

Title: Mario L. Relampagos vs. Office of the Ombudsman

Facts:

Mario L. Relampagos (petitioner), a former Undersecretary of the Department of Budget and Management (DBM), was among several individuals, both private and public officers, charged with the plunder of PHP 900 million from the Malampaya Fund and with various other offenses like malversation of public funds through falsification of public documents, and violations of the Anti-Graft and Corrupt Practices Act, and other relevant laws.

The charges arose when it was discovered that the Malampaya Fund, intended to aid in recovery from the calamities caused by Typhoons Ondoy and Pepeng, was illegally diverted and used through purportedly established non-existent entities or NGOs controlled by Janet Lim Napoles. Despite advice from DBM's Director Oliveros about insufficiencies in the documents required for fund release, Relampagos allegedly facilitated the release by signing the Notice of Cash Allocation (NCA) to the Land Bank of the Philippines.

Issues:

1. Whether the Office of the Ombudsman committed grave abuse of discretion in finding probable cause for the crimes charged against Relampagos.

Court's Decision:

The Supreme Court ruled that there was no grave abuse of discretion on the part of the Ombudsman's decision to indict Relampagos, citing the principle of non-interference in the Ombudsman's findings of probable cause. The evaluation by the Ombudsman is upheld unless there is a clear showing of grave abuse of discretion, which the Court did not find in this case. The Court emphasized that the validity and merits of a party's defense is better threshed out in trial.

Doctrine:

- The Supreme Court traditionally respects the investigatory and prosecutorial powers of the Office of the Ombudsman and generally does not interfere with the Ombudsman's determination of probable cause.
- Probable cause is based on the prosecutor's reasonable belief, not requiring definitive evidence of guilt.
- The determination of probable cause references the crime's elements without needing to

firmly establish them as that is the domain of a full trial.

- Judicial review is warranted when there is a clear showing of grave abuse of discretion by the Ombudsman.

Class Notes:

- Probable Cause: Evidence showing more likely than not that a crime has been committed, and it is reasonable to believe that the accused did it.

- Grave Abuse of Discretion: An action taken by a public official that is grossly wrong, ignoring clear legal duty or usurping power not granted by law.

- Malversation of Public Funds: The unlawful misappropriation for personal uses by a public officer of funds entrusted to their charge.

- Plunder: The amassing by a public official of ill-gotten wealth exceeding PHP 50 million through a combination or series of overt criminal acts as defined by law.

- Anti-Graft and Corrupt Practices Act (RA 3019): A law penalizing corrupt practices of public officers, including acts of bribery, fraud in public procurement, and the illegal acquisition of personal interest in connection with public duty.

Historical Background:

The Malampaya Fund was created to support energy resource development and exploitation programs. Following natural calamities in the late 2000s, some funds were allocated for relief. The case of Relampagos arises from the unlawful diversion of this fund, spotlighting issues of corruption in high-ranking officials and the misuse of government funds intended for disaster relief. The case exemplifies challenges in ensuring accountability and integrity within governmental financial management during the administration preceding that of Benigno Aquino III (“Noynoy” Aquino), further influencing initiatives for greater transparency and accountability in public finance.