



Republic of the Philippines
Supreme Court
Manila

EN BANC

JESSICA LUCILYA G. REYES,
Petitioner,

G.R. No. 232323


12/11/25

—versus—

THE HONORABLE
SANDIGANBAYAN THIRD
DIVISION AND THE PEOPLE
OF THE PHILIPPINES,
Respondents.

X-----X

JESSICA LUCILYA G. REYES,
Petitioner,

G.R. No. 243411

Present:

—versus—

THE HONORABLE
SANDIGANBAYAN THIRD
DIVISION AND THE PEOPLE
OF THE PHILIPPINES,
Respondents.

GESMUNDO, C.J.,*
LEONEN, SAJ,
CAGUIOA,*
HERNANDO,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ, M.,
GAERLAN,
ROSARIO,
LOPEZ, J.,
DIMAAMPAO,
MARQUEZ,
KHO, JR., and
SINGH, JJ.**

Promulgated:

February 4, 2025

X-----X



* No part.
** On leave.

DECISION

M. LOPEZ, J.:

A judgment of acquittal is final, unappealable, and immediately executory upon its promulgation. The fundamental philosophy highlighting the finality of an acquittal cuts deep into the humanity of the laws and in a jealous watchfulness over the rights of the citizen, when brought in unequal contest with the State.¹ We observe this dictum in these consolidated Petition for *Certiorari* under Rule 65 of the Rules of Court and Motion for Reconsideration assailing the Sandiganbayan's Resolution² dated January 3, 2017 in SB-14-CRM-0238 and this Court's August 19, 2020 Decision³ in G.R. No. 243411, respectively.

ANTECEDENTS

On June 5, 2014, the Office of the Ombudsman filed an Information for Plunder under Republic Act No. 7080 against Juan Valentin Furaganan Ponce Enrile (Enrile), Jessica Lucila G. Reyes (Reyes), Janet Lim Napoles (Napoles), Ronald John Lim, and John Raymund de Asis before the Sandiganbayan docketed as SB-14-CRM-0238:⁴

In 2004 to 2010 or thereabout, in the Philippines, and within this Honorable Court's jurisdiction, above-named accused JUAN PONCE ENRILE, then a Philippine Senator, JESSICA LUCILA G. REYES, then Chief of Staff of Senator Enrile's Office, both public officers, committing the offense in relation to their respective offices, **conspiring with one another** and with JANET LIM NAPOLES, RONALD JOHN LIM, and JOHN RAYMUND DE ASIS, did then and there **willfully, unlawfully, and criminally amass, accumulate, and/or acquire ill-gotten wealth amounting to at least ONE HUNDRED SEVENTY[-]TWO MILLION EIGHT HUNDRED THIRTY[-]FOUR THOUSAND FIVE HUNDRED PESOS ([PHP] 172,834,500.00) through a combination or series of overt criminal acts**, as follows:

(a) **by repeatedly receiving from NAPOLES and/or her representatives LIM, DE ASIS, and others, kickbacks or commissions** under the following circumstances: before, during and/or after the project identification, NAPOLES gave, and ENRILE and/or REYES received, **a percentage of the cost of a project to be funded from ENRILE'S Priority Development Assistance Fund (PDAF), in consideration of ENRILE'S endorsement, directly or through REYES, to the appropriate government agencies, of NAPOLES' non-government organizations which became the recipients and/or target implementors of ENRILE'S PDAF projects, which duly-funded projects**

¹ *People v. Velasco*, 394 Phil. 517, 555 (2000) [Per J. Ballosillo, *En Banc*].

² *Rollo* (G.R. No. 232323), pp. 125-163. The January 3, 2017 Resolution in SB-14-CRM-0238 was penned by Presiding Justice Amparo M. Cabotaje-Tanig, and concurred in by Associate Justices Oscar C. Herrera, Jr., Sarah Jane T. Fernandez, and Reynaldo P. Cruz of the Special Third Division, Sandiganbayan, Quezon City, with Associate Justice Samuel R. Martinez, dissenting.

³ *Reyes v. Sandiganbayan*, 879 Phil. 227 (2020) [Per J. Reyes, J. Jr., First Division].

⁴ *Id.* at 8-9.

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turned out to be ghosts or fictitious, thus enabling NAPOLES to misappropriate the PDAF proceeds for her personal gain;

(b) by taking undue advantage, on several occasions, of their official positions, authority, relationships, connections, and influence to unjustly enrich themselves at the expense and to the damage and prejudice, of the Filipino people and the Republic of the Philippines.

CONTRARY TO LAW.⁵ (Emphasis supplied)

Enrile moved for bill of particulars on the grounds of ambiguity and insufficiency of the Information. On July 11, 2014, the Sandiganbayan denied the motion explaining that the details sought are substantial reiterations of his previous arguments to dismiss the Information and are evidentiary in nature that are best ventilated during trial. Aggrieved, Enrile filed a Petition for *Certiorari* before this Court docketed as G.R. No. 213455 ascribing grave abuse of discretion on the part of the Sandiganbayan. On August 11, 2015, the Court *En Banc* partly granted the petition and ordered the prosecution to submit a bill of particulars containing material and necessary facts, to wit: (1) the particular overt act/s alleged to constitute the combination or series of overt criminal acts charged in the Information; (2) a breakdown of the amounts of the kickbacks or commissions allegedly received, stating how the amount of PHP 172,834,500.00 was arrived at; (3) a brief description of the identified projects where kickbacks or commissions were received; (4) the approximate dates of receipt, in 2004 to 2010 or thereabout, of the alleged kickbacks and commissions from the identified projects. At the very least, the prosecution should state the year when the kickbacks and transactions from the identified projects were received; (5) the name of Napoles' non-government organizations (NGOs), which were the alleged recipients and/or target implementors of Enrile's Priority Development Assistance Fund (PDAF) projects; and (6) the government agencies to whom Enrile allegedly endorsed Napoles's NGOs. The particular person/s in each government agency who facilitated the transactions need not be named as a particular. Accordingly, the prosecution complied and submitted the required bill of particulars.⁶

On the other hand, Reyes filed a motion to quash due to the grossly insufficient Information and Bill of Particulars. Reyes invoked the ruling in *Macapagal-Arroyo v. People*⁷ and claimed that the prosecution failed to specify the main plunderer or to identify the person who committed the overt criminal acts. Reyes posited that the words "or", "and/or", and "repeatedly" are confusing in charging several accused of the predicate crimes for Plunder. Reyes argued that the admissions of the prosecution during Napoles' bail hearing show that the facts charged do not constitute an offense.⁸ Meantime, Reyes applied for bail *ad cautelam*.

⁵ *Id.*

⁶ *Id.* at 11-12.

⁷ 790 Phil. 367 (2016) [Per J. Bersamin, *En Banc*]

⁸ *Rollo* (G.R. No. 232323), pp. 198-199. Petitioner alluded to the following facts: (1) There is no evidence of her involvement in any PDAF project of the office of Senator Enrile for the years 2004 to 2006; (2) Her

On January 3, 2017, the Sandiganbayan disallowed the motion to quash and ruled that the Information contains factual averments which, if hypothetically admitted, validly alleged the essential elements of Plunder.⁹ Reyes sought reconsideration but was denied. Reyes then filed a Petition for *Certiorari* before this Court docketed as G.R. No. 232323 ascribing grave abuse of discretion on the part of the Sandiganbayan in turning down the motion to quash Information. On June 28, 2018, the Sandiganbayan disapproved the application for bail *ad cautelam* and declared that the prosecution presented strong evidence of guilt.¹⁰ Unsuccessful at a reconsideration, Reyes filed a Petition for *Certiorari* before this Court docketed as G.R. No. 243411. On August 19, 2020, the Court upheld the Sandiganbayan's findings that there is strong evidence that Reyes conspired with her co-accused and that she committed the acts of Plunder for which she was charged. Dissatisfied, Reyes moved for a reconsideration.¹¹

On January 13, 2021, Reyes filed a Petition for *Habeas Corpus* before this Court docketed as G.R. No. 254838 and contended that she had been incarcerated for almost nine years due to vexatious, capricious, and oppressive delays in trial. In a Resolution dated January 17, 2023, the Court granted the petition and ratiocinated that Reyes' confinement, though pursuant to a court order, violated her constitutional right to speedy trial and infringed upon her right to liberty.

On January 19, 2023, Reyes was released from detention without prejudice to the resolution of pending criminal cases filed against her and subject to the conditions that she shall: (1) personally attend the hearings of the criminal cases filed against her before the Sandiganbayan; (2) submit a quarterly periodic report to the Clerk of Court of the Sandiganbayan of her whereabouts; (3) secure a travel authority from the Sandiganbayan in cases of foreign travel on her part, and to physically present herself to the Sandiganbayan and submit a report of her return

signatures on the endorsement letters are forged because the whistleblowers admitted preparing the endorsement letters and implementing documents for the PDAF projects and forging the signatures of the legislators and their staff; (3) Only one letter signed by her contained the name of the NGO CARED and this cannot sustain the charge of conspiracy granting that the said signature is not forged; (4) The Daily Disbursement Reports (DDR's) and summary of rebates prepared by Benhur Luy do not reflect that she received any money sourced from PDAF of the office of Senator Enrile; (5) The testimony of Ruby Tuason during the hearing of accused Napoles's petition for bail is devoid of details regarding her alleged delivery of kickbacks of Senator Enrile to her; (6) Her participation in the scheme is not necessary considering that from the whistleblowers' own account, they successfully operated the PDAF scheme even before 2007; (7) In its Resolution dated March 2, 2016, the Sandiganbayan expressly stated that the PDAF were amassed by accused Napoles; (8) The processing for the release of the PDAF passed through several stages which did not involve her; (9) The prosecution's evidence show that the unlawful acts occurred in a stage where she had no participation or involvement; (10) Granting that she received money from the PDAF given by accused Napoles to Tuason, that would at least make her an accessory to the crime charged because at the time of the receipt of the money, the fraudulent acts of accused Napoles were already consummated; (11) The amounts found in Luy's DDRs do not tally with the amount of kickbacks allegedly given by Tuason to accused Reyes nor do they add up to [PHP] 172,834,500.00; and (12) Even if her signatures in the endorsement letters were not forged, the same is insufficient to establish conspiracy with accused Napoles as she only relied on her Deputy Chief of Staff Evangelista.

⁹ *Rollo* (G.R. No. 232323), pp. 125-152, and 153-163.

¹⁰ *Rollo* (G.R. No. 243411), pp. 114-129. The June 28, 2018 Resolution in SB-14-CRM-0238 was penned by Associate Justice Bernellito R. Fernandez and concurred in by Presiding Justice Amparo M. Cabotaje-Tang and Associate Justice Sarah Jane T. Fernandez of the Third Division, Sandiganbayan, Quezon City.

¹¹ *Id.* at 1365-1387.

within five days of her arrival in the country; and (4) submit to this Court, through the Office of the Clerk of Court, a quarterly report of her compliance with the foregoing conditions. Moreover, the release shall be without prejudice to Reyes' re-arrest and detention should she fail to comply with any of the conditions.¹²

On October 4, 2024, the Sandiganbayan acquitted Enrile, Reyes, and Napoles in SB-14-CRM-0238 on the grounds that the threshold amount for plunder was not established and that direct bribery was not proven beyond reasonable doubt:

WHEREFORE, in light of all the foregoing, the Court resolved to:

- (1) GRANT the Demurrer to Evidence of accused Juan Ponce Enrile;
- (2) GRANT the Demurrer (Without Leave of Court) of accused Janet Luy Lim Napoles;
- (3) ACQUIT accused Juan Ponce Enrile, Jessica Lucila Gozales Reyes and Janet Lim Napoles of the crime of plunder under Republic Act No. 7080, as amended, for the prosecution's failure to prove their guilt beyond reasonable doubt;

....

Consequently, the Hold Departure Order issued against Enrile, Reyes and Napoles in the present case are LIFTED and SET ASIDE.

SO ORDERED.¹³

RULING

It is the policy of the courts to consolidate cases involving similar parties and affecting closely related subject matters. The purpose of this rule is to settle the issues expeditiously and to avoid multiplicity of suits and the possibility of conflicting decisions.¹⁴ Here, the Petition for *Certiorari* in G.R. No. 232323 and the Motion for Reconsideration in G.R. No. 243411 involve similar parties and common questions of law and fact. Hence, it is imperative upon this Court to consolidate these two cases which are dependent on each other. Undeniably, the ruling in G.R. No. 232323 substantially affects the outcome in G.R. No. 243411. Specifically, in G.R. No. 232323, Reyes ascribed grave abuse of discretion against the Sandiganbayan in denying the motion to quash Information on the ground that it does not charge any offense. Corollarily, if the motion to quash is granted and the case is dismissed and Reyes is ordered released, the resolution of the question on the propriety of the application for bail in G.R. No. 243411 may

¹² *Reyes v. Director or Whoever is In-Charge of Camp Bagong Diwa, Taguig, Metro Manila*, G.R. No. 254838, January 17, 2024 [Per J. Hernando, First Division].

¹⁴ *Yu, Sr. v. Basilio G. Magno Construction and Development Enterprises, Inc.*, 535 Phil. 604, 619 (2006) [Per J. Garcia, Second Division].

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become futile.¹⁵ In this case, however, both the Petition for *Certiorari* and the motion for reconsideration must be dismissed for being moot and academic.

A case becomes moot and academic when it ceases to present a justiciable controversy by virtue of supervening events, so that a declaration thereon would be of no practical use or value.¹⁶ In such circumstance, courts of justice generally decline jurisdiction and no longer consider questions in which no actual interests are involved.¹⁷ Nonetheless, courts will decide cases, otherwise moot and academic if: *first*, there is a grave violation of the Constitution; *second*, the exceptional character of the situation and the paramount public interest is involved; *third*, when the constitutional issue raised requires formulation of controlling principles to guide the bench, the bar, and the public; and *fourth*, the case is capable of repetition yet evading review.¹⁸ The present case does not fall under any of these exceptions.

Notably, the acquittal of Reyes in SB-14-CRM-0238 has now removed any actual controversy between the parties¹⁹ and rendered the resolution of the instant petition for *certiorari* in G.R. No. 232323 and Motion for Reconsideration in G.R. No. 243411 superfluous and unnecessary.²⁰ The prayers of Reyes to quash the Information and/or be granted discretionary bail can no longer be enforced. These reliefs will serve no useful purpose because the judgment of acquittal terminated the criminal proceedings. Thus, no compelling reasons exist for the Court to finally settle the questions raised in the Petition for *Certiorari* and motion for reconsideration. Indeed, the judgment of acquittal is deemed final and executory.²¹ It is axiomatic that on the basis of humanity, fairness and justice, an acquitted accused is entitled to the right of repose as a direct consequence of the finality of acquittal.

More importantly, double jeopardy has set in. The Constitution is explicit that no person shall be twice put in jeopardy of punishment for the same offense.²² There is double jeopardy when the following elements concur: (1) the accused is charged under a complaint or information sufficient in form and substance to sustain his or her conviction; (2) the court has jurisdiction; (3) the accused has been arraigned and has pleaded; and (4) the accused is convicted or acquitted, or the case is dismissed without his or her consent.²³ Here, all the elements are present. Reyes was validly charged with plunder before the Sandiganbayan. Reyes pleaded not guilty to the charge. After trial, the Sandiganbayan acquitted Reyes

¹⁵ *Serapio v. Sandiganbayan*, 444 Phil. 499 (2002) [Per J. Callejo, Sr., *En Banc*].

¹⁶ *So v. Tacla, Jr.*, 648 Phil. 149, 163 (2016) [Per J. Nachura *En Banc*] citing *David v. Macapagal-Arroyo*, 522 Phil. 705 (2006) [Per J. Sandoval-Gutierrez, *En Banc*].

¹⁷ *Soriano Vda. de Dabuo v. Court of Appeals*, 469 Phil. 928, 937 (2004) [Per J. Austria-Martinez, Second Division].

¹⁸ *Marquez v. Comelec*, 861 Phil. 667, 677-678 (2019) [Per J. Jardeliza, *En Banc*].

¹⁹ *Ozaeta v. Oil Industry Commission*, 187 Phil. 282, 286 (1980) [Per J. Concepcion, Jr., Second Division].

²⁰ *Camutin v. Potente*, 597 Phil. 143 (2009) [Per J. Tinga, Second Division].

²¹ *Morillo v. People*, 775 Phil. 192, 211 (2015) [Per J. Peralta, Third Division].

²² CONST., art. III, sec. 21.

²³ *Merciales v. Court of Appeals*, 429 Phil. 70, 81 (2002) [Per J. Ynares-Santiago, *En Banc*].

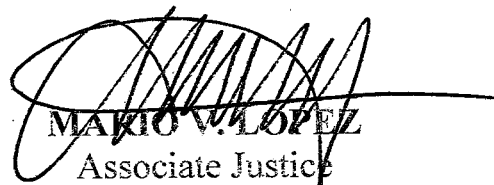
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based on reasonable doubt. Absent grave abuse of discretion or denial of due process, the judgment of acquittal is final and executory.²⁴

Verily, it becomes pointless and unrealistic to insist on giving due course to the Petition for *Certiorari* and Motion for Reconsideration, and permit a review on the propriety of the denial of the motion to quash and application for bail without dwelling on the criminal liability of Reyes and violating her right against double jeopardy. Differently stated, any decision upon the merits of these cases would serve no useful purpose,²⁵ and the grant of any actual substantial relief is no longer feasible.

FOR THESE REASONS, the Petition for *Certiorari* and Motion for Reconsideration are **DISMISSED**.

SO ORDERED.


MARIO V. LOPEZ
Associate Justice

²⁴ *People v. Sandiganbayan*, 661 Phil. 350 (2011) [Per J. Del Castillo, First Division].

²⁵ *Philsugin v. Aspem*, 201 Phil. 416 (1982) [Per C.J. Fernando, Second Division].

WE CONCUR:

No part
ALEXANDER G. GESMUNDO
Chief Justice

separate opinion
MARVIC M.V.F. LEONEN
Senior Associate Justice

No part
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

RAMON PAUL L. HERNANDO
Associate Justice

AMY C. LAZARO-JAVIER
Associate Justice

HENRI JEAN PAUL B. INTING
Associate Justice

RODIL V. ZALAMEDA
Associate Justice

SAMUEL H. GAERLAN
Associate Justice

RICARDO R. ROSARIO
Associate Justice

JHOSEP Y. LOPEZ
Associate Justice

JAPAR B. DIMAAMPAO
Associate Justice

JOSE MIDAS P. MARQUEZ
Associate Justice

ANTONIO T. KHO, JR.
Associate Justice

On leave
MARIA FILOMENA D. SINGH
Associate Justice

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution, 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.



ALEXANDER G. GESMUNDO
Chief Justice