

Republic of the Philippines
Office of the City Prosecutor
Makati

URIEL G. BORJA,
Complainant,

versus

NPS No. XV-05-INV-18A-0044
For: Syndicated Estafa

MILTON U. ALONG,
RALPH B. CASINO,
MARCELINO B. AGANA IV,
LORIMER T. ABEJUELA,
ANDREW C. HARVEY and
JOHN and JANE DOES,
Respondents.

x ----- x

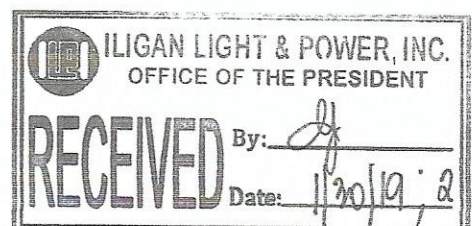
O R D E R

09 JAN 2019


In the Resolution dated August 14, 2018, this Office dismissed this complaint for syndicated estafa. Complainant filed a verified motion for reconsideration dated September 20, 2018. The resolution of the motion for reconsideration was assigned to the undersigned prosecutor.

After re-examining the arguments raised by complainant, this Office finds no reason to justify the reversal or modification of the questioned resolution. The motion for reconsideration has not offered new substantive argument or evidence that would lead to a different conclusion.

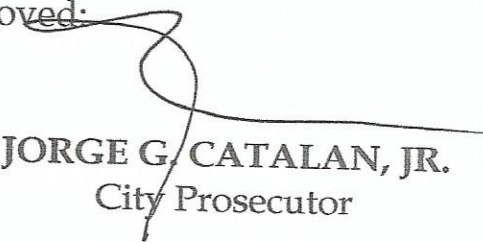
"Although a preliminary investigation is not a trial and is not intended to usurp the function of the trial court, it is not a casual affair; the officer conducting the same investigates or inquires into the facts concerning the commission of the crime with the end in view of determining whether or not an information may be prepared against the accused" (*Sales v. Sandiganbayan*, G.R. No. 143802, November 16, 2001, 369 SCRA 293). In this case, there is insufficient evidence to support complainant's allegation that respondents conspired and committed the crime of syndicated estafa. Complainant's recourse against respondents is not criminal in character.



WHEREFORE, premises considered, the motion for reconsideration is respectfully recommended to be, as upon approval hereof it is hereby, denied.


HANNAH V. ARRIOLA
Senior Assistant City Prosecutor

Approved:


JORGE G. CATALAN, JR.
City Prosecutor

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