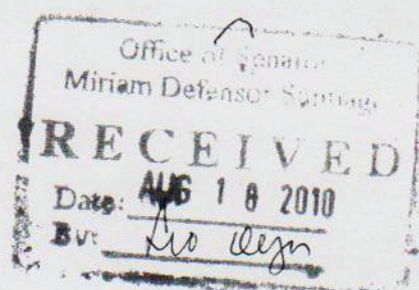




Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
 AGHAM ROAD, GOVERNMENT CENTER, NORTH TRIANGLE  
 DILIMAN 1128 QUEZON CITY, PHILIPPINES

**SULTAN ABDULHAMID A. ALIMUDDIN**  
 Provincial: Barangay Buansa  
 Municipality of Indanan, Sulu  
 Metro Manila: Blk. 9 Extension, Lambakan  
 Brgy. 649, Port Area, Manila



-versus-

**CPL-C-10-0061**

**MIRIAM DEFENSOR-SANTIAGO**

Senator  
 Senate of the Philippines  
 Pasay City

X ----- X

**ORDER**

This refers to the complaint of Sultan Abdulhamid A. Alimuddin, bona fide member of AKO'Y MORO party-list, against Senator Miriam Defensor-Santiago for alleged culpable violation of the Constitution, violations of Section 4 (c) and (h) of RA 6713<sup>1</sup> and Section 3 (e) and 8 of RA 3019<sup>2</sup>, and PD 1829<sup>3</sup>.

Complainant alleges that Senator Defensor-Santiago (1) deliberately failed to make a full disclosure of her financial and business interests, (2) acquired properties which are grossly disproportionate to her salary, (3) as former Commissioner of Immigration and Deportation in 1988-1989, she collected money through her *Alien Legalization Program* but the same were not remitted to the government, (4) using her position and power as a Senator, she gave unwarranted benefits to her husband, brother, sister, son and cousin by having them appointed to the government, and (5) obstructed in the investigation relative to her son's death.

<sup>1</sup> Code of Conduct and Ethical Standards for Public Officials and Employees  
<sup>2</sup> Anti-Graft and Corrupt Practices Act  
<sup>3</sup> Penalizing Obstruction of Apprehension and Prosecution of Criminal Offenders

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After a careful evaluation of the complaint, this Office resolves to dismiss the same for lack of jurisdiction over the person of Senator Defensor-Santiago.

The Ombudsman Act of 1989<sup>4</sup> provides that:

*"Section 21. Officials Subject to Disciplinary Authority; Exceptions. - The Office of the Ombudsman shall have disciplinary authority over all elective and appointive officials of the Government and its subdivisions, instrumentalities and agencies, including Members of the Cabinet, local government, government-owned or controlled corporations and their subsidiaries, except over officials who may be removed only by impeachment or over Members of Congress, and the Judiciary." (underscoring ours)*

Pursuant to the above-quoted provision, the Office of the Ombudsman shall have no disciplinary authority over Senator Defensor-Santiago, who is a member of Congress (Senate).

**WHEREFORE**, premises considered, the complaint of Sultan Abdulhamid A. Alimuddin against Senator Miriam Defensor-Santiago is hereby **DISMISSED**.

**SO ORDERED.**

Quezon City, Philippines, JUL 08 2010 2010.

**MA. MERCEDITAS N. GUTIERREZ**  
 Ombudsman

<sup>4</sup> Republic Act 6770

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SENATOR MIRIAM DEFENSOR-SANTIAGO  
 Senate of the Philippines  
 Pasay City