the forensic chemist in observance of the third link. This is a necessary step in the chain of custody because it will be the investigating officer who shall

³¹ *People v. Cariño*, G.R. No. 233336, January 14, 2019, 890 SCRA 346, 353. (Citation omitted)

³² *People v. Alcala*, 739 Phil. 189, 200 (2014). (Citation omitted)

³³ *Tumabini v. People*, G.R. No. 224495, February 19, 2020.

³⁴ *People v. Macud*, 822 Phil. 1016, 1029 (2017); citing *People v. Holgado*, 741 Phil. 78, 94-95 (2014).

³⁵ TSN, November 17, 2016, pp. 12, 14, 15, and 18-19; Records, pp. 17, and 19-20.

³⁶ Records, p. 14.

conduct the proper investigation and prepare the necessary documents for the developing criminal case.³⁷

Records show that Police Officer 2 Ace Gregory F. Catalan was the investigating officer in this case.³⁸ However, there was no indication that PO3 Macapobre turned over the seized items to him. On the contrary, PO3 Macapobre staunchly declared that he had sole custody of the seized items from the time he took custody thereof until he turned them over to PCI Arturo at the crime laboratory.³⁹ The pronouncement by this Court in *People v. Siaton*⁴⁰ that when the apprehending officer and investigating officer are one and the same, the seized substance is deemed not to have changed hands and no break in the second link may be said to have happened finds analogous application in this case.⁴¹ Here, even if there was an investigating officer designated in this case, he, however, had no active participation in the handling of the seized evidence. Further, PO3 Macapobre had sufficiently shown that the identity and integrity of the seized items had been duly preserved as only he had custody of the said items from the moment of their seizure until they were submitted to the forensic laboratory, and the said items as marked by him, were duly identified and authenticated by him during trial.⁴² Thus, there is no reason for this Court to rule that there had been any breach in the chain of custody thus far. This, in fact, is also the view of the appellant.

Appellant, however, takes exception when it comes to the fourth link. According to her, the failure of the prosecution to show how the seized pieces of evidence were handled and stored after they were tested and while they were in the custody of the crime laboratory, and until they were presented in court constitutes a breach in the fourth link, which renders the integrity and identity of the seized drugs doubtful.

Her argument fails to persuade.

In drug-related cases, it is of utmost importance that the forensic chemist testifies on the details pertaining to the handling and analysis of the dangerous drugs submitted for examination; in particular, when and from whom they were received; what identifying labels or other things accompanied them; description of the specimen; and the container they were in. Additionally, the forensic chemist must also identify the name and method of analysis used in determining the chemical composition of the subject specimens.⁴³

³⁷ *People v. Dahil*, 750 Phil. 212, 235 (2015).

³⁸ Records, p. 10.

³⁹ TSN, November 17, 2016, pp. 15–22.

⁴⁰ 789 Phil. 87 (2016).

⁴¹ Id. at 103.

⁴² TSN, November 17, 2016, pp. 15–18.

⁴³ *People v. Omamos*, G.R. No. 223036, July 10, 2019, 908 SCRA 367, 382. (Citation omitted)

As a rule, the forensic chemist must testify as to the foregoing matters so as to show compliance with the fourth link. However, if the parties agree to dispense with the attendance and testimony of the forensic chemist, they must agree to stipulate that: (a) the forensic chemist received the seized articles as marked, properly sealed, and intact; (b) the forensic chemist resealed them after examining the contents; and (c) the forensic chemist placed their own marking on the same to ensure that they will not be tampered with pending trial. Absent such stipulations, the fourth link cannot be established, thus, resulting in acquittal/s.⁴⁴

Here, the parties agreed to dispense with the testimony of PCI Arturo and enter into a stipulation of facts as shown in the Pre-Trial Order dated June 21, 2016, the pertinent portions of which read:

PRE-TRIAL ORDER

X X X X

Further, the parties stipulated on the qualification and competence of PCI Elisa Reyes Arturo as a Forensic Chemist and her testimony was dispensed with, with the admission by the defense of the genuineness and due execution of the documents brought over by the chemist together with the specimens/evidences marked, to wit:

- | | | |
|----------|---|---|
| EXH. "A" | - | letter request for laboratory examination; |
| "A-1" | - | the stamped receipt; |
| "B" | - | the medium size transparent plastic sachet with marking "D-438-16" containing the specimens; |
| "B-1" | - | one (1) heat-sealed transparent plastic sachet containing white crystalline substance with marking "ECE-1;" |
| "B-2" | - | one (1) heat-sealed transparent plastic sachet containing white crystalline substance with marking "ECE-2;" |
| "C" | - | the Chemistry Report No. D-438-16; |
| "C-1" | - | the findings and conclusions; |
| "C-2" | - | all the signatures appearing at the bottom portion of Exh. "C"; |
| "D" | - | the chain of custody; |
| "D-1" | - | the signatures. |

The parties admit that the specimens/evidences delivered by PO3 Aris Macapobre to the crime lab for laboratory examination, attached to the letter request, are the same specimens/evidences brought over today by the Forensic Chemist and that the latter has no personal knowledge as to the ultimate source of the specimens/evidences.

X X X X.⁴⁵

⁴⁴ *People v. Rivera*, G.R. No. 252886, March 15, 2021. (Citations omitted)

⁴⁵ Records, p. 36.

By entering into such stipulation, appellant, in essence, confirmed that there had been no break in the fourth link and that the identity and integrity of the seized evidence have remained intact. Simply put, appellant agreed that the very same drugs confiscated from her person by PO3 Macapobre which the latter delivered to PCI Arturo for testing are the very same drugs presented in evidence in court. This Court quotes with approval the disquisition by the CA on this matter:

Appellant, however, argues that the prosecution failed to show the link regarding the turn over of the items from the forensic chemist to the court. Appellant also claims that the prosecution was not able to show how the alleged illegal drugs were handled or stored while they were in the custody of the Manila Police District. Thus, according to appellant, there were gaps in the chain of custody which rendered the integrity and identity of the alleged drugs doubtful.

We do not agree.

During the pre-trial, the defense agreed to stipulate on PCI Elisa Arturo's testimony, *i.e.*[,] the specimens delivered by PO3 Aris Macapobre to the crime laboratory were the same specimens brought by PCI Elisa Arturo to the court. This is reflected in the Pre-Trial Order dated June 21, 2016. Appellant, therefore, cannot claim that the prosecution was unable to prove the link from the turn over of the items from the forensic chemist to the court, or that there was ever a chance that the items were tampered.

In fine, the chain of custody of the drugs – from the place where they were seized, to the place where they were brought, and the place where they were later examined – was satisfactorily established to have been unbroken. More important, by the defense's own stipulation, it was also proven that what appellant delivered to PO3 Aris Macapobre were the same items submitted to PCI Elisa Arturo for laboratory examination, which yielded positive for methamphetamine hydrochloride (*shabu*), and were subsequently presented to the trial court.⁴⁶

The prosecution having established not only the elements of the crimes charged but as well as every link in the chain of custody leads to no other conclusion other than that appellant is guilty beyond reasonable doubt of violating Sections 5 and 11 of R.A. 9165.

The defense of denial put up by appellant cannot overturn this Court's finding of guilt. Denial is an intrinsically weak defense that further crumbles when it comes face-to-face with the positive identification and straightforward narration of the prosecution witness.⁴⁷ This defense has been invariably viewed by the courts with disfavor for it can easily be concocted and is used as a standard defense ploy in most prosecutions for violations of the Dangerous Drugs Law.⁴⁸ Such defense does not hold sway inasmuch as the determination by the trial court of the credibility of

⁴⁶ *Rollo*, pp. 24–25.

⁴⁷ *People v. Cirbeto*, 825 Phil. 793, 807 (2018).

⁴⁸ *People v. Lung Wai Tang*, G.R. No. 238517, November 27, 2019, 926 SCRA 271, 287 .

witnesses, when affirmed by the appellate court, like in this case, is accorded full weight and credit as well as great respect, if not conclusive effect.⁴⁹

Appellant cannot avoid liability by putting in issue the validity of the buy-bust operation on account of the absence of prior surveillance as well as the nonpresentation of the confidential informant.

In a long line of cases, this Court has consistently held that prior surveillance is not a prerequisite for the validity of an entrapment operation especially if the buy-bust team is accompanied to the target area by the informant.⁵⁰ Such is the situation here. Stated otherwise, the absence of a prior surveillance does not affect the validity of an entrapment operation, much less result in the exoneration of the accused, especially in light of evidence establishing the elements of the crime.⁵¹

Finally, the nonpresentation of the confidential informant is not fatal to the prosecution's case. This Court's ruling in *People v. Magalong*⁵² is apropos:

Confidential informants are usually not presented in court because of the need to hide their identity and preserve their invaluable service to the police. Where the sale was actually witnessed and adequately proved by prosecution witnesses, like in this case, the non-presentation of the confidential informant is not fatal since the latter's testimony will merely be corroborative of the apprehending officers' eyewitness testimonies. Presentation of confidential informant is necessary, if not indispensable, when the accused vehemently denies selling prohibited drugs and there are material inconsistencies in the testimonies of the arresting officers, or there are reasons to believe that the arresting officers had motives to testify falsely against the accused, or when the informant was the poseur-buyer and the only one who actually witnessed the entire transaction.⁵³

None of the above-mentioned circumstances obtain in this case which necessitates the presentation of the informant to hold her criminally liable.

Anent the penalties imposed, this Court finds no cogent reason to modify the same, they being consistent with Sections 5 and 11, Article II of R.A. 9165.

⁴⁹ *People v. Moner*, 827 Phil. 42, 54 (2018). (Citation omitted)

⁵⁰ *People v. Manlangit*, 654 Phil. 427, 437 (2011); *People v. Abedin*, 685 Phil. 552, 569 (2012). (Citation omitted); *People v. Villahermoso*, 824 Phil. 499, 503 (2018). (Citation omitted); *People v. Ocampo*, 838 Phil. 157, 168 (2018).

⁵¹ *People v. Lopez*, G.R. No. 247974, July 13, 2020.

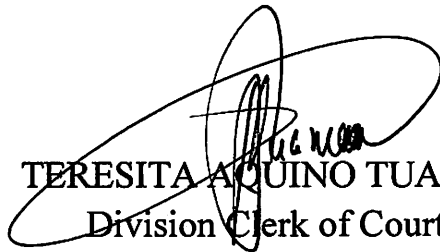
⁵² G.R. No. 231838, March 4, 2019, 894 SCRA 552.

⁵³ *Id.* at 561-562. (Citations omitted)

FOR THESE REASONS, the appeal is **DISMISSED**. The Decision dated July 10, 2018 of the Court of Appeals in CA-G.R. CR HC No. 09264 is **AFFIRMED in toto**. Appellant Eden Edanio y Castañeda is found **GUILTY** beyond reasonable doubt of the crimes of Illegal Sale and Illegal Possession of Dangerous Drugs, as defined and penalized under Sections 5 and 11, Article II of Republic Act No. 9165, respectively. Appellant Eden Edanio y Castañeda is sentenced as follows: (a) in Criminal Case No. 16-325323 for Illegal Sale of Dangerous Drugs, appellant Eden Edanio y Castañeda is sentenced to suffer the penalty of life imprisonment and ordered to pay a fine of ₱500,000.00; and (b) in Criminal Case No. 16-325324 for Illegal Possession of Dangerous Drugs, appellant Eden Edanio y Castañeda is sentenced to suffer the penalty of imprisonment for an indeterminate period of twelve (12) years and one (1) day, as minimum, to fifteen (15) years, as maximum; and ordered to pay a fine of ₱300,000.00.

SO ORDERED.” (Hernando, J., designated additional Member vice Lazaro-Javier, J., per raffle dated June 3, 2022)

By authority of the Court:


TERESITA AQUINO TUAZON
 Division Clerk of Court
 29 MAR 2023

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THE SUPERINTENDENT (reg)
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HON. PRESIDING JUDGE (reg)
 Regional Trial Court, Branch 28
 Manila
 (Crim. Case Nos. 16-325323 & 16-325324)

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