

THIRD DIVISION

[G.R. Nos. 237106-07, June 10, 2019]

FLORENDO B. ARIAS, PETITIONER, VS. PEOPLE OF THE PHILIPPINES, RESPONDENT.

D E C I S I O N

PERALTA, J.:

This is to resolve the Petition^[1] for review on certiorari under Rule 45 of the Rules of Court, dated March 15, 2018, of petitioner Florendo B. Arias assailing the Sandiganbayan's Decision^[2] promulgated on November 10, 2016, finding him guilty beyond reasonable doubt of the crime of Estafa Thru Falsification of Official/Commercial Documents in Criminal Case No. 28100, and for Violation of Section 3(e) of Republic Act (R.A.) No. 3019, as amended, in Criminal Case No. 28253, and its Resolution^[3] issued on January 15, 2018, denying his Motion for Reconsideration.

Culled from documentary and testimonial evidence, the antecedents of this case are summarized by the Sandiganbayan, as follows:

During the period March to December 2001, or sometime subsequent thereto, reimbursements were claimed and paid by DPWH in an amount totaling millions of pesos covering 409 transactions purportedly for the emergency repairs of 39 DPWH service vehicles. Of the 409 transactions, 274 transactions were made in the name of accused Martinez for which the total sum of P5,166,539.00, not P6,368,364.00, were claimed and paid as reimbursements. The spare parts were purportedly supplied by J-CAP Motorshop, owned by accused Capuz, and DEB Repair Shop and Parts Supply owned by accused Dela Cruz. The transactions are covered by Disbursement Vouchers with supporting documents to justify the release of checks, pertinent details of which are as follows:

1) Mitsubishi L-200 with Plate No. TSC 482 purportedly underwent 44 emergency repairs and reimbursements for 2 of them were in the name of accused Martinez, to wit:

	DISBURSEMENT VOUCHER NO.	PAYEE	CHECK			SUPPLIER
			NO.	DATE	AMOUNT	
1	101-01-04-05261	Borje, M.	359433	4/10/01	22,170.00	DEB
2	101-01-04-01690	Borje, M.	359879	4/23/01	24,350.00	DEB
3	101-01-03-01687	Borje, M.	360306	5/2/01	20,200.00	DEB

4	101-01-03-01692	Borje, M.	360307	5/2/01	24,660.00	DEB
5	101-01-03-01688	Borje, M.	360323	5/2/01	24,990.00	DEB
6	101-01-06-10012	Borje, M.	380120	6/7/01	10,675.00	DEB
7	101-01-06-10397	Borje, M.	381059	6/28/01	8,580.00	DEB
8	101-01-06-10400	Borje, M.	381306	7/4/01	19,200.00	DEB
9	101-01-06-11050	Borje, M.	381326	7/4/01	22,580.00	DEB
10	101-01-07-12059	Borje, M.	381664	7/10/01	11,080.00	DEB
11	101-01-07-13313	Borje, M.	382465	7/25/01	6,560.00	DEB
12	101-01-07-13307	Borje, M.	382469	7/25/01	10,930.00	DEB
13	101-01-08-14639	Borje, M.	383426	8/14/01	3,750.00	DEB
14	101-01-08-15040	Borje, M.	383732	8/20/01	5,000.00	DEB
15	101-01-09-16371	Borje, M.	384492	9/4/01	7,060.00	DEB
16	101-01-11-22707	Valdez, C.	385615	12/3/01	24,450.00	GK & J
17	101-01-12-25096	Borje, M.	390386	12/21/01	8,160.00	DEB
18	102-01-02-01206	Borje, M.	1265854	2/26/01	24,556.00	DEB
19	102-01-02-12137	Borje, M[.]	1265847	2/28/01	22,050.00	DEB
20	102-01-01-00632	Borje, M.	1200464	2/15/01	23,120.00	DEB
21	102-01-01-00631	Borje, M.	1200468	2/15/01	21,900.00	DEB
22	102-01-02-12126	Borje, M.	1266081	3/12/01	24,640.00	DEB
23	102-01-02-12128	Borje, M.	1266083	3/12/01	19,800.00	DEB
24	102-01-02-12113	Borje, M.	1266086	3/12/01	13,800.00	DEB
25	102 01-02-121-	Borje, M.	1266093	3/12/01	24,900.00	DEB
26	102-01-03-01681	Borje, M.	1266218	3/20/01	20,450.00	DEB
27	102-01-03-02010	MARTINEZ, J.	1266301	3/23/01	10,900.00	DEB
28	102-01-03-02014	MARTINEZ, J.	1266304	3/23/01	16,580.00	DEB
29	102-01-07-05562	Borje, M.	1358964	7/17/01	9,100.00	DEB

30	102-01-08-08145	Borje, M.	1474242	9/10/01	18,190.00	DEB
31	102-01-09-08960	Borje, M.	1474974	9/26/01	22,400.00	DEB
32	102-01-09-08961	Borje, M.	1474991	9/26/01	19,600.00	DEB
33	102-01-09-09718	Borje, M.	1475050	9/28/01	1,500.00	DEB
34	102-01-09-09719	Borje, M.	1475058	9/28/01	6,540.00	DEB
35	102-01-10-10760	Borje, M.	1585982	10/23/01	5,680.00	DEB
36	102-01-11-11926	Valdez, C.	1586876	11/9/01	25,000.00	GK & J
37	102-01-11-12011	Valdez, C.	1587204	11/22/01	24,760.00	GK & J
38	102-01-11-12018	Valdez, C.	1587223	11/22/01	24,350.00	GK & J
39	102-01-12-13538	Valdez, C.	1587844	12/7/01	23,950.00	GK & J
40	102-01-12-13966	Valdez, C.	288164	12/20/01	24,400.00	GK & J
41	102-01-12-13969	Valdez, C.	288165	12/20/01	24,990.00	GK & J
42	102-01-12-14542	Valdez, C.	288307	12/21/01	24,500.00	GK & J
43	102-01-12----	Valdez, C.	288320	12/21/01	25,000.00	GK & J
44	102-01-12-13666	Borje, M.	288519	12/21/01	10,520.00	DEB
TOTAL 768,561.00						

2) Nissan Pathfinder with Plate No. PND-918 purportedly underwent 27 emergency repairs and reimbursements for 21 of them were in the name of accused Martinez, to wit:

	DISBURSEMENT VOUCHER NO.	PAYEE	CHECK			SUPPLIER
			NO.	DATE	AMOUNT	
1	101-01-11-21783	Umali, N	385035	11/22/01	24,340.00	J-Cap
2	101-01-11-21790	Umali, N.	385039	11/22/01	25,000.00	J-Cap
3	101-01-11-21786	Umali, N.	385064	11/22/01	24,850.00	J-Cap
4	101-01-12-25448	Umali, N.	390299	12/21/01	24,600.00	J-Cap
5	102-01-05-03626	Fernandez, D.	1267343	5/17/01	11,600.00	DEB
6	102-01-02-00742	MARTNEZ, J.	1267567	5/24/01	24,196.00	J-Cap
7	102-01-03-02308	MARTINEZ, J.	1267570	5/24/01	24,850.00	J-Cap

8	102-01-02-00741	MARTINEZ, J.	1267576	5/24/01	23,582.00	J-Cap
9	102-01-03-02301	MARTINEZ, J.	1267578	5/24/01	24,500.00	J-Cap
10	102-01-03-02293	MARTINEZ, J.	1267581	5/24/01	21,550.00	J-Cap
11	102-01-03-02306	MARTINEZ, J.	1267582	5/24/01	19,150.00	J-Cap
12	102-01-03-02294	MARTINEZ, J.	1267585	5/24/01	23,650.00	J-Cap
13	102-01-06-05416	MARTINEZ, J.	1358474	7/3/01	24,800.00	J-Cap
14	102-01-06-05411	MARTINEZ, J.	1358493	7/3/01	24,900.00	J-Cap
15	102-01-07-06395	MARTINEZ, J.	1359260	7/31/01	24,800.00	J-Cap
16	102-01-08-07648	MARTINEZ, J.	1360500	8/28/01	13,760.00	DEB
17	102-01-08-07651	MARTINEZ, J.	1473651	8/28/01	20,650.00	DEB
18	102-01-08-07650	MARTINEZ, J.	1473653	8/28/01	13,230.00	DEB
19	102-01-09-08291	MARTINEZ, J.	1473958	9/4/01	24,800.00	J-Cap
20	102-01-08-08089	MARTINEZ, J.	1473965	9/4/01	24,900.00	J-Cap
21	102-01-09-08671	MARTINEZ, J.	1474370	9/13/01	25,000.00	J-Cap
22	102-01-09-08680	MARTINEZ, J.	1474381	9/13/01	25,000.00	J-Cap
23	102-01-10-11322	MARTINEZ, J.	1586723	11/5/01	24,000.00	J-Cap
24	102-01-11-12122	MARTINEZ, J.	1587500	11/27/01	23,120.00	DEB
25	102-01-12-14437	MARTINEZ, J.	288358	12/21/01	24,800.00	J-Cap
26	101-01-12-25446	Umali, N.	340192	03/12/02	24,150.00	J-Cap
27	101-01-12-24449	Umali, N.	340218	03/12/02	24,700.00	J-Cap
GRAND TOTAL						614,478.00

3) Nissan Pick-Up with Plate No. PLH-256 purportedly underwent 30 emergency repairs and reimbursements for 20 of them were made in the name of accused Martinez, to wit:

	DISBURSEMENT VOUCHER NO.	PAYEE	CHECK			SUPPLIER
			NO.	DATE	AMOUNT	
1	102-00-12-31221	P. Badere	1199738	01/12/01	1,640.00	DEB

2	102-01-01-00218	P. Badere	1200449	02/15/01	1,500.00	DEB
3	102-01-02-01198	P. Badere	1265963	03/07/01	22,240.00	DEB
4	102-01-03-01663	P. Badere	1266207	03/19/01	24,980.00	DEB
5	102-01-03-02011	P. Badere	1266302	03/23/01	24,215.00	DEB
6	102-00-11-354201	P. Badere	333203	04/19/01	1,350.00	DEB
7	102-01-05-03683	P. Badere	1267320	05/17/01	9,200.00	DEB
8	102-01-05-03901	M. Borje	1267548	05/24/01	3,960.00	DEB
9	102-01-03-02299	J. MARTINEZ	1267571	05/24/01	23,100.00	J-CAP
10	102-01-03-02290	J. MARTINEZ	1267583	05/24/01	21,450.00	J-CAP
11	102-01-07-06388	J. MARTINEZ	1359433	08/02/01	24,800.00	J-CAP
12	102-01-07-06547	J. MARTINEZ	1359440	08/02/01	22,450.00	J-CAP
13	102-01-09-08731	J. MARTINEZ	1474365	09/12/01	8,730.00	DEB
14	102-01-10-11169	M. Borje	1586453	10/29/01	14,650.00	DEB
15	102-01-10-11301	J. MARTINEZ	1586662	11/05/01	23,200.00	J-CAP
16	102-01-10-11305	J. MARTINEZ	1586728	11/05/01	24,800.00	J-CAP
17	102-01-11-12134	J. MARTINEZ	1587271	11/22/01	4,070.00	DEB
18	102-01-11-12101	P. Badere	1587272	11/22/01	16,190.00	DEB
19	102-01-11-12129	J. MARTINEZ	1587286	11/22/01	3,500.00	DEB
20	102-01-11-12124	J. MARTINEZ	1587332	11/22/01	2,400.00	DEB
21	102-01-11-13366	J. MARTINEZ	1588063	12/01/01	23,650.00	J-CAP
22	102-01-12-13690	J. MARTINEZ	288197	12/20/01	24,800.00	DEB
23	102-01-12-13687	J. MARTINEZ	288207	12/20/01	19,160.00	DEB
24	102-01-12-13686	J. MARTINEZ	288208	12/20/01	24,980.00	DEB
25	102-01-12-13689	J. MARTINEZ	288210	12/20/01	13,055.00	DEB
26	102-01-11-13376	J. MARTINEZ	288578	12/21/01	24,550.00	J-CAP
27	102-01-12-14781	J. MARTINEZ	288763	12/21/01	24,900.00	DEB