

Title: **\*\*Sayre v. Hon. Dax Gonzaga Xenos, et al.\*\***

Facts:

Nurullaje Sayre y Malampad, also known as “Inol,” was charged in three separate criminal cases for violations of Sections 5 (Illegal Sale of Dangerous Drugs), 11 (Illegal Possession of Dangerous Drugs), and 12 (Possession of Paraphernalia for Dangerous Drugs) under Article II of Republic Act No. 9165. These charges arose from incidents occurring on June 9, 2017, in Panabo City, Davao del Norte. Pursuant to the directives of the Office of the Court Administrator (OCA) and Administrative Matter (A.M.) No. 18-03-16-SC regarding the adoption of a Plea Bargaining Framework in Drug Cases, Sayre filed a Proposal for Plea Bargaining, seeking to plea bargain the charges to lesser offenses under Sections 12 and 15 of the same act. The prosecution, adhering to Department of Justice (DOJ) Circular No. 27, filed a Comment and Counter-Proposal, offering different terms for plea bargaining. Due to differences in acceptable plea bargains according to the OCA Circular No. 90-2018 adopted by the Supreme Court and DOJ Circular No. 27, the parties failed to reach consensus for Criminal Case No. CRC 416-2017 involving the illegal sale of shabu. As a result, the Regional Trial Court (RTC) of Panabo City, following the prosecutor’s objection based on DOJ Circular No. 27, denied Sayre’s Motion to Plea Bargain and proceeded with the trial.

Issues:

1. Did Sayre violate the doctrine of hierarchy of courts by directly filing his petition with the Supreme Court?
2. Is the provision in DOJ Circular No. 27 regarding plea bargaining under Section 5 to Section 11 of R.A. 9165 unconstitutional for allegedly repealing, altering, or modifying the more favorable provision under OCA Circular No. 90-2018?
3. Did Presiding Judge Xenos commit grave abuse of discretion in disregarding the provisions of OCA Circular No. 90-2018?

Court’s Decision:

The Supreme Court denied the petition. It ruled that there were serious and compelling reasons justifying Sayre’s direct resort to the Court due to the constitutional challenge to DOJ Circular No. 27. The Court clarified that plea bargaining is a vital component of the criminal justice system promoting restorative justice and that the discretion to accept a plea bargain lies initially with the prosecution. The Court found that DOJ Circular No. 27 did not contravene the Plea Bargaining Framework found in A.M. No. 18-03-16-SC, emphasizing that the Circular merely provided internal guidelines for prosecutors in exercising their discretion in plea bargaining processes. Thus, Presiding Judge Xenos did not act with grave

abuse of discretion in denying Sayre's Motion to Plea Bargain based on the <sup>Digest)</sup> existing prosecutorial objection.

**Doctrine:**

The Court reiterated that plea bargaining is an essential part of the criminal justice system encouraged to ensure speed, economy, and finality in trials. It is rooted in the policy of restorative justice, aiming at the reintegration of offenders into society. The Court's rule-making power involves the promulgation of rules concerning pleading, practice, and procedure in all courts, and such rules shall not diminish, increase, or modify substantive rights.

**Class Notes:**

1. The Supreme Court has the exclusive power to promulgate rules concerning pleading, practice, and procedure in all courts (1987 Constitution, Article VIII, Section 5(5)).
2. Plea bargaining is an essential component of the criminal justice system promoting restorative justice. It requires mutual agreement by the accused, the prosecutor, and the consent of the court.
3. DOJ Circulars are internal guidelines for prosecutors and do not modify or alter the procedural rules established by the Supreme Court.

**Historical Background:**

The Supreme Court, in considering the plea bargaining framework, recognized the significant challenges posed by the drug menace in the Philippines and aimed to balance the government's intensive campaign against illegal drugs with the policy of restorative and compassionate justice. The evolution of plea bargaining in drug cases, culminating in A.M. No. 18-03-16-SC and its subsequent interpretation in Sayre's case, reflects the judiciary's adaptive response to the complexities of drug-related offenses while upholding the rule of law and the principles of fair trial and rehabilitation.