

OCA CIRCULAR NO. 230-2018, November 06, 2018

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TO : THE COURT OF APPEALS, REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, SHARI'A CIRCUIT COURTS, THE OFFICE OF THE CHIEF STATE PROSECUTOR, PUBLIC ATTORNEYS OFFICE AND THE INTEGRATED BAR OF THE PHILIPPINES

SUBJECT:

FINALITY AND ENTRY OF JUDGMENT OF THE DECISION DATED 4 SEPTEMBER 2018 RELATIVE TO ACQUITTAL OF MR. ROMY LIM Y MIRANDA

Quoted hereunder, for your information and guidance, is the dispositive part of the Decision dated 4 September 2018 of the Court En Banc in G.R. No. 231989 entitled "People of the Philippines, plaintiff-appellee, v. Romy Lim y Miranda, accused-appellant," to wit:

WHEREFORE, premises considered, the February 23, 2017 Decision of the Court of Appeals in CA-G.R. CR HC No. 01280-MIN, which affirmed the September 24, 2013 Decision of Regional Trial Court, Branch 25, Cagayan De Oro City, in Criminal Cases Nos. 2010-1073 and 2010-1074, finding accused-appellant Romy Lim y Miranda guilty of violating Sections 11 and 5, respectively, of Article II of Republic Act No. 9165, is REVERSED and SET ASIDE. Accordingly, accused-appellant Romy Lim y Miranda is ACQUITTED on reasonable doubt, and is ORDERED IMMEDIATELY RELEASED from detention, unless he is being lawfully held for another cause. Let an entry of final judgment be issued immediately.

Let a copy of this Decision be furnished the Superintendent of the Davao Prison and Penal Farm, B.E. Dujali, Davao del Norte, for immediate implementation. The said Director is ORDERED to REPORT to this Court within five (5) days from receipt of this Decision the action he has taken.

Let copies of this Decision be furnished to the Secretary of the Department of Justice, as well as to the Head/Chief of the National Prosecution Service, the Office of the Solicitor General, the Public Attorney's Office, the Philippine National Police, the Philippine Drug Enforcement Agency, the National Bureau of Investigation, and the Integrated Bar of the Philippines for their information and guidance. Likewise, the Office of the Court Administrator is DIRECTED to DISSEMINATE copies of this Decision to all trial courts, including the Court of Appeals.

SO ORDERED.

6 November 2018

(SGD.) RAUL BAUSTISTA VILLANUEVA

Deputy Court Administrator

and

Officer-in-Charge

Office of the Court Administrator
(Per Office Order no. 12-2018
dated 31 October 2018)

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