

Republic of the Philippines
REGIONAL TRIAL COURT
Fourth Judicial Region

BRANCH 54
Lucena City

THE PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

MARK JAYROLD A. LUCHAVEZ,
alias "JAKE",

Accused.

X-----X

CRIMINAL CASE No. 2014-148
For: Violation of Article III, Section
5 (b) of Republic Act 7610

THE PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

MARK JAYROLD A. LUCHAVEZ,
alias "JAKE",

Accused

X-----X

CRIMINAL CASE No. 2014-153
For: Violation of Article 266-A
par. 2 in relation to Article
266-B of the Revised Penal
Code as amended by Republic
Act 8353

THE PEOPLE OF THE PHILIPPINES,
Plaintiff,

- versus -

PERFECTO LUCHAVEZ, JR.,
alias "TOTO",

Accused.

X-----X

CRIMINAL CASE Nos. 2014-149
2014-150 and 2014-151
For: Violation of Article III, Sec.
5(b) of Republic Act 7610

TRANSCRIPT

of the stenographic notes taken down by the undersigned
Court Stenographer during the continuation of the hearing
on the Motion to Quash held on AUGUST 29, 2014,
before the HON. ROBERT VICTOR C. MARCON -
Presiding Judge

X-----X

7/2/14

APPEARANCES:

Prosecutor John Belleza
For the People

Atty. Hermenegildo P. Marante IV
Atty. Jose Miguel A. Fernandez
Counsels for the Accused

COURT PERSONNEL PRESENT:

Atty. Gil Matthew B. Cabanting
Branch Clerk of Court

Naida C. Caringal
Court Stenographer

COURT:

Call the case.

BRANCH CLERK
OF COURT:

For hearing on the Motion to Quash, Criminal Case
No. 2014-148 to 2014-153, People of the Philippines
versus Mark Jayrold Luchavez and Perfecto Luchavez,
Jr.

PROS. BELLEZA:

For the People, Your Honor.

ATTY. FERNANDEZ:

Same appearance for both accused, Your Honor.

COURT:

Who will take the lead for today's hearing?

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ATTY. FERNANDEZ:

I will, Your Honor.

COURT:

So Atty. Fernandez. Prosecutor Belleza, ready?

PROS. BELLEZA:

Yes, Your Honor, for today's hearing, the People will be presenting one witness in the person of Agent Roy Rufino C. Sunega of the NBI AHTRAD.

COURT:

Call your witness.

PROS. BELLEZA:

We are calling on Special Investigator Roy Rufino C. Sunega of the National Bureau of Investigation, Your Honor.

TESTIMONY OF ROY RUFINO C. SUNEGA:

BRANCH CLERK OF COURT:

Q Do you swear to tell the truth, the whole truth and Nothing but the truth in today's hearing?

A Yes, I do.

Q Please state your name and other personal circumstances?

A ROY RUFINO C. SUNEGA, Special Investigator of the National Bureau of Investigation with postal address at Room 507, NBI main building, Taft Avenue, Manila.

2014

PROS. BELLEZA:

Before I proceed, Your Honor, I would like to move, to expedite the proceedings and, of course, subject to the resolution and comment of the defense counsels, I would like to respectfully move that the Honorable Court, for purposes of expediting the proceedings, to consider the Joint Affidavit of Arrest to be the direct testimony of the herein witness, subject to additional questions. And, if not, Your Honor, we are willing to proceed with the traditional manner of presenting witness.

ATTY. FERNANDEZ:

Considering, Your Honor, that there are eight (8) affiants to this Joint Affidavit of Arrest, I am not sure which part of this Joint Affidavit is the participation of the witness and there might be some issues that

COURT:

He will subject to your cross anyway and during the course of his testimony, you can object.

PROS. BELLEZA:

Before I proceed, Your Honor, may we know from the witness if all the pages of this Joint Affidavit of Arrest was signed by the witness and if the witness signed all the pages, it would be safe to presume that the he has personal knowledge of the . . .

COURT:

For the counsels, we are hearing the Motion to Quash as to the legality or illegality of the arrest so all the issues and matters should be limited to that questions. The Court has the Joint Affidavit of Arrest and most parts of the affidavit are matters regarding the supposed complaints

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of the alleged incident. But the court's concern now, considering the Motion to Quash, would be on the fact of the arrest. So it would be limited to that but how would you be able to do that if the affidavit of arrest substantially covers portions or matters complained as to the alleged commission of the crime.

PROS. BELLEZA:

With that we submit, Your Honor.

COURT:

And this has already been resolved by the Department of Justice but the prosecutor has all the discretion if he intends to submit that, the Court will allow him. Whether or not he will be able to prove, that is another thing.

ATY. FERNANDEZ:

We submit to the discretion of the Honorable Court.

COURT:

With respect to the issue, you have the opportunity to cross or cite your objections.

PROS. BELLEZA:

So with that, Your Honor, we are offering the testimony of the witness through the Joint Affidavit of Arrest and we will be asking that this be considered as his direct testimony.

COURT:

Subject to cross

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PROS. BELLEZA:

Subject to cross, Your Honor.

With the permission of the Honorable Court.

COURT:

You may proceed.

PROS. BELLEZA:

The testimony of the witness through the Joint Affidavit of Arrest is being offered to prove that the arrest, subject of the Motion to Quash in these cases, is legal and he will identify both the accused if they are present.

COURT:

Where are the accused?

ATTY. FERNANDEZ:

The accused, Your Honor, are within the vicinity and they will be available if required by the Honorable Court.

PROS. BELLEZA:

May we ask, Your Honor, for purposes of identification that they...

COURT:

Let's stipulate.

ATTY. FERNANDEZ:

We will stipulate, Your Honor, the identity of both accused.

COURT:

As the same persons charged.

PROS. BELLEZA:

Since the identity of the accused is stipulated then, we will go straight to the issue of the legality of the arrest, sir.

COURT:

So it is stipulated the fact of the identity of both accused as the persons being charged.

PROS. BELLEZA:

And he will testify on other matters related to the arrest, Your Honor.

COURT:

They are the persons who filed the Motion to Quash. The movants.

So your offer would be that the arrest is legal, the identities are stipulated upon.

PROS. BELLEZA:

And other matters related to the arrest, Your Honor.

ATTY. FERNANDEZ:

May we manifested Your Honor, that there are certain portions of the affidavit which are irrelevant to the issues as to the legality of the arrest and considering that that is the sole issue being discussed, may I just move that all statements pertaining to the day of the arrest or pertaining to the arrest itself would be admitted for consideration of this Honorable Court for the purposes of the Motion to Quash. All other matters being irrelevant, Your Honor I move that those portions be stricken off as something that should not comprise . . .

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COURT:

Will you please specify the specific paragraphs?

ATTY. FERNANDEZ:

We would object to paragraphs 1, 2, 3, 4, 5, 11, 12,
13 and 14, Your Honor.

COURT:

Paragraphs 1, 2, 3, 4, 5, 11, 12, 13 and 14.

ATTY. FERNANDEZ:

Those paragraphs which are relevant, insofar as
the Joint Affidavit of Arrest is concerned, are
paragraphs 6, 7, 8, 9 and 10, Your Honor,
pertaining to the arrest.

COURT:

Paragraphs 6, 7, 8, 9 and 10. Any comment
Prosecutor Belleza?

PROS. BELLEZA:

Your Honor, if they will be objecting to paragraphs
1, 2, 3, 4, 5, 11, 12, 13 and 14, if those will be
objected to and the objections will be sustained by
the Honorable Court, we might as well conduct
my direct examination the traditional manner, Your
Honor.

COURT:

Yes, per observation of the Court, the Joint Affidavit
of Arrest contains the most part of the complaints
of the alleged incident or charges. Now, we are now
hearing the Motion to Quash on the legality or
illegality of the arrest. So the Court will not be
touching on matters as to whether or not those
probable cause in the charges brought in Court.
The Motion to Quash is very specific as to the
arrest made or done by the government

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PROS. BELLEZA:

With that, Your Honor, I will be conducting the direct examination of the witness the traditional manner, Your Honor.

COURT:

So we are not considering the Affidavit of Arrest.

PROS. BELLEZA:

Yes, Your Honor, we withdraw that.

Since the identity of both the accused is stipulated, I believe there is no need for them to be present.

With the permission of the Honorable Court.

COURT:

Proceed.

DIRECT EXAMINATION:

PROS. BELLEZA:

Q Mr. Witness, since it has been stipulated that the identity of the accused is not disputed, what incident, Mr. Witness, led you to know both the accused?

ATTY. FERNANDEZ:

Objection, Your Honor, the prosecution has not established the competency of the witness to answer or has not testified as to the manner...

PROS. BELLEZA:

These are preliminary matters, Your Honor.

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COURT:

That is preliminary, hopefully we will be able to get there.

PROS. BELLEZA:

So Mr. Witness, you can answer the question.

Q What incident led you to know both the accused?

WITNESS:

A I came to know the accused when we conducted the rescue for our operation on January 13, 2014, sir.

PROS. BELLEZA:

Q That was on?

A January 13, 2014, sir

Q And Mr. Witness, what was the basis of such operation which you have just mentioned?

A The basis of our operation is the information we received and based on the complaints and statements received that there appears a widespread abuses being committed inside the orphanage. We also found out that the orphanages has been operated without license and there appears to be several offenses involving several

ATTY. FERNANDEZ:

We move that the latter part of the answer of the witness be stricken off the record as it is not responsive to the question and witness is narrating. Your Honor.

PROS. BELLEZA:

Very responsive to the question, Your Honor.

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COURT:

Let it remain on record.

PROS. BELLEZA:

Q Mr. Witness, what orphanage are you referring to?

A I am referring to Sankey Samaritan Missions Incorporated located here in Lucena City, sir.

Q What other information did you receive regarding this Sankey Samaritan Orphanage?

ATTY. FERNANDEZ:

Objection, Your Honor, it has not been established that there are other information.

COURT:

Sustained.

PROS. BELLEZA:

Q Mr. Witness, what else happened after you received said information.

COURT:

Let's clarify. You are referring to information which he earlier mentioned?

PROS. BELLEZA:

Yes, Your Honor.

COURT:

What information other than what he had mentioned earlier. You said what information,

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because "masyadong malawak".

PROS. BELLEZA:

Q Mr. Witness, what other information did you receive aside from those you have just mentioned earlier regarding the Sankey Samaritan Orphanage?

A Aside from the information earlier mentioned, we received information that the Sankey Samaritan Missions Incorporated has been operating without any license from the DSWD as an orphanage, sir.

Q What other information did you receive other than that, if there is any?

ATTY. FERNANDEZ:

Objection, Your Honor, already answered.

PROS. BELLEZA:

If there is any, Your Honor

COURT:

Sustained

PROS. BELLEZA:

Q Mr. Witness, what did you do as regards this information that you have received?

A We validated the initial information we received from the Homeland Security Investigation's desk who happens to be our informant, sir.

Q What else Mr. Witness?

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A We took the statements as alleged in the information provided by the Security Investigations, United States Embassy. We interviewed the persons who gave information and took their statements, sir.

Q Mr. Witness, you mentioned that you took the statements of the persons?

A Yes, sir.

Q What did you do next regarding these statements?

A After the statements were taken, our command decided that the rescue operation is needed because based on the validated information that there had been crimes ongoing inside the orphanage and that orphans inside are under constant threat from the house parents and administrator of the orphanage, sir.

ATTY. FERNANDEZ:

Objection, Your Honor on the latter part of the testimony of the witness being not responsive to the question

PROS. BELLEZA:

The question, Your Honor, is what did you do next, the question pertains. . . .

COURT:

The Court will allow it to remain on record.

PROS. BELLEZA:

Q What did you do next if there is any?

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A Our then head of division, Atty. Bonoan, our executive officer, decided that a rescue operation is needed and on January 13, we executed the rescue operation, sir.

Q As regards to the execution of the rescue operation Mr. Witness, were you able to conduct such operation?

A Yes, sir. I was part of the operation, sir.

Q What was the first incident that transpired as regards to the rescue operation?

A The first incident we conducted is a pre-operation briefing whereby the members of the raiding team composed of the DSWD social workers, NBI agents and Investigating Agency assigned our tasks and thereafter, at around 6:00 in the morning of that day, we implemented the rescue operation by entering the premises of the Sankey Samaritan, sir.

COURT: (to the witness)

Refrain from narrating. Next question.

PROS. BELLEZA:

Q After arriving at the Sankey Samaritan Orphanage, what happened next Mr. Witness?

A We implemented the rescue operation by gathering all the orphans and by taking into custody the operators and managers of the said orphanage, sir.

Q Who are these persons you are referring to in the last part of your testimony?

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A The persons I am referring to are Mr. Tom Randall, the owner of the orphanage, Mr. Perfecto "Toto" Luchavez, the operations manager and his son who happens to be his assistant, Mark Jayrold Luchavez, sir.

Q After that Mr. Witness, what transpired next?

A After we conducted the rescue operation, we brought the orphans to our office for investigation along with the operators and managers of the orphanage, sir.

Q What else transpired after transporting those persons?

A As I have stated earlier, we conducted an investigation and took the statements of the victims and after taking the statements of the victims, we established that there appears to be a violation of special law on human trafficking, rape and obstruction of justice and we prepared the document for inquest, sir.

PROS. BELLEZA:

No further question, Your Honor.

COURT:

Cross.

ATTY. FERNANDEZ:

With the permission of the Honorable Court.

COURT:

Proceed.

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CROSS-EXAMINATION:

ATTY. FERNANDEZ:

Q Good morning Special Investigator Roy Rufino Sunega. How long have you been in the NBI?

A I have been connected with the NBI for seventeen (17) years, sir.

Q And what is your scholastic background?

A I am a graduate of Bachelor of Arts major in political science, sir.

Q And when you joined the NBI, you have undergone special training?

A Yes, sir.

Q Please tell us?

A I am a graduate of the NBI Academy Batch 34 as special investigator with basic training, sir.

Q In this training, it includes particularly pertaining to arrest?

A Yes, sir.

Q Are you aware of the instances when a person can be arrested?

A Yes, sir.

Q What are these instances?

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A When a person is about to commit a crime and has committed a crime, I am sorry, I cannot recite word for word, sir.

Q When a person is about to commit a crime, that is one instance?

A Yes, sir, just committed a crime.

Q And then the next instance?

A When a crime has just been committed and the peace officer has personal knowledge of the person, when the peace officer has personal knowledge of the offenses, sir.

Q Third instance?

A I am sorry I cannot recite the rule word for word, sir.

Q You have sufficient training and at least you know the basic principle on how to conduct a valid arrest. You mentioned that you only arrest a person if he has just committed a crime and a crime has just been committed and you have personal knowledge of the person committing the crime. In the case of the accused, do you have personal knowledge that they have committed a crime?

A Yes, sir.

Q On that day of January 13, 2014, when you entered the premises of the Sankoy Samaritan Orphanage, where were the accused at the time?

A The accused were inside the premises of the Sankoy Samaritan, sir.

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Q Mr. Witness, let us talk about accused Toto Luchavez, where was he when you apprehended him?

A He was in his quarters. It is also part of the Sankey Samaritan Orphanage, sir.

Q Was he in his house?

A I do not know if it is a house, I have no idea but it is part of Sankey Samaritan Orphanage, sir.

Q The structure is across the compound?

A Yes, sir, also owned by the Sankey Samaritan Orphanage.

COURT:

Let me interrupt. This is for clarification.

Q You are part of the team who conducted the rescue operation?

A Yes, Your Honor.

Q Can you describe the place because you are talking about one house, quarters but the Court has no idea.

ATTY. FERNANDEZ:

Q Can you describe the premises?

A Sankey is a compound, orphanage, I have no idea of the exact area but it is a huge compound and the lot across the street is also part of the Sankey Samaritan Orphanage, sir.

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Q So you are talking of two lots, first lot pertains to the Sankey Samaritan Orphanage and the other lot pertains to the quarters of the accused?

PROS. BELIEZA:

Misleading, Your Honor. There is no testimony with regards to the lot.

COURT:

He wanted to clarify, asking the witness to clarify his statement.

No but let us not talk of lots, talk structures because we do not know the location of the lots

Q Let's say Mr Witness, "meron bung pagpasok mo", it's a one big compound. Please specify?

ATTY. FERNANDEZ:

There is one lot Your Honor

COURT:

How were you able to say that is one lot?
There is a separate enclosures for each lot?

ATTY. FERNANDEZ:

Yes, Your Honor, the residences are covered by a wall.

COURT: (to the witness)

Q It is one big compound?

A Yes, Your Honor.

Q And each lot is separated by separate enclosure?

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ATTY. FERNANDEZ:

Actually, Your Honor, it is a residential area.

COURT:

No, no, I am asking him.

ATTY. FERNANDEZ:

I'm sorry, Your Honor.

COURT:

You are not part of the raiding team. You were not there during the arrest, were you there during the arrest?

ATTY. FERNANDEZ:

No, Your Honor.

WITNESS:

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It is one property bisected by a barangay access road. Your Honor.

COURT:

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It is one property bisected by a barangay access road. And then?

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And then there is a gate but the entire lot is surrounded by wall, Your Honor.

Q

So the premises is one big enclosed premises?

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Your Honor, I do not know how many hectares . . .

COURT:

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No, no I am not speaking of how big it is, but make a description whether the property is enclosed by a fence.

WITNESS:

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The entire property is not enclosed by a fence. Your Honor.

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COURT:

So it is open. Proceed.

ATTY. FERNANDEZ:

Q You are saying that this property was not enclosed by a fence, the Sankey Samaritan or the residence of the accused?

A The entire Sankey Samaritan Orphanage is not enclosed by a fence sir.

Q Sankey Samaritan itself has its gate?

A Yes sir.

Q Enclosed?

A No, sir.

Q How about the residence of the accused, does it have its gate?

A Yes sir.

Q And these are separated lots, separated by the barangay road, one property is facing the other, is that correct?

PROS. BELLEZA:

Objection Your Honor during the direct examination, there is no mention of the word lots.

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ATTY. FERNANDEZ:

Q You mentioned that they are bisected by the barangay road. One property is separated from the barangay road, is that correct?

A No, sir.

Q When you placed the accused in custody, what was he doing at the time?

WITNESS:

Which accused?

ATTY. FERNANDEZ:

Eto Luchavez.

WITNESS:

A He was managing the orphanage, sir.

ATTY. FERNANDEZ:

Q What time is that?

A 6:00 a.m., sir.

Q 6:00 a.m. and he was managing

PROS. BELLEZA:

Argumentative, Your Honor.

ATTY. FERNANDEZ:

Q What exactly was he doing, managing?

COURT:

Q The very moment that you entered the premises, what was the accused Toto Luchavez doing?

A When we entered the premises, Mr. Toto Luchavez is the one in control of the entire orphanage, Your Honor.

Q What was he doing at the very moment that you saw him not his duty or "ano ang ginagawa niya" that very moment "na nakita mo siya"? Nakatayo, nakahiga, nagsusulat?

A When I first saw him, he was standing in front of the gate, Your Honor.

ATTY. FERNANDEZ:

Q Which gate are you talking about?

A The gate where the quarters of the orphans are located, sir.

Q Did you go to his house?

A I recall yes, visiting his quarters, sir.

Q Was he sleeping at the time?

A No, sir.

Q What time was it?

A Between 6:00 and 7:00 in the morning, sir.

Q What was he wearing at the time?

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A I cannot recall, sir.

Q Was he wearing . . .

PROS. BELLEZA:

Already answered, Your Honor.

COURT:

He said he cannot recall.

ATTY. FERNANDEZ:

I withdraw that, Your Honor.

Q Mr. Witness, how about Mr. Mark Jayroid Luchavez,
what time did you apprehend him?

A About the same time, sir.

Q Were they together?

A Yes, sir.

Q Where was Mark Jayroid when you apprehended
him?

A I recall saying that the two subjects were at the
gate, sir.

Q Which gate?

A The gate where the quarters of the orphans is
located, sir.

Q What exactly were they doing at that exact time
when you saw them at the gate?

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A They were there to observe the rescue operation,
sir.

COURT:

Q You are talking now of Mark Jayrold Luchavez
or the two of them, Mark Jayrold Luchavez and
Toto Luchavez?

A Yes, Your Honor.

Q They were both there standing at the gate?

A Yes, Your Honor.

ATTY. FERNANDEZ:

Q You said they were there observing, that time
standing there, observing. This can be answered
by yes or no. That time they were there standing,
observing, is that a crime, yes or no?

A No, sir but it happened after . . .

ATTY. FERNANDEZ:

No, thank you Mr. Witness, that is my question
and you have your answer. No, it is not a crime.

COURT: (to the witness)

Mr. witness, when asked to answer yes or no, you
just answer yes or no.

The prosecutor may later on conduct his redirect
examination.

ATTY. FERNANDEZ:

Q You said during your previous testimony that one
instance that the arrest can be effected is when

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has just been committed. At that moment they were just standing there by the gate observing, is that true, yes or no?

A Yes, sir.

ATTY. FERNANDEZ:

That is all, Your Honor.

PROS. BELLEZA:

Redirect, Your Honor.

COURT:

Proceed.

REDIRECT EXAMINATION:

PROS. BELLEZA:

Q You have mentioned that you apprehended both the accused?

A Yes, sir.

Q And what was the basis of such apprehension?

A The basis is the violation of anti human trafficking act, there were previous incidents of abuse and that there were

ATTY. FERNANDEZ:

Objection, Your Honor, witness is narrating.

COURT:

Let him propound the question.

PROS. BELLEZA:

Q What else was the basis of such apprehension?

A Violation of anti-human trafficking law, sir.

Q What else?

A Rape, sir.

Q What else?

A Obstruction of justice, sir.

Q Aside from what you have mentioned, are there any other basis for such apprehension?

A Yes, I recall saying that when we conducted the raid, we chanced upon houseparent inside the room with orphan, sir.

Q What did you see or what happened next when you saw a houseparent and an orphan?

A We started investigating, we started questioning them and the managers, owners and operators of the facility, prevented us from conducting further actions with regards to the ...

Q Other than that, what else was the basis of your apprehension?

ATTY. FERNANDEZ:

Objection, Your Honor, already asked.

PROS. BELLEZA:

What else so I am asking for additional answer
from the witness, Your Honor.

COURT:

Q Aside from what you have mentioned earlier,
what other basis, if any, do you have to effect such
apprehension?

A We established subsequent investigations after the
rescue operation, Your Honor.

Q Conducted subsequent investigations, after the rescue,
was conducted?

A Yes, Your Honor.

COURT:

Okay

PROS. BELLEZA:

No further question, Your Honor

COURT:

Recess.

ATTY. FERNANDEZ:

Q You mentioned subsequent investigation, where
did it take place?

A At the office, sir

Q After you apprehended the accused?

A Yes, sir.

Q What office?

A At the National Bureau of Investigation, Anti-
Human Trafficking Division, sir.

Q Did you take the custody of all the operators and
managers?

A Not all, sir, only the ones responsible for running
the day to day operation.

Q After conducting the investigation, were you given
a commendation by your office?

A No, sir.

Q Your head is only after your operation.

PROS. BELLEZA:

Objection, Your Honor.

COURT:

That is not part of the arrest.

ATTY. FERNANDEZ:

That is all, Your Honor.

PROS. BELLEZA:

No further redirect, Your Honor.

COURT:

Do you have other witnesses?

PROS. BELLEZA:

After evaluating the record of the case, Your Honor, other witnesses' testimony is corroborative in nature. We will just formally offer the testimony of our lone witness insofar as the issue of legality of the arrest is concerned.

COURT:

No other witness.

PROS. BELLEZA:

No other witness, Your Honor. We will be asking for a ruling and after that, we will be resting our case, Your Honor.

COURT:

No documentary exhibits?

PROS. BELLEZA:

None, Your Honor.

COURT:

The court is directing the parties to submit their respective memoranda to summarize everything, simultaneous, thirty (30) days from receipt of the Order.

PROS. BELLEZA:

Considering the voluminous work in the office.

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I will be begging the indulgence of the Honorable Court that it be sixty (60) days, Your Honor.

BRANCH CLERK
OF COURT:

For the record, present are private complainants
[REDACTED], [REDACTED], [REDACTED],
[REDACTED], Your Honor.

COURT:

ORDER

When this case was called for continuation of hearing on the Motion to Quash filed by accused Perfecto Luchavez and Mark Jayroid Luchavez Prosecutor John M. Belleza, Atty. Hermenegildo P. Marante and Atty. Jose Miguel Fernandez appeared.

Prosecutor Belleza presented prosecution witness Special Investigator Roy Rufino Sunega who testified on direct, cross, redirect and recross examinations. Thereafter, he manifested that the prosecution has no other witness to present. Thus, offered the testimony of said witness and rested its case.

The parties are directed to file their simultaneous memoranda within sixty (60) days from today. Thereafter, the Motion to Quash will be submitted for resolution.

SO ORDERED.

(SESSION ADJOURNED)

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I HEREBY CERTIFY that the foregoing is the true and correct transcript of the stenographic notes taken down by me to the best of my knowledge, hearing and ability.


NAIDA C. CARINGAL
Court Stenographer III