

OCA CIRCULAR NO. 32-2019, 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 15 JUNE 2017 IN CRIMINAL CASE NO. 16-782 TO BRANCH 204, REGIONAL TRIAL COURT, MUNTINLUPA CITY FOR THE DETERMINATION OF: (A) THE PROPER PENALTY IN ACCORDANCE WITH REPUBLIC ACT NO. 10951; AND (B) WHETHER PETITIONER EMALYN MONTILLANO Y BASIG IS ENTITLED TO IMMEDIATE RELEASE ON ACCOUNT OF FULL SERVICE OF HER SENTENCE, AS MODIFIED, PURSUANT TO THE COURT EN BANC RESOLUTION DATED 14 AUGUST 2018 IN G.R. NO. 240563 (IN RE: CORRECTION/ADJUSTMENT OF PENALTY PURSUANT TO REPUBLIC ACT NO. 10951, IN RELATION TO HERNAN V. SANDIGANBAYAN. EMALYN MONTILLANO Y BASIG, PETITIONER.)

In accordance with the 14 August 2018 Resolution in G. R. No. 240563 (In Re: Correction/Adjustment of Penalty Pursuant to Republic Act No. 10951, in Relation to Hernan v. Sandiganbayan. Emalyn Montillano y Basig, Petitioner.) the Court En Banc REMANDED the Decision dated 15 June 2017 in Criminal Case No. 16-782 to the Branch 204, Regional Trial Court, Muntinlupa City, for the determination of: (a) the proper penalty in accordance with Republic Act No. 10951; and (b) whether petitioner Emalyn Montillano y Basig is entitled to immediate release on account of full service of her 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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