

### Title: People of the Philippines vs. Amador Pastrana and Rufina Abad

### Facts:

On 26 March 2001, a Sworn Application for a Search Warrant was filed by NBI Special Investigator Albert Froilan Gaerlan at the RTC, Makati City, Branch 63, to search the office premises of Amador Pastrana and Rufina Abad for engaging in a fraudulent scheme against foreign investors. The scheme involved convincing investors to buy nonexistent stocks, with investments being misappropriated. Judge Tranquil Salvador, Jr. issued Search Warrant No. 01-118. The search led to the seizure of numerous documents and items. Respondent Abad moved to quash the search warrant, arguing its issuance for two offenses (violation of the Securities Regulation Code and estafa) contravened procedural rules requiring specificity. Judge Salvador, Jr. voluntarily inhibited himself, and the case was moved to Branch 58, where the search warrant was quashed for violating the one-specific-offense rule and lack of particularity.

### Issues:

1. Whether the Court of Appeals erred in affirming the trial court's order quashing Search Warrant No. 01-118, issued for two offenses contrary to procedural rules.
2. Whether the items listed in the search warrant showed a reasonable relation to the specific offense of acting as a stockbroker without the required SEC license.

### Court's Decision:

The Supreme Court denied the petition, affirming the CA's decision. It established that the search warrant, issued for multiple offenses without specifying a particular violation of the Securities Regulation Code and estafa, was contrary to the one-specific-offense rule, thus nullifying the warrant. The items to be seized failed the test of particularity, rendering the warrant void.

### Doctrine:

1. A search warrant should specify one particular offense to meet the probable cause requirement, in line with constitutional guarantees against unreasonable searches and seizures.
2. The particularity requirement in search warrants ensures the description of items to be precise enough to prevent general searches and safeguard constitutional rights.

### Class Notes:

- **\*\*Elements of Estafa\*\***: Defrauding another by abuse of confidence or deceit; causing

damage or prejudice.

- **Violation of Section 28.1, SRC**: It's essential to demonstrate unregistered operation as broker or dealer.
- **Probable Cause**: Facts and circumstances leading a reasonably prudent person to believe an offense was committed and items connected to it are at the place to be searched.
- **Requirement for Specific Offense**: A search warrant must be in connection with a specific offense to prevent issuance based on broad or general allegations.

### ### Historical Background:

This case underscores the rigor in adhering to constitutional guarantees against unreasonable searches and seizures, particularly the specificity and one-specific-offense rules that protect individuals' rights. It highlights the evolving legal framework and jurisprudence in the Philippines regarding the proper issuance and execution of search warrants, aligned with safeguarding constitutional rights amidst law enforcement objectives.