



**THE CORONA IMPEACHMENT**

**Day 3 - Wednesday, 18 January 2012**

**On the Second Article of Impeachment**

<i>Event / Witness</i>	<i>Highlights / Remarks</i>
<p><i>Manifestation:</i>  <b>Rep. Niel Tupas Jr.</b>  <i>Lead Prosecutor</i></p>	<p>Tupas disclosed the order of their discussion of the Articles of Impeachment: (1) Article II on Corona’s failure to disclose his SALN; (2) Article I on partiality and subservience in cases involving Gloria Macapagal-Arroyo and; (3) Article VII on partiality in granting a temporary restraining order on the hold-departure order against the Arroyo couple.            The sequence of the other articles would be revealed once discussions on Article VII have finished.</p>
<p><i>Manifestation:</i>  <b>Serafin Cuevas</b>  <i>Lead Defense Counsel</i></p>	<p>Cuevas expected that the order of the Articles of Impeachment would be followed. He stated that a change in the chronology would violate the principle of due process. He further explained that a probable reason for discussing Article II first was due to the need to satisfy public clamor. The Defense believed that this should not be a factor to the impeachment proceedings as objectivity and adherence to the Constitution should be given more weight.</p>
<p><b>Senator-Judge Juan Ponce Enrile</b>  <i>Presiding Officer</i></p>	<p>Enrile stressed that the Impeachment Court would not deal with issues of technicalities. He also emphasized that regardless of the order of the Articles of Impeachment, the Defense Panel should still be capable of meeting the challenge.</p>
<p><i>First witness:</i>  <b>Enriqueta Vidal</b>  <i>Clerk of Court, Supreme Court</i></p>	<p>Private Prosecutor Atty. Mario Bautista questioned Vidal on the process of filing a SALN. She explains that her office has a receiving section headed by Juliet Acia. She adds that, before, the documents were kept in a filing cabinet, but, on her order, were now stored in a vault.</p> <p>She also explained the process of requesting for a SALN, where requests are put on the agenda of the en banc for their approval or disapproval. The request for Corona’s SALN was</p>

	<p>included in the en banc’s agenda during their next session.</p> <p>It was also noted that Corona’s SALNs from 2002-2011 were included in the subpoena, however, Vidal admitted that she cannot release the SALNs without authorization from the court as per the Supreme Court’s 1989 Resolution prescribing the conditions for the release of SALNs of members of the judiciary.</p>
<p><i>Order to surrender Corona SALNs</i></p>	<p>Enrile, along with Senator-judges Drilon, Peter Cayetano, Pangilinan, Escudero, Estrada, Lacson, Pimentel, Angara, and Guingona ordered Vidal to surrender the SALNs to the Senate in compliance to the subpoena. Senator-judge Joker Arroyo expressed apprehension, however, that the order may lead to a deadlock between the Supreme Court and the Senate (as there is a pending request for the High Court to issue a TRO to stop the impeachment trial). He pleaded to give Vidal one day to ask for the Supreme Court’s decision. Peter Cayetano rebutted that to subject the surrender order to Supreme Court approval would set a negative precedent and would erode the power of the Impeachment Court in future proceedings.</p> <p>Despite a motion to divide the Court, Enrile orders the surrender of the SALN, and pleaded with the Defense to advise their client not to punish Vidal for complying with the subpoena. The Supreme Court later announced that it has authorized the release of Corona’s SALN and assured Vidal that no disciplinary action would be taken against her. The Defense and Prosecution then proceeded to examine and mark the SALNs as evidence.</p>
<p><i>Interpellation of Vidal</i></p>	<p>Drilon noted ambiguity in the manually-entered date on Corona’s SALN for December 31, 2006. Drilon questioned whether the date was 9/23/2007 (which would mean that the SALN was submitted beyond the required deadline under RA 6713 at 30 April of every year) or 4/23/2007, using the 1:40 time indicated for the receipt of the documents as reference. Vidal reiterated that the date is 4/23/2007.</p> <p>Estrada puts into record that the 2002, 2003, 2004, 2008, 2010 and 2011 SALNs had their dates of receipt electronically-printed and were received by a Juliet Acia, while the 2005, 2006 and 2007 SALNs were manually-written and received by a Verna Albano.</p>
<p><i>Second witness:</i> <b>Marianito Dimaandal</b> <i>Director, Malacañang Records Office</i></p>	<p>Certified copies of Corona’s SALNs from 1992-2002, when he was still holding various positions in Malacanang, were surrendered to the impeachment court. Dimaandal stated that</p>

	<p>he has duplicates of the original SALNs, but admitted during cross-examination that he cannot prove the accuracy of SALNs, saying that he is not in a position to certify the veracity of the information.</p>
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