

NINETEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES  
*Third Regular Session*

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2024  
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**SENATE**

**P. S. RES. NO. 1253**

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Introduced by Senator Francis "Tol" N. Tolentino

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**RESOLUTION**

AUTHORIZING THE OFFICE OF THE SENATE LEGAL COUNSEL TO ACT AS COUNSEL-OF-RECORD OF SENATOR SHERWIN T. GATCHALIAN IN THE PETITION FOR CERTIORARI BEFORE THE COURT OF APPEALS WHICH SEEKS TO ANNUL THE OFFICE OF THE OMBUDSMAN'S JOINT RESOLUTION DATED JANUARY 22, 2024, INSOFAR AS IT DISMISSED THE ADMINISTRATIVE COMPLAINT AGAINST PRIVATE RESPONDENTS IN CASE NO. OMB-C-A-MAY-23-0066, ENTITLED "*SEN. SHERWIN T. GATCHALIAN. V. DONATO D. MARCOS, ET AL.*"

WHEREAS, on October 10, 2024, Senator Sherwin T. Gatchalian received a copy of the Office of the Ombudsman's Joint Resolution dated January 22, 2024, dismissing his criminal and administrative complaints against Private Respondents in Case No. OMB-C-A-MAY-23-0066, entitled "*Sen. Sherwin T. Gatchalian. v. Donato D. Marcos, et al.*";


WHEREAS, on October 15, 2024, Senator Sherwin T. Gatchalian filed his Motion for Reconsideration insofar as the dismissal of the criminal complaint is concerned, which motion was granted by the Office of the Ombudsman in an Order dated November 25, 2024;

WHEREAS, there being no appeal or any other plain, speedy, and adequate remedy in the ordinary course of law from the Joint Resolution dated January 22, 2024, insofar as it absolved Private Respondents of the administrative charges, which, pursuant to Rule III, Section 7 of the Rules of Procedure of the Office of the Ombudsman, was immediately final and executory and is therefore unappealable, Senator Sherwin T. Gatchalian has sixty (60) days from October 10, 2024, or until December 9, 2024 to file a petition for certiorari;

WHEREAS, in view of the exigency of the situation, there is a need to authorize the Office of the Senate Legal Counsel to assist and represent Senator Sherwin T. Gatchalian in the preparation and filing of the petition for certiorari: Now, therefore, be it

**RESOLVED BY THE SENATE**, To authorize, as it hereby authorizes, the Office of the Senate Legal Counsel to act as Counsel-of-Record of Senator Sherwin T. Gatchalian in the Petition for Certiorari before the Court of Appeals which seeks to annul the Office of the Ombudsman's Joint Resolution dated January 22, 2024, insofar as it dismissed the administrative complaint against Private Respondents in Case No. OMB-C-A-MAY-23-0066, entitled "*Sen. Sherwin T. Gatchalian. v. Donato D. Marcos, et al.*"

Adopted,



**FRANCIS "TOL" N. TOLENTINO**  
*Majority Leader*