

EN BANC

[G.R. NOS. 157236-45, November 16, 2006]

**ROMEO D. LONZANIDA, PETITIONER, VS. THE HON.
SANDIGANBAYAN, (FOURTH DIVISION), RESPONDENT.**

RESOLUTION

CARPIO, J.:

This is a petition for the writs of certiorari and prohibition^[1] petitioner Romeo D. Lonzanida ("petitioner") filed to set aside the Resolution^[2] dated 21 January 2003 ("21 January 2003 Resolution") of respondent Sandiganbayan rendered in connection with falsification cases filed against petitioner.

In 1988, the Office of the Special Prosecutor ("OSP") charged petitioner^[3] in the Sandiganbayan with 10 counts of Falsification of Public Document.^[4] Petitioner pleaded "not guilty" to the charges and trial ensued. On 20 October 2000, the Sandiganbayan rendered judgment finding petitioner guilty as charged and sentenced him accordingly.^[5] Petitioner sought reconsideration. However, before the Sandiganbayan could rule on his motion, petitioner moved that his motion for reconsideration be treated as a motion for new trial based on newly discovered evidence petitioner subsequently offered. The Sandiganbayan separately denied both motions. Petitioner sought reconsideration of the denial of his motion for new trial. The Sandiganbayan granted petitioner's motion "in the supreme interest of justice" and conducted hearings to receive the testimonies of petitioner's witnesses.^[6] Afterwards, the Sandiganbayan required the parties to submit their memoranda and scheduled the promulgation of judgment on 2 December 2002, later moved to 3 March 2003.

However, instead of promulgating a new judgment, the Sandiganbayan issued the 21 January 2003 Resolution declaring its Decision of 20 October 2000 "final" and ordering petitioner's arrest.^[7] Petitioner and the OSP filed motions seeking clarification of the ruling, with the OSP manifesting that the Sandiganbayan should render a new judgment, taking into account the evidence presented during the new trial. After hearing the motions, the Sandiganbayan considered the same submitted for resolution. Meanwhile, the Sandiganbayan cancelled the 3 March 2003 promulgation of judgment until "further directives/instructions x x x."^[8]

On 10 March 2003, petitioner filed this petition to set aside the 21 January 2003 Resolution. Petitioner also prayed for an injunctive order to enjoin the Sandiganbayan from implementing such Resolution. We issued an injunctive order and required the Sandiganbayan to Comment on the petition.

In its Comment, the Sandiganbayan manifested that it had already prepared the draft of the new Decision. On 25 July 2003, the Sandiganbayan promulgated such