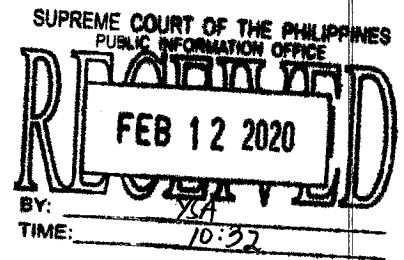




REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila



SECOND DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **22 January 2020** which reads as follows:

“G.R. No. 246443 (*Raymund Monton y Dolores v. People of the Philippines*). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the June 14, 2018 Decision² and the February 6, 2019 Resolution³ of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 09231 for failure of petitioner Raymund Monton y Dolores (petitioner) to sufficiently show that the CA committed any reversible error in affirming his conviction⁴ for the crimes of Illegal Sale of Dangerous Drugs and Illegal Possession of Dangerous Drugs, defined and penalized under Sections 5 and 11, Article II of Republic Act No. (RA) 9165,⁵ otherwise known as the “Comprehensive Dangerous Drugs Act of 2002.”

As correctly ruled by the CA, the prosecution was able to establish the elements for both crimes.⁶ For Illegal Sale of Dangerous Drugs, the prosecution was able to: (a) show that the buy-bust operation took place; (b) present the *shabu* subject of the transaction; and (c) identify petitioner as the seller thereof.⁷ Likewise, during the succeeding search on his person, the arresting officers confiscated more than fifty (50) grams of *shabu*, which petitioner had no authority to possess.⁸ For both crimes, the chain of custody was properly observed, as Police Officer 3 Elvis Yaris was in sole custody of the seized items from the time of confiscation until they were received in the crime laboratory for examination.⁹

¹ *Rollo*, pp. 10-36.

² *Id.* at 42-52. Penned by Presiding Justice and Chairperson Romeo F. Barza (retired) with Associate Justices Stephen C. Cruz and Carmelita Salandanan Manahan, concurring.

³ *Id.* at 54-56.

⁴ Not attached to the *rollo*.

⁵ Entitled “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,” approved on June 7, 2002.

⁶ See *rollo*, p. 48.

⁷ See *id.*

⁸ See *id.* at 48-49.

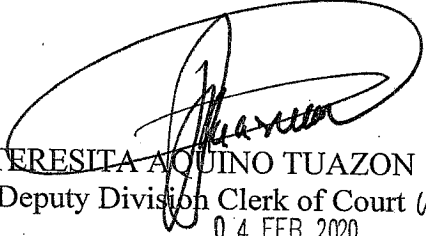
⁹ See *id.* at 49.

10/10

Finally, there was compliance with the requirements under Section 21¹⁰ of RA 9165; hence, petitioner's conviction must be upheld.

SO ORDERED. (Reyes, A., Jr. and Hernando, JJ., on official leave.)”

Very truly yours,


TERESITA AQUINO TUAZON
Deputy Division Clerk of Court *uth: 2/4*
04 FEB 2020

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(Crim. Case Nos. 11075 & 11076)

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GR246443. 1/22/2020(129)URES

¹⁰ See Section 21 of RA 9165.