

Title:

Alfredo T. Romualdez v. The Honorable Sandiganbayan and The People of the Philippines

Facts:

On July 12, 1989, the Presidential Commission on Good Government (PCGG) filed an information before the Sandiganbayan against Alfredo T. Romualdez, brother-in-law of then-President Ferdinand E. Marcos. Romualdez was charged with a violation of Section 5, Republic Act No. 3019 (the Anti-Graft and Corrupt Practices Act), for allegedly intervening in a contract between the National Shipyard and Steel Corporation (NASSCO), a government-owned corporation, and the Bataan Shipyard and Engineering Company (BASECO), a private corporation, during July 16, 1975 to July 29, 1975.

On December 27, 1996, Romualdez filed his first “MOTION TO DISMISS AND TO DEFER ARRAIGNMENT” claiming no valid preliminary investigation was conducted and alleging bias by the PCGG. In response, the Sandiganbayan ordered him to file a Motion for Reinvestigation with the Office of the Special Prosecutor. He challenged this order before the Supreme Court, which, on January 21, 1998, dismissed his petition for failure to show grave abuse of discretion by the Sandiganbayan.

After receiving a recommendation from the Special Prosecution Officer to dismiss the case, which the Ombudsman overruled, Romualdez filed another “MOTION TO QUASH AND TO DEFER ARRAIGNMENT” on October 8, 1999. When the Sandiganbayan denied the motion, Romualdez filed a “MOTION FOR LEAVE TO FILE MOTION TO DISMISS” on June 19, 2001, bringing up issues of due process, preliminary investigation impartiality, extinguishment by prescription, and immunity per the 1973 Constitution. The Sandiganbayan denied the motion, prompting Romualdez to petition for certiorari under Rule 65, challenging the constitutionality of Section 5, Republic Act No. 3019.

Issues:

1. Whether Section 5 of Republic Act No. 3019 is unconstitutional due to vagueness.
2. Whether the Information provided is sufficiently specific.
3. Whether a valid preliminary investigation was conducted.
4. Whether the criminal action has been extinguished by prescription.
5. Whether Romualdez is immune from criminal prosecution.

Court’s Decision:

The Supreme Court dismissed Romualdez’s petition and affirmed the resolutions of the

Sandiganbayan. The Court determined that Section 5 of Republic Act No. 3019 was clear and free from ambiguity and reiterated that the overbreadth and void-for-vagueness doctrines generally apply only to free-speech cases, not to penal statutes. The Court also pointed out that Romualdez was given due process via a reinvestigation by the Special Prosecutor and was properly informed of the charges against him. The charge of prescription was considered groundless since the offense was only discovered after the 1986 EDSA Revolution. Finally, Romualdez's claim for immunity based on the 1973 Constitution was dismissed as inapplicable to his situation, and the felonious acts of public officials and their relatives do not equate to acts of state.

Doctrine:

1. Repetitive motions delaying a criminal indictment, whether labeled as motions to quash, dismiss, or another nomenclature, unduly burden the court system and are generally deemed waived if not included in the first such motion.
2. Section 5 of the Anti-Graft Law is constitutional as it does not constitute vague legislation and provides sufficient standards for those subject to it to understand the prohibited conduct.
3. The "overbreadth" and "void-for-vagueness" doctrines are not grounds for challenging the constitutionality of a penal statute on its face.

Class Notes:

- Penal laws must be sufficiently explicit to inform those who are subject to them what conduct will render them liable to penalties, thus fulfilling the due process requirement.
- Grounds for a motion must be raised at the earliest opportunity; grounds not raised in the first motion are generally deemed waived.
- Prescription of offenses under special laws, like the Anti-Graft Law, commences from the discovery of the unlawful acts, not from the commission of these acts.
- The constitutionality of a statute may only be attacked by individuals whose rights are affected by the statute.

Historical Background:

The case highlighted the effects of familial affiliations and the perceived abuse of power during the Marcos regime in the Philippines. It similarly underscored the commitment to transparency, due process, and accountability following the People Power Revolution and the establishment of the PCGG dedicated to recovering ill-gotten wealth accrued during Marcos' presidency.