



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Cagayan de Oro City

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **March 8, 2023** which reads as follows:*

**“G.R. No. 258829 (People of the Philippines, Plaintiff-Appellee v. Florencio Cruz y Ariem, Accused-Appellant). —** This Court resolves an appeal under Rule 122 of the Revised Rules of Court assailing the Decision<sup>1</sup> rendered by the Court of Appeals (CA), which affirmed the Decision<sup>2</sup> rendered by the Regional Trial Court (RTC) finding Florencio Cruz y Ariem (Cruz) guilty of illegal sale of dangerous drugs, as defined and penalized under Section 5, Article II of Republic Act (R.A.) No. 9165, and illegal possession of dangerous drugs, as defined and penalized under Section 11, Article II of R.A. No. 9165.

**Facts**

At around 5:30 p.m. on June 29, 2018, the Binangonan Municipal Police Station received information from their confidential informant that Cruz was selling dangerous drugs at Catleya 1, Barangay Mambog, Binangonan, Rizal. Upon verification, the police officers formed a team for the conduct of a buy-bust operation. Special Police Officer 1 Walter Mercado (SPO1 Mercado) was directed to accompany the confidential informant and act as the poseur buyer. SPO1 Mercado then marked a PHP 500.00 bill with his initials, “WAM,” on the upper right hand portion.<sup>3</sup> On the other hand, the Officer-in-Charge, Police Chief Inspector Rolly Buhisan Liegen (PC/Insp. Liegen), prepared the preoperation report<sup>4</sup> and the coordination form.<sup>5</sup>

Approximately four hours later, the confidential informant led the buy-bust team to the target area for the buy-bust operation. When they arrived at Catleya 1, Barangay Mambog, Binangonan, Rizal, SPO1 Mercado and the confidential informant met with Cruz. After some small talk, SPO1 Mercado told Cruz that he wants to purchase PHP 500.00 worth of *shabu*. When Cruz

<sup>1</sup> *Rollo*, pp. 8–23. The November 24, 2020 Decision in CA-G.R. CR HC No. 13205 was penned by Associate Justice Franchito N. Diamante, and concurred in by Associate Justices Germano Francisco D. Legaspi and Carlito B. Calpatura of the Eleventh Division, Court of Appeals, Manila.

<sup>2</sup> *Rollo*, pp. 25–27. The June 7, 2019 Decision in Crim. Case Nos. 18-594 and 18-595 was penned by Presiding Judge Dennis Patrick Z. Perez of Branch 67, Regional Trial Court, Binangonan, Rizal.

<sup>3</sup> Records (Crim. Case No. 18-594), p. 43.

<sup>4</sup> *Id.* at 16.

<sup>5</sup> *Id.* at 17.

handed a heat-sealed plastic sachet containing white crystalline substance, SPO1 Mercado gave him the marked PHP 500.00 bill. Immediately after, SPO1 Mercado signaled to the rest of the buy-bust team that the sale has been consummated. SPO1 Mercado then introduced himself as a police officer and arrested Cruz. When SPO1 Mercado frisked Cruz, he recovered a heat-sealed plastic sachet with white crystalline substance from his possession.<sup>6</sup>

When Barangay Chairperson Ignacio Giray (*Chairperson Giray*) and media representative Joven Gutierrez (*Gutierrez*) arrived, SPO1 Mercado marked the heat-sealed plastic sachet with white crystalline substance that he bought from Cruz with "WAM-BB," while the heat-sealed plastic sachet with white crystalline substance that he seized from his possession was marked with "WAM-2" in their presence.<sup>7</sup> SPO1 Mercado also prepared the receipt/inventory of property seized,<sup>8</sup> which was witnessed by Chairperson Giray and Gutierrez.<sup>9</sup>

Around 5:55 a.m. on June 30, 2018, SPO1 Mercado delivered the seized items and the written request for laboratory examination<sup>10</sup> to the Rizal Provincial Crime Laboratory Office. The written request form and the seized items were received by PC/Insp. Maria Pia Ovejas Moskito (*PC/Insp. Moskito*). Three hours after receiving the request and the seized items, PC/Insp. Moskito reduced her findings in Chemistry Report No. D-629-18,<sup>11</sup> to wit:

**SPECIMEN SUBMITTED:**

Two (2) heat-sealed transparent plastic sachets each containing white crystalline substance with the following markings and net weight:

<b>A1(WAM-BB)</b>	<b>=</b>	<b>0.15 gram</b>
<b>A2(WAM-2)</b>	<b>=</b>	<b>0.83 gram</b>

**PURPOSE OF LABORATORY EXAMINATION:**

To determine the presence of dangerous drug.

**FINDINGS:**

Qualitative examination conducted on Specimen/s A1 to A2 gave **POSITIVE** result to the tests for the presence of **Methamphetamine hydrochloride**, a dangerous drug.

**CONCLUSION:**

Specimen/s **A1** to **A2** contain **Methamphetamine hydrochloride**, a dangerous drug.<sup>12</sup>

<sup>6</sup> CA rollo, p. 68.

<sup>7</sup> Records (Crim. Case No. 18-594), p. 43.

<sup>8</sup> *Id.* at 42.

<sup>9</sup> CA rollo, p. 68.

<sup>10</sup> Records (Crim. Case No. 18-594), p. 37.

<sup>11</sup> *Id.* at 39.

<sup>12</sup> *Id.*

Consequently, Cruz was charged with the crime of illegal sale of dangerous drugs, as defined and penalized under Section 5, Article II of the R.A. No. 9165. The Information<sup>13</sup> reads:

INFORMATION for CRIM. CASE No. 18-594

That on or about the 29<sup>th</sup> day of June 2018, in the [M]unicipality of Binangonan, Province of Rizal, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, not being authorized by law to sell and dispose of any dangerous drug, did, then and there willfully, unlawfully and knowingly sell, deliver and give away to **SPO1 WALTER AGOJO MERCADO**, a poseur-buyer, one (1) heat-sealed transparent plastic sachet containing 0.15 gram marked as “WAM-BB” of white crystalline substance, in exchange for a consideration of Php500.00, which substance after the corresponding laboratory examination conducted by the PNP Rizal Provincial Crime Laboratory Office gave a positive result to the tests for Methamphetamine Hydrochloride, also known as “shabu”, a dangerous drug, in violation of the above-cited law.

CONTRARY TO LAW.<sup>14</sup> (Emphasis in the original)

Cruz was likewise charged with the crime of illegal possession of dangerous drugs, as defined and penalized under Section 11, Article II of the R.A. No. 9165. The Information<sup>15</sup> indicting him reads:

That on or about the 29<sup>th</sup> day of June 2018, in the [M]unicipality of Binangonan, Province of Rizal, Philippines and within the jurisdiction of this Honorable Court, the above-named accused, not being lawfully authorized to possess/use any dangerous drug, did, then and there willfully, unlawfully and knowingly have in his possession, custody and control one (1) heat-sealed transparent plastic sachet containing 0.83 gram marked as “WAM-2” of white crystalline substance, which after the corresponding laboratory examination conducted by the PNP Rizal Provincial Crime Laboratory Office on the white crystalline substance, gave positive result to the tests for Methamphetamine Hydrochloride, also known as shabu, a dangerous drug, in violation of the above-cited law.

CONTRARY TO LAW.<sup>16</sup>

Upon Motion<sup>17</sup> of the provincial prosecutor, both cases were later consolidated.<sup>18</sup> During his arraignment, Cruz pled not guilty to the crimes charged.<sup>19</sup>

<sup>13</sup> *Id.* at 1-2.

<sup>14</sup> *Id.*

<sup>15</sup> Records (Crim. Case No. 18-595), pp. 1-2.

<sup>16</sup> *Id.*

<sup>17</sup> Records (Crim. Case No. 18-594), pp. 4-5.

<sup>18</sup> *Id.* at 25.

<sup>19</sup> Order dated July 24, 2018, *id.* at 31

In his defense, Cruz averred that he was at home watching his cousin fix his phone when three armed men dressed in civilian clothes barged inside and searched his house. Not finding anything, the three armed men handcuffed him and brought him out. They forced him to board their vehicle where they spent nearly an hour forcing him to admit that he was involved in illegal drugs. Cruz could only cry in reply. After that, they brought Cruz back to his house and threatened him not to say anything. A few minutes before the representatives from the media and barangay arrived, the three armed men placed two plastic sachets inside his pocket. Cruz could not protest as he was handcuffed and the men were pointing their guns at him. It was only later that Cruz learned that these plastic sachets contained *shabu*.<sup>20</sup>

After trial on the merits, the RTC held that the prosecution was able to establish by proof beyond reasonable doubt that Cruz was guilty of illegal sale of dangerous drugs, as defined and penalized under Section 5, Article II of R.A. No. 9165, and illegal possession of dangerous drugs, as defined and penalized under Section 11, Article II of R.A. No. 9165. The RTC found that the prosecution was able to prove all the elements of the two crimes charged. Further, the prosecution was able to establish the *corpus delicti* of the crimes charged by accounting for all of the links in the chain of custody.<sup>21</sup> Thus, the RTC disposed as follows:

In light of this, we find accused Florencio Cruz GUILTY beyond reasonable doubt of violating Section 5, Article II, R.A. No. 9165 and sentence him to suffer a penalty of life imprisonment and to pay a fine of P500,000.00. We also find accused Florencio Cruz GUILTY beyond reasonable doubt of violating Section 11, Article II, R.A. No. 9165 and illegally possessing a total of 0.83 grams of Methamphetamine Hydrochloride or *shabu* and accordingly sentence him to suffer an indeterminate penalty of 12 years and 1 day as minimum to 13 years as maximum and to pay a fine of P300,000.00.

Let the drug samples in this case be forwarded to the Philippine Drug Enforcement Agency (PDEA) for proper disposition. Furnish PDEA with a copy of this Decision per OCA Circular No. 70-2007.

SO ORDERED.<sup>22</sup>

Aggrieved, Cruz filed an appeal<sup>23</sup> before the CA, which eventually rendered a Decision<sup>24</sup> affirming the ruling of the RTC *in toto*. The CA concurred that the prosecution was able to establish all the elements of the crimes charged by proof beyond reasonable doubt. It likewise found that the prosecution was able to account for all the links in the chain of custody of evidence. The CA held that absent any proof of mishandling, tampering, or

<sup>20</sup> TSN, May 9, 2019, pp. 6-12.

<sup>21</sup> *Rollo*, pp. 25-27

<sup>22</sup> *Id.* at 27.

<sup>23</sup> CA *rollo*, pp. 17-18.

<sup>24</sup> *Rollo*, pp. 8-23.

switching, the police officers enjoy the presumption that they regularly performed their duties. Thus, the CA disposed as follows:

WHEREFORE, in view of the foregoing, the appeal is DENIED. The Decision dated June 7, 2019 of the Binangonan, Rizal Regional Trial Court, Branch 67, in Crim. Case Nos. 18-594 and 18-595 is AFFIRMED.

SO ORDERED.<sup>25</sup>

Hence, this Appeal.

In a Manifestation,<sup>26</sup> Cruz's counsel stated that he will be adopting the arguments raised in the brief that he filed before the CA. In his brief,<sup>27</sup> Cruz contended that the prosecution was not able to establish the validity of the buy-bust operation because its witnesses failed to provide a complete picture of the alleged illegal transaction. Specifically, there was no proof of prior coordination with the Philippine Drugs Enforcement Agency. Cruz also argued that if this Court were to assume for the sake of argument that he sold *shabu* to SPO1 Mercado, it was unusual for him to sell illegal drugs to a complete stranger without first questioning the identity of the latter. Cruz further maintained that the prosecution failed to account for all the links in the chain of custody. This failure of the prosecution thus created doubts as to the identity of the *corpus delicti*. With the foregoing, Cruz faults the RTC for not giving credence to his defenses of denial and frame up.<sup>28</sup>

On the other hand, the Office of the Solicitor General insists that there is no cogent reason for this Court to deviate from the ruling of both the CA and the RTC. It was pointed out that Cruz failed to show that the consistent factual findings of both courts were tainted with arbitrariness, capriciousness, or palpable error that would merit their reversal.<sup>29</sup>

### Issue

Whether accused-appellant Florencio Cruz y Ariem should be held guilty of violation of Sections 5 and 11, Article II of R.A. No. 9165.

### This Court's Ruling

This Court finds the appeal to be meritorious.

---

<sup>25</sup> *Id.* at 22.

<sup>26</sup> *Rollo*, pp. 41-43.

<sup>27</sup> *CA rollo*, pp. 39-67.

<sup>28</sup> *Id.* at 47-64.

<sup>29</sup> *Rollo*, pp. 32-38.

Cruz was charged of committing illegal sale of dangerous drugs, as defined and penalized under Section 5, Article II of R.A. No. 9165. This Court has held in several cases that the prosecution bears the burden of proving the following elements before an accused can be convicted of committing illegal sale of dangerous drugs, to wit: (1) prove that the transaction or sale took place; (2) present in evidence the *corpus delicti* or the illicit drug; and (3) identify the buyer and seller.<sup>30</sup>

Cruz was also charged of committing illegal possession of dangerous drugs, as defined and penalized under Section 11, Article II of R.A. No. 9165. For such charge to prosper, the prosecution must establish the following elements by proof beyond reasonable doubt: (a) the accused was in possession of an item or object identified to be a prohibited drug; (b) such possession was not authorized by law; and (c) the accused freely and consciously possessed the said drug.<sup>31</sup>

Aside from proving all the elements of the crimes charged, it has also been the rule that the prosecution must also show beyond doubt the *corpus delicti* of the crimes charged. *Corpus delicti*, which literally translates to the “body of the crime,” can be sufficiently established by showing that “(1) a certain fact has been proven—say, a person has died or a building has been burned; and (2) a particular person is criminally responsible for the act.”<sup>32</sup> Applying this in cases involving dangerous drugs, the seized items constitute the *corpus delicti* of the crime charge.<sup>33</sup> Hence, the prosecution bears the burden of proving that the dangerous drugs that are presented in court are the same as the ones that were seized from Cruz.<sup>34</sup> Failure to do so would suffice to absolve the accused of the charges imputed against him.

This Court has acknowledged in several cases that the nature of the dangerous drugs that are prohibited under R.A. No. 9165 are not readily identifiable by sight or touch. Also, these drugs can easily be tampered with or substituted.<sup>35</sup> Thus, the criminal charges under R.A. No. 9165 can be dismissed upon a mere showing that there were lapses in the handling of the *corpus delicti*. It was for these reasons that police officers are enjoined to strictly comply with the chain of custody rule under Section 21, Article II of R.A. No. 9165. This is to ensure the preservation of the identity and integrity

<sup>30</sup> *People v. Dadang*, G.R. No. 242880, January 22, 2020 [Per J. J. Reyes, Jr., First Division] at 5. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

<sup>31</sup> *Id.*

<sup>32</sup> *People v. Yanson*, G.R. No. 238453, July 31, 2019 [Per J. Leonen, Third Division] at 18, citing *Rimorin, Sr. v. People*, 450 Phil. 465, 474–475 (2003) [Per J. Panganiban, Third Division]. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

<sup>33</sup> *People v. Yanson*, *id.*, citing *People v. Tomawis*, 830 Phil. 385, 418 (2018) [Per J. Caguioa, Second Division].

<sup>34</sup> *People v. Oliva, et al.*, G.R. No. 234156, January 7, 2019 [Per J. Peralta, Third Division] at 7, citing *People v. Gatlabayan*, 699 Phil. 240, 252 (2011) [Per J. Mendoza, Third Division]. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

<sup>35</sup> *People v. Guzon*, 719 Phil. 441, 459–460 (2013) [Per J. Reyes, First Division]. (Citations omitted)

of the seized dangerous drugs, controlled precursors, and essential chemicals, instruments, paraphernalia, and laboratory equipment.<sup>36</sup>

Considering that Cruz was said to have committed the crimes charged on June 29, 2018, then the applicable law is R.A. No. 10640, which amended R.A. No. 9165, which took effect on August 7, 2014. Under Section 21, Article II of R.A. No. 9165, as amended by R.A. No. 10640, the police officers are mandated to observe the following chain of custody in handling the seized items, to wit:

(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.

Here, the prosecution failed to prove that the dangerous drugs that were presented in court were the same as the ones that were seized from Cruz because some of the links in the chain of custody of the seized items were not accounted for by the prosecution.

First, there was an inconsistency in the marking of the seized items. SPO1 Mercado, the police officer who allegedly seized the subject dangerous drugs from Cruz, marked the same and secured it until it was delivered to the forensic chemist, failed to identify the same in court. From the inventory,<sup>37</sup> photos<sup>38</sup> of the item seized, chain of custody form,<sup>39</sup> written request for laboratory examination,<sup>40</sup> and chemistry report,<sup>41</sup> the plastic sachet subject of the buy-bust operation was marked as “WAM-BB” and the plastic sachet recovered from Cruz was marked as “WAM-2.” When SPO1 Mercado testified in court, he said that he marked the sachet that he bought from Cruz

<sup>36</sup> *People v. Asislo*, 778 Phil. 509, 517 (2016) [Per J. Peralta, Third Division], citing *People v. Cayas*, 766 Phil. 534, 547–548 (2015) [Per J. Villarama, Jr., Third Division].

<sup>37</sup> Receipt/Inventory of Property Seized dated June 29, 2018, records (Crim. Case No. 18-594), p. 42.

<sup>38</sup> *Id.* at 43.

<sup>39</sup> *Id.* at 45.

<sup>40</sup> Request for Laboratory Examination dated June 29, 2018, *id.* at 37.

<sup>41</sup> Chemistry Report No. D-629-18 dated June 30, 2018, *id.* at 38.

as “WAMBD,” while the sachet that he recovered from Cruz was marked as “WAMBD2.” His testimony reads as follows:

Q: Now, in marking the evidences after the arrest of the accused, how could you determine the one that you bought and the one that you recovered from his possession?

A: Minarkahan ko po ng aking initials Sir.

COURT: Yes we know. But how could you tell which one is buy-bust and which one is possession? That’s crucial. Because if you co-mingle that and you cannot tell me why, sabit iyan. That is why you are given evidence bag.

WITNESS: The ones that I bought from him, I marked it with my initials WMBD, Sir.

PROSECUTOR CO:

Q: How are you sure that the one you mark is indeed the one that you bought from the accused?

A: Dahil minarkahan ko po iyon mismo sa harapan ng...

COURT: Wait. When you took all of these drugs, you put them all in one hand, tama?

WITNESS: Opo.

COURT: Hindi mo pa minarkahan, tama? Wala pa, tama? Hindi mo pa minarkahan iyon, Kasi hinintay mo iyong barangay at media di ba?

WITNESS: Yes Sir, pero...

COURT: Sir tama? All of the drugs were in your hand?

(to Pros. Co)

How many drugs are involved?

PROSECUTOR CO:

There are two drugs involved Your Honor.<sup>42</sup>

.....

COURT: Yung pangalawa?

WITNESS: Iyon po yung ipinatong ko.

COURT: Alright, Prosec go ahead.

PROSECUTOR CO:

Q: Again, what markings did you place on the item that you bought from the accused?

A: I marked it with WAMBD, Sir.

Q: How about the item that you recovered?

A: WAMBD2 Sir.<sup>43</sup>

<sup>42</sup> *Id.* at 10–11.

<sup>43</sup> *Id.* at 13.



Second, there was no police investigator who was supposed to conduct the investigation and prepare the necessary documents for the transfer of the seized items to the police crime laboratory for testing.<sup>44</sup> This Court has held in several cases that the failure of the apprehending officer to turn over the confiscated items to an investigating officer is deemed to be a break in the chain of custody of evidence.<sup>45</sup> SPO1 Mercado testified that he was in custody of the two plastic sachets from the time they were confiscated from Cruz, until they were delivered to the crime laboratory for examination.<sup>46</sup> Then again, it would appear from perusal of the written request for laboratory examination<sup>47</sup> that it was PC/Insp. Leigen who signed the same. SPO1 Mercado's name was nowhere to be found in the said document.<sup>48</sup> Likewise, it was also not clear if PC/Insp. Leigen was able to examine the seized items before he signed the said request. The witnesses for the prosecution failed to narrate as to how SPO1 Mercado turned over the seized items to PC/Insp. Leigen and how the latter returned the said items to the former. There is nothing on the records that would show how the police officers secured these minuscule items during such intervening period.

Third, it is not clear from the records as to what happened to the dangerous drugs after they were examined by the forensic chemist, PC/Insp. Moskito, until they were presented in court. The records of this case shows that the parties only stipulated that she received the seized items and that she examined them and found these positive for *shabu*.<sup>49</sup> Consequently, this Court has no way of knowing how the integrity and identity of the seized items were preserved by PC/Insp. Moskito before they were delivered and presented in court.

With all these blatant violations of the chain of custody rule under Section 21, Article II of R.A. No. 9165, as amended by R.A. No. 10640, the identity and integrity of the seized items were placed in serious doubt. The unaccounted links in the chain of custody of the seized drugs open up the likelihood that the pieces of evidence that were presented against Cruz were planted, switched, or tampered.<sup>50</sup> Worse, the prosecution failed to present any reason justifying its noncompliance. While a minuscule amount of dangerous drug would not automatically warrant the dismissal of the criminal charges, it has been recognized, however, that such amount is highly susceptible to planting, tampering, or alteration.<sup>51</sup> With the doubts engendered by the

<sup>44</sup> *People v. Del Rosario*, G.R. No. 235658, June 22, 2020 [Per C.J. Gesmundo, Third Division] at 11, citing *People v. Dahil*, 750 Phil. 212, 235 (2015) [Per J. Mendoza, Second Division]. This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

<sup>45</sup> *People v. Bangcola*, G.R. No. 237802, March 18, 2019 [Per C.J. Gesmundo, First Division] at 12, citing *People v. Dahil*, *id.* This pinpoint citation refers to the copy of this Decision uploaded to the Supreme Court website.

<sup>46</sup> TSN, August 23, 2018, pp. 7-9 and 12-13.

<sup>47</sup> Request for Laboratory Examination dated June 29, 2018, records (Crim. Case No. 18-594), p. 37.

<sup>48</sup> *Id.*

<sup>49</sup> Order dated August 18, 2018, *id.* at 49.

<sup>50</sup> *People v. Lumaya*, 827 Phil. 473-487 (2018) [Per J. Perlas-Bernabe, Second Division]. (Citations omitted)

<sup>51</sup> *People v. Dela Cruz*, 744 Phil. 816, 827-833 (2014) [Per J. Leonen, Second Division], citing *People v. Holgado*, 741 Phil. 78, 99 (2014) [Per J. Leonen, Third Division].

paucity of the prosecution's evidence, this Court has no recourse but to give Cruz the benefit of doubt under the law and acquit him of the drug charges imputed against him.

**FOR THESE REASONS**, the appeal is **GRANTED**. The Decision dated November 24, 2020 of the Court of Appeals in CA-G.R. CR HC No. 13205 is hereby **REVERSED** and **SET ASIDE**. Accused-appellant Florencio Cruz y Ariem is hereby **ACQUITTED** for violation of Sections 5 and 11, Article II of Republic Act No. 9165. He is **ORDERED** to be **IMMEDIATELY RELEASED** from detention unless he is being held for some other valid or lawful cause.

Let a copy of this Resolution be furnished to the Director of the Bureau of Corrections for immediate implementation. The Director of the Bureau of Corrections is **DIRECTED** to **REPORT** the action he/she has taken to this Court within five (5) days from receipt of this Resolution. Copies shall also be furnished to the Chief 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 12/19  
19 DEC 2023

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

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

FLORENCIO A CRUZ (x)  
Accused-Appellant  
c/o The Director General  
Bureau of Corrections  
1770 Muntinlupa City

THE DIRECTOR GENERAL (x)  
Bureau of Corrections  
1770 Muntinlupa City

THE SUPERINTENDENT (x)  
New Bilibid Prison  
1770 Muntinlupa City

THE CHIEF (reg)  
Philippine National Police  
Camp Crame, 1100 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 67  
Binangonan, Rizal  
(Crim. Case Nos. 18-594 & 18-595)

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. 13205