

Title: Omar Erasmo Gonowon Ampongan vs. Hon. Sandiganbayan, People of the Philippines, and Ombudsman Special Prosecutor

Facts:

On July 14, 2017, the Office of the Ombudsman filed two Informations with the Sandiganbayan against Omar Erasmo Gonowon Ampongan, then Vice Mayor of Iriga City. The charges included:

1. Violation of Section 3(e) of R.A. No. 3019 (Anti-Graft and Corrupt Practices Act)
2. Falsification of a Public Document under Article 171, paragraph 2 of the Revised Penal Code.

The charges stemmed from Ampongan's appointment of Edsel Dimaiwat as Secretary to the Sangguniang Panlungsod of Iriga City on November 3, 2014. The appointments were made without the proper screening or deliberation by the Iriga City Personnel Selection Board.

Ampongan filed a motion to quash the Informations, arguing that the Sandiganbayan lacked jurisdiction since the Informations did not detail any damage to the government exceeding one million pesos, and as a Vice Mayor with salary grade 26, he should fall under the jurisdiction of the Regional Trial Court (RTC).

On September 29, 2017, the Sandiganbayan denied Ampongan's motion to quash, stating that the alleged offenses occurred in 2014, thus falling under R.A. No. 8249 rather than the recent R.A. No. 10660, and that the Vice Mayor's position was explicitly listed under the Sandiganbayan's jurisdiction in the earlier statute.

Ampongan refused to enter a plea during arraignment, leading the court to enter a not guilty plea on his behalf. Ampongan subsequently filed a petition for certiorari with the Supreme Court, challenging the Sandiganbayan's jurisdiction.

Issues:

1. Does the Sandiganbayan have jurisdiction over the offenses allegedly committed by Omar Erasmo Gonowon Ampongan?
2. Was there a need to file a motion for reconsideration before pursuing the petition for certiorari?

Court's Decision:

1. Jurisdiction:

- The Supreme Court decided that the Sandiganbayan did indeed have jurisdiction over the offenses, based on R.A. No. 8249, not R.A. No. 10660. R.A. No. 8249 provides the Sandiganbayan jurisdiction over violations of R.A. No. 3019 and other offenses committed by specific officials, including Vice Mayors, regardless of their salary grade. The clause applies to officials occupying these positions at the time of the commission of the offense.
- The Court reiterated that for officials like the Vice Mayor, who were explicitly listed under R.A. No. 8249, their salary grade was irrelevant. As the alleged offenses occurred in 2014, prior to the enactment of R.A. No. 10660, the latter law's jurisdiction provision (which pertains only to offenses committed after its effectivity) was not applicable.

2. Motion for Reconsideration:

- The settled rule is that the filing of a motion for reconsideration is a precondition for filing a petition for certiorari. However, the Supreme Court recognized exceptions where such a motion would be useless, where the lower court's decision is patently null, or where pure questions of law are involved.
- As Ampongan's petition raised legal issues that had already been decided by the Sandiganbayan and were purely questions of law, the Supreme Court accepted the petition without necessitating a prior motion for reconsideration.

Doctrine:

The ruling re-emphasized the principle that the jurisdiction of the Sandiganbayan over certain public officials is determined primarily by the list of positions enumerated under R.A. No. 8249, without regard to salary grade. Specifically, the Sandiganbayan has jurisdiction over the Vice Mayors irrespective of their salary grade if they commit specified offenses.

Class Notes:

- Key Concepts: Jurisdiction, Anti-Graft and Corrupt Practices Act, Falsification of Public Document, Certiorari under Rule 65.
- Statutory Provisions:
 - R.A. No. 3019 (Anti-Graft and Corrupt Practices Act)
 - Revised Penal Code, Article 171, Paragraph 2 (Falsification of Public Document)
 - R.A. No. 8249 and R.A. No. 10660 (Amendments related to the Sandiganbayan's jurisdiction)
- Principles:
 - Jurisdiction is determined by the statute in effect at the time of the alleged commission of the offense.

- Certain positions listed under R.A. No. 8249 automatically confer jurisdiction to the Sandiganbayan for specified offenses, regardless of salary grade.

Historical Background:

The case contextualizes the evolving jurisdiction of the Sandiganbayan, reflecting legislative intent to prioritize high-ranking officials' accountability. The backdrop includes various amendments aiming to streamline the process, focusing resources on prosecuting significant public office violations, reinforcing public trust in holding prominent officials accountable for graft and corruption.