

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, V. WELITO
SERAD Y RAVILLES A.K.A. “WACKY”;
ACCUSED-APPELLANT.**

G.R. No. 224894. October 10, 2018

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CAGUIOA, J:

Before this Court is an ordinary appeal[1] filed by the accused-appellant Welito Serad y Ravilles (Wacky) assailing the Decision[2] dated January 13, 2016 of the Court of Appeals (CA) in CA-G.R. CR-HC No. 01814, which affirmed the Judgment[3] dated February 19, 2014 of Regional Trial Court (RTC) of Negros Oriental, Branch 30 in Criminal Case No. 20331, finding Wacky guilty beyond reasonable doubt for violating Section 5, Article II of Republic Act No. 9165[4] (R.A. 9165), otherwise known as the Comprehensive Dangerous Drugs Act of 2002.

The Facts

An Information[5] was filed against Wacky for violating Section 5, Article II of R.A. 9165, the accusatory portion of which reads:

That on or about the 10[th] day of January 2011, in the City of Dumaguete, Philippines, and within the jurisdiction of this Honorable Court, the said accused not being then authorized by law, did, then and there willfully, unlawfully and feloniously sell to a poseur buyer one (1) heat-sealed transparent plastic sachet containing 0.32 gram of Methamphetamine Hydrochloride, otherwise known as "SHABU", a dangerous drug.

Contrary to Sec. 5, Art. II of R.A. 9165.[6]

The version of the prosecution, as summarized by the CA, is as follows:

In its Brief, the State, through the Office of the Solicitor General (OSG), avers that in the early afternoon of January 10, 2011, the Office of Task Force Kasaligan in Negros Oriental was informed by a confidential informant that Wacky was engaged in the illegal sale of drugs at his home at Zone 3, Barangay Looc, Dumaguete City. The confidential informant further volunteered that he could arrange a sale of shabu with appellant. As appellant was included in the Task Force's anti-narcotics operation target list, SA Miguel Dungog, team leader of the Task Force, decided to carry out a buy-bust operation.

Prior to the buy-bust operation, SA Dungog conducted a briefing with his men. PO2 Mark Jester Ayunting and the confidential informant were assigned as poseur-buyers, while SPO2 Allen June Germodo, as PO2 Ayunting's immediate backup, and the other members, as additional back up. SPO2 Germodo prepared nine (9) pieces of five hundred (500) peso bills as buy-bust money. The bills were marked with the initials of SPO2 Germodo and were given to PO2 Ayunting.

The members of the Task Force agreed that a drop call from PO2 Ayunting to SPO2 Germodo would serve as a signal to the back up team that the sale of illegal drugs had been consummated. At around 3 o'clock of the same day, after the briefing, the members of the Task Force, i.e., SA Dungog, SPO2 Germodo, PO2 Ayunting, PO2 Consame and SI Manzanaris, proceeded to the target area. PO2 Ayunting and the confidential informant

went to Wacky's house, which was located fifty (50) meters from the main road. The other members of the Task Force waited at their designated posts.

PO2 Ayunting and the confidential informant transacted with Wacky outside the latter's house. After telling Wacky that Ayunting and the confidential informant intend to purchase shabu worth four thousand five hundred pesos (P4,500.00), Wacky agreed to sell the requested amount of shabu to his buyers, and asked them to wait outside while he went to get the drugs inside the house. Upon his return, appellant was in possession of one (1) plastic sachet which appeared to be containing shabu. While Wacky handed the plastic sachet to the confidential informant, PO2 Ayunting made the [pre]-arranged signal (drop call) to SPO2 Germodo. Upon receipt of the drop call, the Task Force members proceeded to the area.

As Wacky demanded payment, PO2 Ayunting handed him the marked money and got the plastic sachet from the confidential informant to confirm if it was shabu. At this moment, Wacky noticed the arrival of the back up team, prompting him to flee.

PO2 Ayunting placed the plastic sachet inside his pocket and proceeded to run after Wacky. The other members of the Task Force joined the pursuit. During the chase, Wacky threw the marked money previously paid to him. He was caught by PO2 Ayunting with the aid of SPO2 Germodo and the rest of the back up team, forty (40) or fifty (50) meters away from where the sale took place. Speaking in the Visayan dialect, SPO2 Germodo informed Wacky of their authority as police officers, and accordingly, arrested him. He was likewise informed of the cause of his arrest and of his Constitutional rights. While PO2 Ayunting held the accused, the rest of the members of the Task Force returned to the area to recover marked money thrown away by Wacky. However, SPO2 Germodo was only able to get back a single five hundred peso (P500) bill. PO2 Ayunting marked the transparent plastic sachet with "WS-BB," which stood for "Wellito Serad[-]Buy Bust." After recovering the marked money, SPO2 Germodo conducted an inventory of the item bought from Wacky.

The inventory was held at the place where Wacky was arrested and in the presence of the required witnesses, which included Neil Rio (local media practitioner), Anthony Chilius Benlot (representative of the local DOJ), and IO1 Julieta Amatong (representative [o]f the PDEA-Dumaguete City). Another witness to the inventory, Dandan Teves Leon (Dumaguete City Kagawad), was not present at the place of the arrest, but he was present at the NBI-Dumaguete District Office. PO2 Ayunting took pictures of the marked money recovered by members of the Task Force and the plastic sachet bought from Wacky.[7]

On the other hand, the defense's version, as summarized also by the CA, is as follows:

For his part, Wacky narrates a different story. Wacky testified that on January 10, 2011 he was at the well located at the back of his house at Brgy. Looc, Dumaguete City when two (2) men in civilian clothes suddenly came rushing towards him. They asked him the whereabouts of a certain Ricardo Pimentel alias "Tadong." Wacky pointed to them the passage going to Tadong's house. A few minutes later, former NBI Supervising Agent, [Miguel] Dungog (hereinafter SA Dungog), arrived and told the two (2) men to hold him. Wacky was able to free himself from their grasp and run away but they were able to catch him. SA Dungog asked Wacky where the shabu was hidden by Tadong, but he replied that he did not know. SA Dungog hit Wacky on the lap with the butt of the armalite rifle he was carrying at the time. Wacky was handcuffed and was told not to worry since he will be released if he tells the truth. They forced h[i]m to tell them where Tadong's house was located and he went with them to said house. The men searched the house. Wacky denies selling dangerous drugs on that day and believes that the present case was filed because SA Dungog had a grudge on him. Dungog previously arrested and filed a case against Wacky last 2006 in which he was acquitted. In 2009, SA Dungog asked Wacky to work for him in an operation against Dandan Liu but he refused.[8]

Wacky was arraigned on February 25, 2011, in which he pleaded "not guilty" to the crime charged.[9] Pre-trial and trial thereafter ensued.

Ruling of the RTC

After trial on the merits, in its Judgment dated February 19, 2014, the RTC convicted Wacky of the crime charged. The dispositive portion of the said Judgment reads:

WHEREFORE, in the light of the foregoing, the Court hereby finds the accused Welito Serad y Ravilles a.k.a. Wacky GUILTY beyond reasonable doubt of the offense of illegal sale of 0.32 gram of shabu in violation of Section 5, Article II of R.A. No. 9165 and is hereby sentenced to suffer a penalty of life imprisonment and to pay a fine of Five Hundred Thousand Pesos (P500,000.00).[10]

The RTC gave full faith and credit to the straightforward testimonies of PO2 Mark Jester Ayunting (PO2 Ayunting) and SPO2 Allen June Germodo (SPO2 Germodo) regarding the buy-bust operation and held that the prosecution was able to establish Wacky's guilt beyond reasonable doubt. The RTC found that there was sufficient compliance with the chain of custody rule, and thus the integrity of the evidence was properly preserved.

Aggrieved, Wacky appealed to the CA.

Ruling of the CA

In the CA, Wacky maintained that the case was only filed because National Bureau of Investigation (NBI) Supervising Agent Miguel Dungog (SA Dungog) had a grudge against him, as the latter previously arrested and filed a case against him in 2006 but he was later on acquitted in the said case. Wacky further contended in his appeal that the testimonies of the police officers should not have been given credence for these were marred by inconsistencies, specifically, that it was highly dubious that the confiscated shabu only weighed 0.32 gram when the informant supposedly told him that P4,500.00 worth was to be purchased, considering that in 2011 the market price of shabu was around P100.00 per 0.01 gram.[11] Lastly, he put in issue why only one out of the nine bills or marked money was successfully confiscated and presented in court.[12]

In the assailed Decision dated January 13, 2016, the CA affirmed the RTC's conviction of Wacky, and held that the prosecution was able to sufficiently prove the elements of the crime charged. The CA also found Wacky's arguments to be untenable. It held that the supposed market price of shabu was not supported by credible evidence and that, in any event, there were a number of possibilities as to why the amount of shabu was more or less than P4,500.00 worth.[13] The CA ruled that this supposed discrepancy did not cast doubt upon the fact that the sale of shabu took place.[14] Finally, the CA noted that the police officers were able to sufficiently explain why only one of the nine P500.00 bills used as marked money was successfully confiscated and presented in court.[15]

Hence, the instant appeal.

Issue

The sole issue raised in this appeal is whether the CA erred in finding Wacky guilty beyond reasonable doubt of violating Section 5, Article II of R.A. 9165.

The Court's Ruling

The appeal is unmeritorious.

At the outset, it bears mentioning that Wacky raises the same issues as those raised in – and duly passed upon by – the CA. It is well-settled that in the absence of facts or circumstances of weight and substance that would affect the result of the case, appellate courts will not overturn the factual findings of the trial court.[16] Thus, when the case pivots on the issue of the credibility of the testimonies of the witnesses, the findings of the trial courts necessarily carry great weight and respect as they are afforded the unique opportunity to ascertain the demeanor and sincerity of witnesses during trial.[17] Here, after examining the records of this case, the Court finds no cogent reason to vacate the RTC's appreciation of the testimonial evidence, which was affirmed in toto by the CA.

The Court is thus convinced that Wacky is guilty beyond reasonable doubt.

Well-settled in jurisprudence is the principle that in all prosecutions for violation of R.A. 9165, the following elements must be proven beyond reasonable doubt: (1) proof that the transaction took place; and (2) presentation in court of the corpus delicti or the illicit drug as evidence. The existence of dangerous drugs is a condition sine qua non for conviction for the illegal sale and possession of dangerous drugs, it being the very corpus delicti of the crimes.[18] What is material is the proof that the transaction or sale transpired, coupled with the presentation in court of the corpus delicti.[19] Corpus delicti is the body or substance of the crime, and establishes the fact that a crime has been actually committed.[20]

In dangerous drugs cases, it is essential in establishing the corpus delicti that the procedure provided in Section 21 of R.A. 9165 is followed. The said section provides:

SEC. 21. Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment. - The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

(1) The apprehending team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof;

(2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;

(3) A certification of the forensic laboratory examination results, which shall be done under oath by the forensic laboratory examiner, shall be issued within twenty-four (24) hours after the receipt of the subject item/s: Provided, That when the volume of the dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: Provided, however, That a final certification shall be issued on the completed forensic laboratory examination on the same within the next twenty-four (24) hours[.]

Furthermore, Section 21(a), Article II of the Implementing Rules and Regulations of R.A. 9165 (IRR) filled in the details as to where the physical inventory and photographing of the seized items that had to be done immediately after seizure could be done: i.e., at the place of seizure, at the nearest police station or at the nearest office of the apprehending officer/team, thus:

(a)

The apprehending officer/team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof: Provided, that the physical inventory and photograph shall be conducted at the place where the search warrant [was] served; or at the nearest police

station or at the nearest office of the apprehending officer/team, whichever is practicable, in case of warrantless seizures; Provided, further, that non-compliance with these requirements under justifiable grounds, as long as the integrity and the evidentiary value of the seized items are properly preserved by the apprehending officer/team, shall not render void and invalid such seizures of and custody over said items. (Emphasis supplied)

Section 21 plainly requires the apprehending team to conduct a physical inventory of the seized items and photograph the same immediately after seizure and confiscation in the presence of the accused, with (1) an elected public official, (2) a representative of the Department of Justice (DOJ), and (3) a representative of the media, all of whom shall be required to sign the copies of the inventory and be given a copy thereof.

In buy-bust situations, or warrantless arrests, the physical inventory and photographing is allowed to be done at the nearest police station or at the nearest office of the apprehending officer/team, whichever is practicable. But even in these alternative places, such inventory and photographing are still required to be done in the presence of the accused and the aforementioned witnesses.

To the mind of the Court, the phrase "immediately after seizure and confiscation" means that the physical inventory and photographing of the drugs were intended by the law to be made immediately after, or at the place of apprehension. And only if this is not practicable can the inventory and photographing then be done as soon as the apprehending team reaches the nearest police station or the nearest office of the apprehending officer/team. There can be no other meaning to the plain import of this requirement. By the same token, however, this also means that the required witnesses should already be physically present at the time of apprehension — a requirement that can easily be complied with by the buy-bust team considering that the buy-bust operation is, by its nature, a planned activity. Simply put, the apprehending team has enough time and opportunity to bring with them said witnesses.

In other words, while the physical inventory and photographing are allowed to be done "at the nearest police station or at the nearest office of the apprehending officer/team, whichever is practicable, in case of warrantless seizures," this does not dispense with the requirement of having all the required witnesses to be physically present at the time or near the place of apprehension. The reason is simple, it is at the time of arrest — or at the time of the drugs' "seizure and confiscation" — that the presence of the three witnesses is most needed, as it is their presence at the time of seizure and confiscation that would insulate against the police practice of planting evidence.

Recent jurisprudence is clear that the procedure enshrined in Section 21 of R.A. 9165 is a matter of substantive law, and cannot be brushed aside as a simple procedural technicality; or worse, ignored as an impediment to the conviction of illegal drug suspects.[21] For indeed, however noble the purpose or necessary the exigencies of our campaign against illegal drugs may be, it is still a governmental action that must always be executed within the boundaries of law.

Using the language of the Court in *People v. Mendoza*,[22] without the insulating presence of the representative from the media or the DOJ and any elected public official during the seizure and marking of the drugs, the evils of switching, "planting" or contamination of the evidence that had tainted the buy-busts conducted under the regime of R.A. 6425 (Dangerous Drugs Act of 1972) would again rear their ugly heads as to negate the integrity and credibility of the seizure and confiscation of the subject sachet that were evidence of the corpus delicti, and would thus adversely affect the trustworthiness of the incrimination of the accused.[23]

Thus, it is compliance with this most fundamental requirement — the presence of the "insulating" witnesses — that the pernicious practice of planting of evidence is greatly minimized if not foreclosed altogether. Stated otherwise, this is the first and foremost requirement provided by Section 21 to ensure the preservation of the "integrity and

the evidentiary value of the seized [drugs]" in a buy-bust situation whose nature, as already explained, is that it is a planned operation.

Bearing in mind the foregoing principles, the Court holds that the prosecution in this case was able to prove the corpus delicti of the crime; thus, the RTC and the CA were correct in finding Wacky guilty beyond reasonable doubt.

As the prosecution's witness, SPO2 Germodo, testified:

Pros. Montenegro[:]

Q

Now, as far as you are concerned, Mr. Witness, what else transpired after the inventory?

A

PO2 Mark Ayunting took photographs during the inventory, Your Honor.

Q

And who attended the inventory then?

A

It was Neil Rio, Your Honor, and Benlot, Your Honor.

Q

Where was the inventory conducted then?

A

In the area, Your Honor. At that time there was no available elected official in the area, Your Honor, so after the initial inventory, we proceeded to the NBI Office, Your Honor.

Q

What happened at the NBI Office?

A

We conducted the inventory, Your Honor, together with SB Member Dan-dan Teves Leon.

Q

You mean to say the inventory was being continued at the NBI Office?

A

Yes, Your Honor.[24] (Emphasis supplied)

The Court recognizes the fact that, based on the above testimony, not all of the three required witnesses – the representative from the DOJ, media, and the elected official – were present during the initial inventory at the place of arrest and seizure of the items. Specifically, only Neil Rio, a local media practitioner, and Anthony Chilius Benlot, the representative from DOJ, were present in the place of arrest and seizure. It was only in the inventory in the police station when Dandan Teves Leon, a councilor, was present.[25]

Notwithstanding the foregoing, the Court cannot close its eyes to the fact that the apprehending officers in this

case exerted earnest efforts to comply with the law. The ruling of the Court in *People v. Ramos*[26] is instructive:

It is well to note that the absence of these required witnesses does not per se render the confiscated items inadmissible. x x x As such, police officers are compelled not only to state reasons for their non-compliance, but must in fact, also convince the Court that they exerted earnest efforts to comply with the mandated procedure, and that under the given circumstances, their actions were reasonable.[27] (Emphasis and underscoring supplied)

In the present case, while the police officers were not able to explain why only two of the three required witnesses were at the place of arrest – and why no elected official was available – the police officers nevertheless showed earnest efforts to comply with the mandated procedure.[28] To ensure that the integrity of the seized items were preserved, the police officers conducted a preliminary inventory at the place of the arrest as preferred by law. Recognizing that what was done was not strictly compliant with the law, the police officers conducted another inventory, this time in the police station where all the three required witnesses were available and were, in fact, present.

While the Court emphasizes the importance of strictly following the procedure outlined in Section 21, it likewise recognizes that there may be instances where a slight deviation from the said procedure is justifiable and subsequent earnest efforts were made to comply with the mandated procedure, much like in this case where the officers showed that they did their duties bearing in mind the requirements of the law. In short, it would be error for the Court not to reward such compliance.

It must also be pointed out that the apprehending officers in this case not only followed the procedure on inventory, but they were likewise able to follow the rest of the procedure outlined in Section 21. PO2 Ayunting testified that immediately after the inventory, specifically forty-five minutes thereafter, they turned over the seized items to the Provincial Crime Laboratory for qualitative and quantitative examination.[29] This is well-within the 24-hour period provided under Section 21. A day after, or on January 11, 2011, the Provincial Crime Laboratory issued the forensic laboratory examination results, as proved by Chemistry Report No. D-004-11[30] attached in the records. This is likewise within the second 24-hour period provided in Section 21.

Prior to the submission to the RTC of the seized items, it was kept by the forensic chemist in the crime laboratory where only she had access to. She then submitted the seized items and her chemistry reports to the RTC on February 1, 2011.[31]

It is indubitable, therefore, that the integrity of the dangerous drugs in this case was properly preserved as the prosecution was able to convincingly show an unbroken link in the chain of custody of the seized items. As the corpus delicti of the crime – and the transaction in which it was sold – was properly established in evidence, then the RTC and the CA could not have erred in holding that Wacky is guilty beyond reasonable doubt.

For Wacky's other arguments to support his claim for innocence, the Court quotes with approval the following disquisition by the CA:

We find no merit in these arguments.

The alleged market price of shabu is not supported by credible evidence. Nonetheless, there are also a host of possibilities as to why the amount of shabu Wacky gave to the poseur-buyers could be more or less than the alleged P4,500.00 worth. This does not in any way cast doubt upon the fact that the sale of shabu took place.

Anent the presentation of only one (1) P500 bill, this was satisfactorily explained by SPO3 Allen June Germodo's testimony. Wacky fled when he noticed the back-up team approaching and threw away the marked bills. After the chase, the team recovered one (1) of the bills. Besides, it is not even essential for the

prosecution to present the marked money as its absence does not create a hiatus in the evidence provided that the prosecution adequately proves the sale.[32]

In sum, the Court is convinced that Wacky was indeed engaged in the illegal sale of shabu, thereby violating Section 5, Article II of R.A. 9165.

WHEREFORE, in view of the foregoing, the appeal is hereby DISMISSED. The Court ADOPTS the findings of facts and conclusions of law in the Decision of the Court of Appeals dated January 13, 2016 in CA-G.R. CR-HC No. 01814 and AFFIRMS said Decision finding accused-appellant Welito Serad y Ravilles GUILTY beyond reasonable doubt of the crime of Illegal Sale of Dangerous Drugs, defined and penalized under Section 5, Article II of Republic Act No. 9165. Accordingly, he is hereby sentenced to suffer the penalty of life imprisonment and a fine in the amount of five hundred thousand pesos (P500,000.00).

SO ORDERED.

Carpio (Chairperson), Perlas-Bernabe and A. Reyes, Jr., JJ., concur.
J. Reyes, Jr., J., on wellness leave.

[1] See Notice of Appeal dated January 27, 2016, rollo, pp. 19-21.

[2] Rollo, pp. 5-18. Penned by Associate Justice Marilyn B. Lagura-Yap with Associate Justices Gabriel T. Ingles and Germano Francisco D. Legaspi, concurring.

[3] CA rollo, pp. 23-31. Penned by Judge Rafael Crescencio C. Tan, Jr.

[4] AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES (2002).

[5] Records, p. 3.

[6] Id.

[7] Rollo, pp. 6-9.

[8] Id. at 10-11.

[9] Records, p. 39.

[10] CA rollo, p. 30.

[11] Brief for the Accused-Appellant, id. at 49.

[12] Id.

[13] Rollo, p. 14.

[14] Id.

[15] Id. at 15.

[16] *People v. Gerola*, G.R. No. 217973, July 19, 2017, 831 SCRA 469, 478.

[17] *People v. Aguilar*, 565 Phil. 233, 247 (2007).

[18] *People v. Magat*, 588 Phil. 395, 402 (2008).

[19] *People v. Dumangay*, 587 Phil. 730, 739 (2008).

[20] *Id.*

[21] *People v. Dela Victoria*, G.R. No. 233325, April 16, 2018, p. 10; *People v. Ramos*, G.R. No. 233744, February 28, 2018, p. 9; *People v. Año*, G.R. No. 230070, March 14, 2018, p. 7; *People v. Lumaya*, G.R. No. 231983, March 7, 2018, p. 12; *People v. Manansala*, G.R. No. 229092, February 21, 2018, p. 9; *People v. Guieb*, G.R. No. 233100, February 14, 2018, p. 9; *People v. Paz*, G.R. No. 229512, January 31, 2018, p. 11; *People v. Miranda*, G.R. No. 229671, January 31, 2018, p. 11; *People v. Jugo*, G.R. No. 231792, January 29, 2018, p. 9; *People v. Mamangon*, G.R. No. 229102, January 29, 2018, p. 9; *People v. Calibod*, G.R. No. 230230, November 20, 2017, p. 9; *People v. Ching*, G.R. No. 223556, October 9, 2017, p. 10; *People v. Geronimo*, G.R. No. 225500, September 11, 2017, p. 9; *People v. Segundo*, G.R. No. 205614, July 26, 2017, 833 SCRA 16, 44; *People v. Macapundag*, G.R. No. 225965, March 13, 2017, 820 SCRA 204, 215; *Gamboa v. People*, 799 Phil. 584, 597 (2016).

[22] 736 Phil. 749 (2014).

[23] *Id.* at 764.

[24] TSN, October 22, 2013, p. 11.

[25] CA rollo, p. 85.

[26] *Supra* note 21.

[27] *Id.* at 8.

[28] *Id.*

[29] TSN, December 10, 2013, pp. 11-13.

[30] Prepared by Police Chief Inspector and Forensic Chemist Josephine Suico Llena, records, p. 18.

[31] CA rollo, p. 58.

[32] Rollo, pp. 14-15.

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