



DOCUMENTATION FORM

PART 1: INCIDENT REPORT

Case Number : 05-04-Tacurong City
Type of case : Killing
Name : Marlene Garcia-Esperat
Media affiliation : The Midland Review/Tacurong City
Time and Date of Incident : 2005 - March 24, eve of Easter
Place of Incident : In her home, in front of her 10-year-old daughter on the eve of Easter, in Tacurong, Sultan Kudarat.
Perpetrators : Gerry Cabagay, Randy Grecia and Estanislao Bismanos
Motive :
Witnesses (if any) :
Lawyer handling the case : Atty. Nena Santos
Investigating Officer :
Reference/Contact Persons : George Esperat (husband), Janice May Seraspe (Esperat's daughter)
Telephone Number :
Address :
Relation to Victim/Incident:
Account of Incident :

She was gunned down on March 24, 2005, at her home in Tacurong City while taking supper as her daughter and two sons watched in horror.

Before her death, she filed two dozen graft and corruption cases and other complaints of irregularities against local and national officials before the Ombudsman and other quasi-judicial bodies.

These cases include the P432 million fertilizer scam involving former Department of Agriculture undersecretary Jocelyn "Joc-Joc" Bolante, former National Food Authority Administrator now PMS head Arthur Yap, and many other key DA officials.

She was also instrumental in furnishing vital information on the P728 million fertilizer scam, which led the Senate to cite Bolante in contempt and seek his arrest.

On 6 October 2006, Cebu City Regional Trial Court Branch 21 Judge Eric Menchavez convicted **Gerry Cabagay**, **Randy Grecia**, and **Estanislao Bismanos** on charges of murder, and sentenced the killers to 'reclusion perpetua' (life sentence), after a ten-month trial period.

The three were found guilty of murder qualified by treachery and were sentenced to suffer the penalty of reclusion perpetua with the accessory penalties of the law.

Reclusion perpetua entails imprisonment for at least 30 years after which the convict becomes eligible for pardon. The accessory penalties include the perpetual special disqualifications.

The court also ordered the three to indemnify the heirs of Esperat in the sum of P75,000 as civil indemnity, P75,000 as moral damages, and P25,000 as exemplary damages.

At the same time, lawyer Nena Santos filed a motion for reconsideration to reinstate the murder charge against the alleged masterminds, Department of Agriculture Region XII finance officer Osmeña Montañer and accountant Estrella Sabay.

An inquiry was set on 10 October 2006 to hear the said motion.

Suspect-turned-state witness ex-sergeant Rowie Barua, the self-confessed henchman who hired Cabagay, Grecia, and Bismanos to kill Esperat, was acquitted for lack of evidence.

PART 2: VICTIM'S PROFILE

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|-------------------|---------------------------------|
| Name | : Marlene Garcia-Esperat |
| Media affiliation | : The Midland Review |
| Position | : Columnist |
| Address | : Tacurong City, Sultan Kudarat |
| Birthday | : |
| Single/Married | : Married |
| Children | : |

Background as journalist :Marlene Esperat, 46, was a chemist who became an anti-corruption activist and columnist for the Midland Review, a community paper in central Mindanao.

Before her death, she filed two dozen graft and corruption cases and other complaints of irregularities against local and national officials before the Ombudsman and other quasi-judicial bodies.

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