



REPUBLIC OF THE PHILIPPINES

*S*andiganbayan

Quezon City

FIRST DIVISION

PEOPLE OF THE PHILIPPINES,

*Plaintiff,*

- versus -

**CRIM. CASES NOS. 13689 to 13693**

*For: Falsification of Public Document*

ELENO T. REGIDOR, JR.,  
ANICETO T. SIETE,  
MARLENE L. MANGAO,

*Accused*

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PEOPLE OF THE PHILIPPINES,

*Plaintiff,*

- versus -

**CRIM. CASES NOS. 13694 to 13695**

*For: Falsification of Public Document*

ELENO T. REGIDOR, JR.,  
CAMILO B. ZAPATOS,  
MARLENE L. MANGAO

*Accused*

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DECISION

Accused Marlene L. Mangao stands charged for seven (7) counts of Falsification of Public Documents defined and penalized under Article 171 of the Revised Penal Code in separate Amended Informations, the accusatory portion of each of which reads:

Crim. Case No. 13689

That on or about the 23rd of June, 1988, in the City of Tangub, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Aniceto T. Siete and Marlene L. Mangao, all public officers being the City Mayor, Vice-Mayor and Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions,

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conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 50-A, of the Sangguniang Panglunsod of Tangub, entitled: "A RESOLUTION GRANTING A SALARY INCREASE OF ALL EMPLOYEES EXCEPT THE CHIEFS, ASSISTANT CHIEF OF OFFICES AND CITY OFFICIALS OF TANGUB CITY AT ONE HUNDRED (P100.00) A MONTH EFFECTIVE JULY 1, 1988", by then and there making it appear that the aforesaid resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

**Crim. Case No. 13690**

That on or about the 30<sup>th</sup> day of June, 1988, in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Aniceto T. Siete and Marlene L. Mangao, all public officers being the City Mayor, Vice-Mayor and Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 56, of the Sangguniang Panglunsod of Tangub, entitled: "RESOLUTION APPROVING SUPPLEMENTAL BUDGET NO. 2 OF THE GENERAL FUND OF TANGUB CITY FOR THE CALENDAR YEAR 1988", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

**Crim. Case No. 13691**

That on or about the 30<sup>th</sup> day of June, 1988, in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Aniceto T. Siete and Marlene L. Mangao, all public officers being the City Mayor, Vice-Mayor and Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 56-A, of the

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Sangguniang Panglunsod of Tangub, entitled: "RESOLUTION APPROVING SUPPLEMENTAL BUDGET NO. 2 OF THE INFRA FUND OF TANGUB CITY FOR THE CALENDAR YEAR 1988", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

### **Crim. Case No. 13692**

That on or about the 14th day of July, 1988, in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Aniceto T. Siete and Marlene L. Mangao, all public officers being the City Mayor, Vice-Mayor and Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 63, of the Sangguniang Panglunsod of Tangub, entitled: "A RESOLUTION EARNESTLY REQUESTING HONORABLE ALFREDO BENGZON, SECRETARY, DEPARTMENT OF HEALTH, MANILA THRU THE REGIONAL DIRECTOR CANDIDO TAN, DEPARTMENT OF HEALTH, REGION X, CAGAYAN DE ORO CITY TO APPOINT DR. SINFORIANA DEL CASTILLO AS CITY HEALTH OFFICER IN TANGUB CITY HEALTH OFFICE", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

### **Crim. Case No. 13693**

That on or about the 14th day of July, 1988, in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Aniceto T. Siete and Marlene L. Mangao, all public officers being the City Mayor, Vice-Mayor and Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 61, of the



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Sangguniang Panglunsod of Tangub, entitled: "A RESOLUTION REVERTING THE AMOUNT OF ONE HUNDRED THOUSAND PESOS (P100,000.00) FROM THE CONSTRUCTION SPORT CENTER TO COVER UP DEFICIENCIES OF APPROPRIATION IN THE INFRASTRUCTURE FUND", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

### Crim. Case No. 13694

That on or about the 21st day of July, 1988, in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Camilo B. Zapatos and Marlene L. Mangao, all public officers being the City Mayor, Temporary Presiding Officer of the Sangguniang Panglunsod and Acting Sangguniang Panglunsod Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 64, of the Sangguniang Panglunsod of Tangub, entitled: "A RESOLUTION ADOPTING A POSITION PAPER REGARDING THE CONTINUED EXISTENCE AND OPERATION OF TANGUB CITY AND REQUESTING HONORABLE LOURDES R. QUISUMBING FOR A RECONSIDERATION OF HER MEMORANDA", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

### Crim. Case No. 13695

That on or about the 21st day of July, 1988 in Tangub City, Philippines, and within the jurisdiction of this Honorable Court, accused Eleno T. Regidor, Jr., Camilo B. Zapatos and Marlene L. Mangao, all public officers being the City Mayor, Sangguniang Panglalsawigan Member and concurrently Temporary Presiding Officer and Acting Sangguniang Panglalsawigan Secretary, respectively, of said City, and as such are authorized to attest and approve resolutions of the Sangguniang Panglunsod, and committing the crime herein charged in relation to their office, with grave abuse of confidence and taking advantage of their official/public positions, conspiring and confabulating with one another, did then and there wilfully, unlawfully and feloniously falsify Resolution No. 68, of the Sangguniang Panglunsod of Tangub, entitled:



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"RESOLUTION REQUESTING THE HONORABLE SECRETARY, DEPARTMENT OF BUDGET AND MANAGEMENT, MALACAÑANG, MANILA FOR AUTHORITY TO PURCHASE TEN (10) UNITS MOTORCA B. ONE (1) DOZEN MICROSCOPE COMPOUND, ONE (1) SET ENCYCLOPEDIA TEXTBOOKS, ONE (1) SET BRITANICAL DICTIONARY, SEVEN (7) UNITS ELECTRIC TYPEWRITER (20" CARRIAGE), ONE UNIT ELECTRIC FAN and ONE (1) UNIT COMBAT DINI DIESEL ENGINE 41D 820 FOR USE OF VARIOUS OFFICES OF TANGUB CITY", by then and there making it appear that the aforesaid Resolution was deliberated upon, passed and approved by the Sangguniang Panglunsod when in truth and in fact as accused well knew it was never taken up by the said body, to the damage and prejudice of the government.

Contrary to law.

On September 13, 2019, upon posting of accused Mangao additional cash bond of ₱60,000.00, the case against her was ordered revived. As her counsel *de officio*, Atty. Mark Oliver C. Asis, had not studied yet her case, the arraignment of the said accused, as well as the pre-trial set on September 13, 2019, was cancelled and reset on October 4, 2019, at 8:30 in the morning.<sup>1</sup>

At the arraignment on October 4, 2019, Atty. Asis moved that the reading of the Informations against the accused be waived. After satisfying itself that the accused fully understood the charges against her and the consequences of waiving the reading of the Informations, the Court granted the motion to waive the reading of the Informations. Thereupon, accused Mangao, assisted by Atty. Asis, entered a plea of "Not Guilty" to all the charges against her. Subsequently, Atty. Asis moved that the pre-trial also set on the same day be postponed as accused Mangao intends to file a manifestation indicating her desire to plea-bargain to a lesser offense. Thus, the pre-trial was deferred and reset on November 8, 2019.<sup>2</sup>

On October 28, 2019, accused Mangao filed a Manifestation, dated October 25, 2019, informing the Court and the prosecution that she "would respectfully like to enter into a plea bargaining and to plea(d) guilty to the lesser offense as provided for under Article 170 of the Revised Penal Code," or for falsification of legislative document.<sup>3</sup>

On November 8, 2019, the prosecution filed its Comment with Manifestation (to the Manifestation to Plea Bargain of Accused Marlene L.

<sup>1</sup> Records, Vol. 2, page 346

<sup>2</sup> Order, dated October 4, 2019, *Id.*, page 354

<sup>3</sup> *Id.*, pages 361 to 363



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Manga), dated November 7, 2019, manifesting that “the Honorable Ombudsman approved the proposed plea bargaining agreement, but for Article 172 of the Revised Penal Code, and not Article 170,” and attaching to the said Comment with Manifestation Proof of Authority to Enter into Plea Bargain in *People v. Eleno T. Regidor et. (sic) al., CRIM. Cases No. 13689-13690*<sup>4</sup> duly signed by Ombudsman Samuel R. Martires. However, for lack of quorum on November 8, 2019, the pre-trial was reset on December 6, 2019.<sup>5</sup>

At the pre-trial on December 6, 2019, accused Mangao, assisted by Atty. Ariel Galamgam, manifested that accused Mangao accepts the counter-offer of the Ombudsman to plead guilty to the felony defined and penalized under Article 172, instead of under Article 170, of the Revised Penal Code, and that she was ready to withdraw her earlier plea of “Not Guilty” to that of “Guilty” to the offense under Paragraph 1 of Article 172 of the Revised Penal Code. The Court inquired from the prosecution if the consent of the complainant has been secured to the plea-bargaining proposal, in addition to the consent of the Ombudsman, and Prosecutor Citadel L. Cosmiano Trasmontero answered in the affirmative. Thus, accused Mangao, assisted by Atty. Galamgam, withdrew her plea of “Not Guilty” she made.

During re-arraignment, Atty. Galamgam moved that the reading of the Informations against the accused be waived. After satisfying itself that accused Mangao fully understood the consequences of the waiver of the reading of the Information by her affirmative confirmation, the Court granted the motion to waive the reading of the Informations against her. Thereupon accused Mangao entered a “Plea of Guilty” to all the charges against her.

**WHEREFORE**, in light of all the foregoing, accused Marlene L. Mangao is hereby found guilty beyond reasonable doubt of seven (7) counts of Falsification by private individual defined and penalized under paragraph 1 of Article 172 of the Revised Penal Code, and hereby sentences her for each count of the said felony to an indeterminate penalty of five (5) months of *arresto mayor* as minimum, to three (3) years of *prision correccional* in its medium and maximum periods as maximum, and to pay a fine of **Three Thousand Pesos (P3,000.00)**, with subsidiary imprisonment in case of insolvency.

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<sup>4</sup> Id., pages 367 to 370

<sup>5</sup> Id., page 373

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**SO ORDERED.**

Given in open Court this 6<sup>th</sup> day of **December 2019**, in Quezon City, Philippines.

  
**EFREN N. DE LA CRUZ**  
Associate Justice/Chairperson

  
**GERALDINE FAITH A. ECONG**  
Associate Justice

  
**EDGARDO M. CALDONA**  
Associate Justice

**ATTESTATION**

I attest that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**EFREN N. DE LA CRUZ**  
Chairperson, First Division

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution, and the Division's Chairperson's Attestation, it is hereby certified that the conclusions in the above decision were reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

  
**AMPARO M. CABOTAJE-TANG**  
Presiding Justice