

**Title:** People of the Philippines vs. Nhelmar Mendiola y Martin, Noel Mendiola y Ponce, and Glen Ramos y Akiatan

**Facts:**

- On September 27, 2015, a CI reported to the RAID-SOTG about Nhelmar Mendiola, alias "Honda," and his group's selling of illegal drugs in Pasig City.
- A buy-bust operation was set for 8:00 p.m. at the Jollibee parking lot.
- The buy-bust team included P/Insp. Yap, PO3 Mataverde (poseur-buyer), SPO2 Porlucas (arresting officer), PO3 Dumlao, and SPO3 Aligier (backup officers).
- At Jollibee's parking lot, Nhelmar arrived with two companions in a green and a black Honda Civic.
- Nhelmar handed a striped plastic bag with shabu to PO3 Mataverde in exchange for marked money.
- Arresting officers then arrested Nhelmar, Noel Mendiola, and Glen Ramos, seizing from Noel a black bag containing more shabu and from Nhelmar a .38 caliber gun with five bullets.
- At the scene, in front of the accused and witnesses, seized items were marked, inventoried, and photographed.
- The shabu was found to be methamphetamine hydrochloride by PCI De Guzman at the PNP Crime Laboratory.
- Mendiola claimed that he and his family were arrested at 7:00 a.m. on the day of the incident without illegal drugs and brought to Camp Bagong Diwa.

**Procedural Posture:**

- **Arraignment:** The accused pleaded "Not Guilty."
- **RTC Decision:** Found guilty for violation of Sections 5 and 11 of RA 9165. Sentenced to life imprisonment and fines.
- **CA Decision:** Affirmed the RTC's decision.
- **Supreme Court Appeal:** Filed to contest the CA decision.

**Issues:**

1. Whether the CA correctly affirmed the RTC's finding of guilt for the accused-appellants for illegal sale and possession of dangerous drugs.
2. Whether the chain of custody of the seized drugs was properly established and maintained.

3. Whether the accused-appellants' constitutional rights were observed during the arrest and seizure.

**Court's Decision:**

- Illegal Sale (Section 5):** The Court affirmed the conviction, detailing how Nhelmar directly sold 1,050.68 grams of shabu to PO3 Mataverde witnessed by his cohorts.
- Illegal Possession (Section 11):** Affirmed Noel's possession of 979.07 grams of shabu, as he was caught red-handed with illegal drugs in his bag without any legal authorization.
- Chain of Custody:** The Court found that the requirements of RA 10640 (amending RA 9165) were strictly followed. Proper marking, inventory, and photographing with required witnesses were done at the place of arrest, and the integrity and evidentiary value of the seized items were preserved.
- Denial of Rights:** The defense's allegation of wrongful arrest was dismissed due to the consistent and credible testimonies of the arresting officers and due to the presumption of the regular performance of official duties in the absence of ill motives.
- Penalty:** Modified the penalty by increasing the fine to P1,000,000.00 due to the large quantity of seized drugs.

**Doctrine:**

- Compliance with the chain of custody rule is essential to ensure the integrity of seized items.
- Section 21, RA 9165 (as amended by RA 10640) must be strictly followed during the seizure, inventory, and photographing of drugs, including having required witnesses.
- The presumption of regularity in the performance of official duties stands unless there's clear and convincing evidence to the contrary.

**Class Notes:**

- **Elements of Illegal Sale of Drugs (Section 5, RA 9165):**

- Identity of buyer, seller, object, and consideration.
- Delivery of the thing sold and the payment.

- **Elements of Illegal Possession of Drugs (Section 11, RA 9165):**

- Possession of a prohibited drug.
- Possession not authorized by law.
- Conscious possession of the drug.

- **Chain of Custody Steps:**

1. Seizure and marking by apprehending officers.
2. Turnover to investigating officer.
3. Turnover to forensic chemist.
4. Submission to the court.

- **Case Citations:** People v. De Guzman (establishes the proper chain of custody procedures), People v. Pasion (reinforces the presumption of regularity of police operations unless proven otherwise).

**Historical Background:**

The Comprehensive Dangerous Drugs Act of 2002 (RA 9165) was a legislative effort to combat the growing drug problem in the Philippines by imposing harsher penalties and stricter guidelines on drug-related law enforcement operations. This case illustrates the law's application in practical scenarios, emphasizing adherence to procedural steps to prevent abuse and ensure the integrity of evidence, which is critical given the severe penalties imposed under RA 9165.