



SUPREME COURT OF THE PHILIPPINES  
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**Republic of the Philippines**  
**Supreme Court**  
**Manila**

**THIRD DIVISION**

**PEOPLE OF THE PHILIPPINES,**     **G.R. No. 228880**  
 Plaintiff-Appellee,

Present:

-versus-

PERALTA, *J.*, Chairperson,  
 LEONEN,  
 REYES, A., JR.,  
 HERNANDO, and  
 CARANDANG,\* *JJ.*

**LINA ACHIENG NOAH,**  
 Accused-Appellant.

**Promulgated:**  
**March 6, 2019**

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**DECISION**

**LEONEN, *J.*:**

This resolves an appeal from the Court of Appeals July 29, 2016 Decision<sup>1</sup> in CA-G.R. CR HC No. 07006, affirming the conviction of accused-appellant Lina Achieng Noah (Noah) for violating Article II, Section 5 of Republic Act No. 9165, or the Comprehensive Dangerous Drugs Act of 2002, for the illegal transportation of dangerous drugs.

On April 16, 2012, an Information was filed charging Noah with violation of Article II, Section 5 of Republic Act No. 9165.<sup>2</sup> It read in part:

\* Designated additional Member per Special Order No. 2624 dated November 28, 2018.

<sup>1</sup> *Rollo*, pp. 2–19. The Decision was penned by Associate Justice Renato C. Francisco, and concurred in by Associate Justices Apolinario D. Bruselas, Jr. and Danton Q. Bueser of the Fourteenth Division, Court of Appeals, Manila.

<sup>2</sup> *Id.* at 3.

*l*

That on or about the 24<sup>th</sup> day of February 2012, in Pasay City, Metro Manila, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, without authority of law, did then and there willfully, unlawfully and feloniously transport and bring to the Philippines a total of 5,941.9 grams of Methamphetamine Hydrochloride.

CONTRARY TO LAW.<sup>3</sup>

On her arraignment last March 28, 2012, Noah pleaded not guilty to the crime charged. On July 25, 2012, pre-trial was conducted and, afterwards, trial on the merits ensued.<sup>4</sup>

Customs Examiner Marius Landicho (Landicho) testified that at around 5:23 p.m. on February 24, 2012 at the Ninoy Aquino International Airport Terminal 1, Noah, a Kenyan national who arrived from Kenya via Dubai, approached Lane Number Five (5) of the Customs Arrival Area. He asked her to present her passport and Baggage Declaration.<sup>5</sup>

Landicho then asked her to open her luggage: a black trolley bag, which was three (3) feet tall and less than two (2) feet wide.<sup>6</sup> In it was a smaller bag described as a laptop bag.<sup>7</sup> Upon inspection, Landicho noticed that while the smaller bag was empty, its flap was hard and thick and its sidings were suspiciously padded and had tampered stitches. Noting that it was odd for such a bag to be hard,<sup>8</sup> Landicho asked Noah to follow him to the exclusion room for further examination of her luggage.<sup>9</sup>

In the exclusion room, Landicho examined the bag before: (1) Noah; (2) three (3) airport employees; (3) Bureau of Customs Narcotics Group; (4) agents of the Philippine Drug Enforcement Agency; and (5) other government officers.<sup>10</sup> The inspection revealed seven (7) rectangular packages, wrapped in vacuum-sealed aluminum foil, on which Landicho affixed his initials and signature.

Landicho then prepared an Inventory Report as witnessed by: (1) officers of the Customs Task Force on Dangerous Drugs; (2) Anti-Narcotics Group; (3) Prosecutor Dolores Rillera (Prosecutor Rillera); (4) Julie Fabroa (Fabroa), the airport's media representative; and (5) Barangay Councilor Mel Anthony Bajada (Barangay Councilor Bajada).<sup>11</sup> Landicho then turned

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<sup>3</sup> CA *rollo*, p. 134.

<sup>4</sup> Id.

<sup>5</sup> Id. at 86, RTC Decision, and 134.

<sup>6</sup> Id.

<sup>7</sup> Id. at 134.

<sup>8</sup> Id. at 86.

<sup>9</sup> Id. at 135.

<sup>10</sup> Id. at 87 and 135.

<sup>11</sup> Id.

over the Inventory Report, along with Noah's personal belongings, to the Philippine Drug Enforcement Agency and Customs Task Force.<sup>12</sup>

Special Agent I Alejandro R. Noble (Special Agent I Noble), a Customs officer, testified that he went to the arrival area of the Ninoy Aquino International Airport Terminal 1 for an anti-illegal drug operation. There, he saw Noah show Landicho her Customs Declaration and luggage. He added that Noah had been invited to the exclusion room for further examination and interrogation.<sup>13</sup>

In Noah's presence, Special Agent I Noble and Landicho inspected the luggage and found hidden compartments. Inside were compressed foil packs containing white crystalline substance.<sup>14</sup> Upon testing samples using Marquis Reagent No. 2, the white crystalline substance yielded positive for methamphetamine hydrochloride or shabu. Special Agent I Noble added that before Noah's arrest, he asked her if she could understand English. When she said yes, he apprised her of her Miranda rights.<sup>15</sup>

Corroborating Landicho's account, Special Agent I Noble further testified that they conducted an inventory of the seized items in the presence of Noah, an elective official, Prosecutor Rillera, and Fabroa. In addition, pictures showing Noah with Landicho and other witnesses were taken during the field-testing, marking, and inventory.<sup>16</sup>

Agent Adrian Fajardo (Agent Fajardo), a member of the Philippine Drug Enforcement Agency Special Enforcement Service, testified that he brought the seized items to Forensic Chemist Ariane Arcos (Forensic Chemist Arcos) for proper documentation and laboratory examinations. The test results showed that the seized items contained shabu, with a confirmatory test yielding the same outcome.<sup>17</sup>

In her defense, Noah denied transporting the illegal drugs, claiming that she went to the Philippines for a job opportunity. She added that the luggage was only given to her while she was in her recruiter's office in Cameroon,<sup>18</sup> Central Africa. She allegedly met an unidentified man who, while discussing her travel details, also offered the black trolley bag after commenting that her bag was soiled. He also supposedly helped her transfer all her things from her old bag to the new luggage.<sup>19</sup>

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<sup>12</sup> Id. at 135.

<sup>13</sup> Id. at 88 and 135.

<sup>14</sup> Id. at 135-136.

<sup>15</sup> Id. at 88 and 136. Marquis reagent was misspelled as "marquee reagent" in the RTC Decision.

<sup>16</sup> Id. at 88.

<sup>17</sup> Id. at 89-90 and 136.

<sup>18</sup> Cameroon was misspelled as "Cameroun" in the *rollo*.

<sup>19</sup> CA *rollo*, pp. 136-137.

In its January 16, 2014 Decision,<sup>20</sup> the Regional Trial Court found Noah guilty beyond reasonable doubt of the crime charged. It held that the warrantless search and arrest of Noah was “lawful, valid, and effective”<sup>21</sup> because searches done in airport premises fell under consented searches. It found that Noah had known she was in possession of illegal drugs considering that *animus possidendi* is presumed. Moreover, the trial court ruled that the presumption of regularity of duty on the airline personnel’s placing of the bag tags at the airport of origin established that Noah was the real owner of the luggage. It ruled that there was compliance with Article II, Section 21 of Republic Act No. 9165.<sup>22</sup>

The dispositive portion of the Judgment read:

**WHEREFORE**, premises considered, the prosecution, having discharged its bounden duty to prove the guilt of the accused beyond reasonable doubt, the accused, **LINA ACHIENG NOAH**, is hereby found guilty of the offense charged in the Information and is hereby sentenced to suffer a penalty of life imprisonment and to pay a fine of **FIVE HUNDRED THOUSAND PESOS (P500,000.00)**.

The Branch Officer-in-Charge is hereby directed to coordinate with, and transmit to the PDEA, the representative samples previously extracted from the confiscated specimens for its proper disposition.

Furnish the Legal and Prosecution Service of the PDEA, the prosecutor, the accused and her counsel, copies of this decision.<sup>23</sup> (Emphasis in the original)

On March 11, 2015, Noah filed an Appeal<sup>24</sup> before the Court of Appeals.

In its July 29, 2016 Decision,<sup>25</sup> the Court of Appeals denied the Appeal and affirmed Noah’s conviction:

**WHEREFORE**, premises considered, the appeal is **DENIED**. The Decision dated 16 January 2014 of Branch 116, Regional Trial Court of Pasay City in Criminal Case No. R-PSY-12-04855-CR is **AFFIRMED**.

**SO ORDERED.**<sup>26</sup> (Emphasis in the original)

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<sup>20</sup> Id. at 85–106. The Decision was penned by Judge Racquelen Abary-Vasquez of Branch 116, Regional Trial Court, Pasay City.

<sup>21</sup> Id. at 96.

<sup>22</sup> Id. at 95–105.

<sup>23</sup> Id. at 105–106.

<sup>24</sup> Id. at 55–84.

<sup>25</sup> *Rollo*, pp. 2–19.

<sup>26</sup> *CA rollo*, pp. 149–150.

The Court of Appeals held that Noah's act of transporting the seized shabu to the Philippines fell under Section 5 of the Comprehensive Dangerous Drugs Act. Moreover, since her act was *malum prohibitum*, its mere commission constituted the offense.<sup>27</sup> It rendered the search valid despite being warrantless, ruling that the operation was a customs search.<sup>28</sup> Further, it agreed with the trial court that the integrity and evidentiary value of the seized drugs were properly preserved.<sup>29</sup>

On August 31, 2016, Noah filed her Notice of Appeal.<sup>30</sup> Subsequently, the records of the case were elevated to this Court for review.

In its February 22, 2017 Resolution,<sup>31</sup> this Court noted the records forwarded by the Courts of Appeal and notified the parties to submit their respective supplemental briefs.

On April 24, 2017, the Office of the Solicitor General, on behalf of the People of the Philippines, filed a Manifestation,<sup>32</sup> stating that it would no longer file a supplemental brief.

On April 26, 2017, accused-appellant filed her Supplemental Brief.<sup>33</sup> She stresses that the chain of custody in handling the evidence against her had gaps, which raise serious doubts on the authenticity of the seized shabu. She argues that the integrity and evidentiary value of the packages recovered from her were not preserved.<sup>34</sup> While Landicho testified to marking the seized items, she points out that the records show that the marking was neither immediately made upon seizure nor was it made in her presence.<sup>35</sup>

Accused-appellant concedes that compliance with Section 21(a) of the Comprehensive Dangerous Drugs Act's Implementing Rules and Regulations may be relaxed if the State can explain reasonable lapses in its handling of evidence. Here, however, the prosecution neither recognized any lapse in the disposition of the seized items nor offered any explanation for such lapse. Hence, she argues that the guidelines under Section 21(a) cannot be relaxed,<sup>36</sup> and that this broken chain of custody is enough to raise reasonable doubt on her guilt.

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<sup>27</sup> Id. at 140–141.

<sup>28</sup> Id. at 144–145.

<sup>29</sup> Id. at 147.

<sup>30</sup> Id. at 160–162.

<sup>31</sup> *Rollo*, pp. 25–26.

<sup>32</sup> Id. at 27–31.

<sup>33</sup> Id. at 32–38.

<sup>34</sup> Id. at 32–33.

<sup>35</sup> Id.

<sup>36</sup> Id. at 34.

For its part, the Office of the Solicitor General counters that the prosecution sufficiently proved the identity and integrity of the items seized from accused-appellant. It points out that based on the records, the chain of custody was followed: packs of aluminum foil were found when her luggage was examined in the presence of airport employees, Customs staff, and media representatives. These were documented in the Inventory Report signed by the witnesses, and later turned over to the Philippine Drug Enforcement Agency and Customs Task Force. The Philippine Drug Enforcement Agency sent the seized items to Forensic Chemist Arcos for examination and, finally, to the trial court for identification and presentation.<sup>37</sup>

The Office of the Solicitor General notes that even if Section 21 of the Comprehensive Dangerous Drugs Act had not been complied with, it is not fatal as long as the integrity and evidentiary value of the confiscated items were preserved. It claims that the sachets of shabu were marked, identified, offered, and admitted in evidence properly.<sup>38</sup>

The principal issue for this Court's resolution is whether or not accused-appellant Lina Achieng Noah's guilt for violation of Section 5 of the Comprehensive Dangerous Drugs Act was proven beyond reasonable doubt. Subsumed here is the issue of whether or not the prosecution established the unbroken chain of custody of the drug seized from accused-appellant.

The Appeal must be dismissed.

To sustain a conviction for the crime of illegal transportation of dangerous drugs, the transportation<sup>39</sup> and the identity and integrity of the seized drugs must be proven beyond reasonable doubt.<sup>40</sup>

The illegal transportation of dangerous drugs is punished under Section 5 of the Comprehensive Dangerous Drugs Act:

SECTION 5. *Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.* — The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be

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<sup>37</sup> CA rollo, p. 124.

<sup>38</sup> Id. at 124–125.

<sup>39</sup> *People v. Dimaano*, 780 Phil. 586, 603 [Per J. Leonen, Second Division] citing *People v. Laba*, 702 Phil. 301 (2013) [Per J. Perlas-Bernabe, Second Division].

<sup>40</sup> Id. citing *People v. Guzon*, 719 Phil. 441 (2013) [Per J. Reyes, First Division].

imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any dangerous drug, including any and all species of opium poppy regardless of the quantity and purity involved, or shall act as a broker in any of such transactions.

The essential element for the crime of illegal transportation of dangerous drugs is the movement of the dangerous drug from one (1) place to another.<sup>41</sup> To establish the accused's guilt, it must be proven that: (1) the transportation of illegal drugs was committed; and (2) the prohibited drug exists.<sup>42</sup>

Proof of ownership of the dangerous drugs seized is immaterial. What is important is that the prosecution prove the act of transporting as well as the identity and integrity of the seized drugs.<sup>43</sup>

This is because the confiscated drug is the *corpus delicti* of the crime.<sup>44</sup> Since it is not readily identifiable by sight or touch and may be easily tampered with, its preservation is paramount.<sup>45</sup> The chain of custody ensures that there would be no unnecessary doubts concerning the identity of the evidence.<sup>46</sup>

Chain of custody is the duly recorded authorized movements and custody of seized items at each stage, from seizure to receipt in the forensic laboratory to safekeeping to presentation in court for destruction. Such record of movements and custody of seized items shall include the identity and signature of the person who held temporary custody of the seized item, the date and time when such transfer of custody were made in the course of safekeeping and used in court as evidence, and the final disposition.<sup>47</sup>

In *Mallillin v. People*:<sup>48</sup>

As a method of authenticating evidence, the chain of custody rule requires that the admission of an exhibit be preceded by evidence sufficient to support a finding that the matter in question is what the proponent claims it to be. It would include testimony about every link in the chain, from the moment the item was picked up to the time it is offered into evidence, in such a way that every person who touched the exhibit

<sup>41</sup> *People v. Asislo*, 778 Phil. 509 (2016) [Per J. Peralta, Third Division].

<sup>42</sup> *People v. Watamama*, 692 Phil. 102, 106 (2012) [Per J. Villarama, Jr., First Division].

<sup>43</sup> *People v. Mariacos*, 635 Phil. 315 (2010) [Per J. Nachura, Second Division].

<sup>44</sup> *People v. Casacop*, 755 Phil. 265, 276 (2015) [Per J. Leonen, Second Division].

<sup>45</sup> *People v. Guzon*, 719 Phil. 441 (2013) [Per J. Reyes, First Division].

<sup>46</sup> *People v. Ismael*, 806 Phil. 21, 29 (2017) [Per J. Del Castillo, First Division] citing *Fajardo v. People*, 691 Phil. 752 (2012) [Per J. Perez, Second Division].

<sup>47</sup> Dangerous Drugs Board Regulation No. 1, (2002), sec. 1(b).

<sup>48</sup> 576 Phil. 576 (2008) [Per J. Tinga, Second Division].

would describe how and from whom it was received, where it was and what happened to it while in the witness' possession, the condition in which it was received and the condition in which it was delivered to the next link in the chain. These witnesses would then describe the precautions taken to ensure that there had been no change in the condition of the item and no opportunity for someone not in the chain to have possession of the same.

While testimony about a perfect chain is not always the standard because it is almost always impossible to obtain, an unbroken chain of custody becomes indispensable and essential when the item of real evidence is not distinctive and is not readily identifiable, or when its condition at the time of testing or trial is critical, or when a witness has failed to observe its uniqueness. The same standard likewise obtains in case the evidence is susceptible to alteration, tampering, contamination and even substitution and exchange. In other words, the exhibit's level of susceptibility to fungibility, alteration or tampering — without regard to whether the same is advertent or otherwise not — dictates the level of strictness in the application of the chain of custody rule.<sup>49</sup> (Citations omitted)

Section 21 of the Comprehensive Dangerous Drugs Act, as amended by Republic Act No. 10640, provides the standard for the custody and disposition of confiscated, seized, and/or surrendered drugs and/or drug paraphernalia, spelling out the requirements for custody prior to the filing of a criminal case:

*SECTION 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 dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia and/or laboratory equipment shall, immediately after seizure and confiscation, conduct a physical inventory of the seized items and photograph the same in the presence of the accused or the persons from whom such items were confiscated and/or seized, or his/her representative or counsel, with an elected public official and a representative of the National Prosecution Service or the media 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 is 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, finally, That noncompliance of these

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<sup>49</sup> Id. at 587–589.



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 and custody over said items.

(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 by the forensic laboratory examiner, shall be issued immediately upon the receipt of the subject item/s: Provided, That when the volume of 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 immediately upon completion of the said examination and certification.<sup>50</sup>

Compliance with the chain of custody requirements under Section 21 ensures the integrity of the seized items. In contrast, noncompliance tarnishes the credibility of the *corpus delicti*, on which prosecutions under the Comprehensive Dangerous Drugs Act are based.<sup>51</sup>

In *People v. Nandi*,<sup>52</sup> the four (4) links in the chain of custody are established:

Thus, the following links should be established in the chain of custody of the confiscated item: *first, the seizure and marking*, if practicable, of the illegal drug recovered from the accused by the apprehending officer; *second*, the turnover of the illegal drug seized by the apprehending officer *to the investigating officer*; *third*, the turnover by the investigating officer of the illegal drug to the forensic chemist *for laboratory examination*; and *fourth, the turnover and submission* of the marked illegal drug seized from the forensic chemist *to the court*.<sup>53</sup> (Emphasis supplied, citation omitted)

<sup>50</sup> Rep. Act No. 9165 (2002), secs. 21(1), (2), and (3).

<sup>51</sup> *People v. Que*, G.R. No. 212994, January 31, 2018, <<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2018/january2018/212994.pdf>> [Per J. Leonen, Third Division].

<sup>52</sup> 639 Phil. 134 (2010) [Per J. Mendoza, Second Division].

<sup>53</sup> *Id.* at 144–145.

When the identity of *corpus delicti* is compromised by noncompliance with Section 21, critical elements of the offense of illegal transportation of dangerous drugs are not proven. This warrants an accused's acquittal.<sup>54</sup>

Here, the prosecution proved beyond reasonable doubt that accused-appellant was indeed transporting the illegal drugs. Although she had initially denied ownership of the luggage and illegal drugs found, accused-appellant's claim is disputed by the evidence on record.

In the ordinary course of business, check-in officers attach airline bag tags to the owner's check-in luggage at the airport of origin. As appreciated by both the trial court and the Court of Appeals, the luggage had a bag tag attached to its handle clearly bearing the name "Lina Achieng Noah." Accused-appellant exercised control and took possession of the luggage and its corresponding claim stub. It must be stressed that the act of transporting illegal drugs is a *malum prohibitum*. Consequently, proof of ownership and intent are not essential elements of the crime.<sup>55</sup>

Accused-appellant was apprehended inside the airport upon her arrival from Ethiopia to Manila via Dubai. Shabu was found in her possession, contained in seven (7) packs of vacuum-sealed aluminum foil and concealed in a laptop bag inside her luggage. This satisfies the elements of the crime because she was found transporting illegal drugs to the Philippines.

The chain of custody was also established by the prosecution.

The four links of chain of custody of evidence were proven: (1) Landicho seized and marked the shabu obtained from accused-appellant; (2) he turned them over to Agent Fajardo; (3) Agent Fajardo delivered them to Forensic Chemist Arcos; and (4) from the Philippine Drug Enforcement Agency, the drugs were presented in court.

The Court of Appeals summarized the sequence of events showing that the shabu seized from accused-appellant was the very same shabu tested and later identified in court:

1. Suspicious of the unusually sewed bag of appellant, Landicho asked her to follow him at the exclusion room for further examination of her luggage;

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<sup>54</sup> *People v. Que*, G.R. No. 212994, January 31, 2018, <<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2018/january2018/212994.pdf>> [Per J. Leonen, Third Division].

<sup>55</sup> *People v. Del Mundo*, 418 Phil. 740 (2001) [Per J. Ynares-Santiago, First Division].

2. While inside the exclusion room, Landicho further examined the bag in the presence of appellant, Teresita Roque (Deputy Collector for Passenger Services), Roxanne Antonio (Supervisor), Nelson Lavilles (Warehouseman), other Customs staff and some media men;
3. *Upon discovery of the packages of shabu, Landicho affixed his initials "MRL", signature and date thereon;*
4. After marking, Landicho prepared the Inventory Report dated 24 February 2012. This was witnessed by the representatives of Customs Task Force on Dangerous Drugs, Narcotics Group and the Department of Justice;
5. Landicho turned over the Inventory Report together with appellant's personal belongings to the PDEA and Customs Task Force[;]
6. SA Noble then asked appellant if she can understand English, to which she replied in positive. He apprised appellant of her constitutional rights and thereafter effected arrest;
7. Agent Fajardo of PDEA turned over the luggage and bag to Forensic Chemist Ariane Arcos;
8. After proper documentation, Arcos conducted physical and chemical examinations;
9. Arcos then prepared Chemistry Report No. PDEA-DD012-067 dated 25 February 2012;
10. When the specimen subject of her examination was brought to court, Arcos identified it to be the same sample she took; and
11. Landicho positively identified it to be the one seized from appellant.<sup>56</sup> (Emphasis supplied, citations omitted)

This Court is convinced that the apprehending officers have complied with the requirements under Section 21. Based on the records, there was an unbroken chain of custody of the seized shabu from the time of its discovery up to its presentation in court. The prosecution established that in the exclusion room, Landicho continued inspecting the luggage before airport officers, government agents, and accused-appellant herself. There were even pictures showing that accused-appellant was present during the field test, marking, and inventory of the seized items.

Contrary to accused-appellant's claim, Landicho properly marked the seized shabu. Both the Court of Appeals and the trial court found that the Inventory Report had confirmed that members of the Customs Task Force, Anti-Narcotics Group, Fabroa, Barangay Councilor Bajada, and Prosecutor Rillera witnessed the marking and inventory proceedings.<sup>57</sup> The testimonies of Landicho, Special Agent I Noble, and Agent Fajardo corroborated the contents of the Inventory Report. Against all these, accused-appellant cannot possibly claim the opposite.

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<sup>56</sup> CA *rollo*, pp. 148–149. In item no. 4, the Court of Appeals left out Julie Fabroa, the airport's media representative, and Barangay Councilor Mel Anthony Bajada.

<sup>57</sup> Id. at 148.

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Clearly, there were no lapses in the disposition and handling of the seized shabu to even prompt the relaxation of the procedure under Section 21. The prosecution complied with the standard in handling the evidence and in establishing the chain of custody. Indeed, it proved beyond reasonable doubt that accused-appellant is guilty of illegally transporting 5,941.9 grams of shabu as penalized under Section 5 of the Comprehensive Dangerous Drugs Act.


**WHEREFORE**, the Appeal is **DISMISSED**. The Court of Appeals July 29, 2016 Decision in CA-G.R. CR HC No. 07006 is **AFFIRMED**.


**SO ORDERED.**

  
MARVIC M.V.F. LEONEN  
Associate Justice

WE CONCUR:

  
DIOSDADO M. PERALTA  
Associate Justice  
Chairperson

  
ANDRES B. REYES, JR.  
Associate Justice

  
RAMON PAUL L. HERNANDO  
Associate Justice

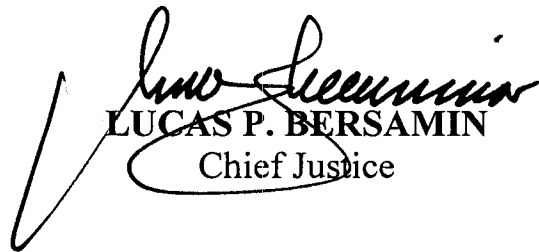
  
ROSMARI D. CARANDANG  
Associate Justice

**ATTESTATION**

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

**DIOSDADO M. PERALTA**Associate Justice  
Chairperson**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.

**LUCAS P. BERSAMIN**

Chief Justice