



Republic of the Philippines
Supreme Court
Manila

SECOND DIVISION

PEOPLE OF THE PHILIPPINES,
Plaintiff-Appellee,

G.R. No. 185719

Present:

- versus -

MARCELINO COLLADO y
CUNANAN, MYRA COLLADO y
SENICA, MARK CIPRIANO y
ROCERO, SAMUEL SHERWIN
LATARIO y ENRIQUE,* and
REYNALDO RANADA y ALAS,**
Accused-Appellants.

CARPIO, Chairperson,
BRION,
DEL CASTILLO,
PEREZ, and
PERLAS-BERNABE, JJ.

Promulgated:
JUN 17 2013

X ----- X

DECISION

DEL CASTILLO, J.:

Mere allegations and self-serving statements will not overcome the presumption of regularity in the performance of official duties accorded to police officers. There must be a showing of clear and convincing evidence to successfully rebut this presumption.

On appeal is the February 28, 2008 Decision¹ of the Court of Appeals (CA) in CA-G.R. CR-H.C. No. 02626 which affirmed with modification the December 7, 2005 Decision² of the Regional Trial Court (RTC) of Pasig City, Branch 154 in Criminal Case Nos. 13781-D, 13783-D and 13784-D. The RTC convicted the appellants and several other accused for violations of Republic Act (RA) No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, and imposed upon them the penalty of imprisonment and payment of fine in each of their respective cases.

* Also referred to as Samuel Sherwin Latorio y Enriquez in some parts of the records.


** Also referred to as Reynaldo Rañada y Alas in some parts of the records.

¹ CA rollo, pp. 181-207; penned by Associate Justice Magdangal M. De Leon and concurred in by Associate Justices Rebecca De Guia-Salvador and Ricardo R. Rosario.

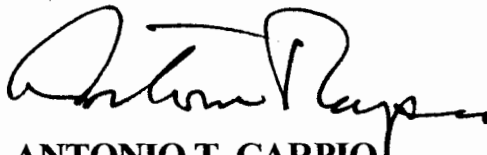
² Records, pp 201-213; penned by Judge Abraham B. Borreta.

Angelo Sumulong, and Jay Madarang are hereby **ACQUITTED** of the crime of violation of Section 14, Article II of Republic Act No. 9165. They are ordered released unless they are being lawfully held for some other cause.

SO ORDERED.



MARIANO C. DEL CASTILLO
Associate Justice

WE CONCUR:


ANTONIO T. CARPIO
Associate Justice
Chairperson

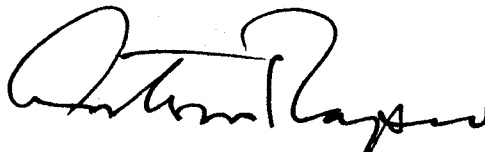

ARTURO D. BRION
Associate Justice


JOSE PORTUGAL PEREZ
Associate Justice


ESTELA M. PERLAS-BERNABE
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.

**ANTONIO T. CARPIO***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.

**MARIA LOURDES P. A. SERENO***Chief Justice*