

OCA CIRCULAR NO. 33-2019, February 28, 2019

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TO : ALL JUDGES AND CLERKS OF COURT OF THE FIRST AND SECOND LEVEL COURTS

SUBJECT :

REMAND OF THE DECISION DATED 28 JANUARY 2011 IN CRIMINAL CASE NO. 27487-R TO BRANCH 3, REGIONAL TRIAL COURT, BAGUIO CITY FOR THE DETERMINATION OF: (A) THE PROPER PENALTY IN ACCORDANCE WITH REPUBLIC ACT NO. 10951; AND (B) WHETHER PETITIONER SAMUEL SAGANIB Y LUTONG IS ENTITLED TO IMMEDIATE RELEASE ON ACCOUNT OF FULL SERVICE OF HIS SENTENCE, AS MODIFIED, PURSUANT TO THE COURT EN BANC RESOLUTION DATED 14 AUGUST 2018 IN G.R. NO. 240347 (IN RE: CORRECTION/ADJUSTMENT OF PENALTY PURSUANT TO REPUBLIC ACT NO. 10951, IN RELATION TO HERNAN V. SANDIGANBAYAN. SAMUEL SAGANIB Y LUTONG, PETITIONER.)

In accordance with the 14 August 2018 Resolution in G. R. No. 240347 (In Re: Correction/Adjustment of Penalty Pursuant to Republic Act No. 10951, in Relation to Hernan v. Sandiganbayan. Samuel Saganib y Lutong, Petitioner.) the Court En Banc REMANDED the Decision dated 28 January 2011 in Criminal Case No. 27487-R to Branch 3, Regional Trial Court, Baguio City for the determination of: (a) the proper penalty in accordance with Republic Act No. 10951; and (b) whether petitioner Samuel Saganib y Lutong is entitled to immediate release on account of full service of his sentence, as modified, the full text of which is appended herein as Annex "A" for the information, guidance and strict compliance of all concerned.

28 February 2019

(SGD.) JOSE MIDAS P. MARQUEZ

Court Administrator

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