**Maj. Gen. Carlos F. Garcia**

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**BACKGROUNDER**

- former AFP deputy chief of staff for comptrollership
- Charged with perjury by the Office of the Ombudsman; charged with Articles of War (AW) 95, 96 and 97 in military court
- Investigation by the Office of the Ombudsman revealed that Garcia
  - has 9 vehicles registered in his name, that of his wife, and his son Ian Carl, yet he disproportionately declared in his latest SALN that the total cost of all his vehicles amounted only to P1,150,000.00
  - did not declare in any one of his SALN for years 1993-2003 properties in Ohio and New York, USA
  - omitted to declare in his SALNs for 2000-2003 his investment with the Armed Forces and Police Savings and Loan Association (AFPSLAI) and the dividends he received therefrom, as well as money in dollar currencies approximately amounting to $193,400.00 transported by him, his wife and son Juan Paulo to the USA

**TIMELINE**

**December 19, 2003:** A son of former AFP comptroller Maj. Gen. Carlos F. Garcia is arrested by US Customs at the San Francisco airport for failing to declare US$ 100,000.

**January 12, 2004:** Garcia explains to the Fines, Penalties and Forfeiture Office that the amount came from "savings, honoraria, and dividends from savings" made through the years. He said the money was intended as initial downpayment for a condo unit of his son in New York.

**March 2004:** Garcia is transferred to J5 as deputy chief of staff for plans and programs.

**July 15, 2004:** Col. Ricardo "Dick" Morales writes AFP Chief of staff Gen. Narciso Abaya to ask him if he had initiated probe of Garcia.

**August 2, 2004:** Garcia explains in a letter to Abaya that the money was intended to pay for his wife's medical check up and the medication of his eldest son.

**September 14, 2004:** Ombudsman Simeon Marcelo gets transmittal from US Customs about Garcia's dollars.

**September 20, 2004:** Ombudsman subpoenas the AFP for Garcia's statements of assets, liabilities, and networth and service records.

**September 21, 2004:** The AFP Office of Ethical Standards and Public Accountability (OESPA) submits Garcia's records.

**September 2004:** Ombudsman finds prima facie case against Garcia, orders AFP to suspend him for six months without pay.

**October 4, 2004:** Philippine Star columnist Jarius Bondoc breaks story on Ombudsman case against Garcia. The same day, the AFP holds a press conference about Garcia.

**October 11, 2004:** House conducts hearing on Garcia, who failed to attend because he was confined at the University of Sto. Tomas Hospital.

**October 12, 2004:** AFP announces court martial proceedings against Garcia for alleged violation of Articles of War 95 (Fraud against the Government), 96 (Conduct unbecoming of an Officer and a Gentleman), and 97 (Disorders and Neglects to the Prejudice of Good Order and Military Discipline) for being a green card holder.
October 16, 2004: Garcia is brought back to his quarters inside Camp Aguinaldo.

October 18, 2004: Garcia repeatedly answers "I invoke my right against self incrimination" during a House hearing.

October 27, 2004: The Ombudsman files before the Sandiganbayan a petition for forfeiture of unlawfully acquired properties under R.A. No. 1379 against Garcia. The petition contained an application for a writ of preliminary attachment.

October 29, 2004: The Sandiganbayan grants the application for a writ of preliminary attachment.

November 2, 2004: Garcia is served with the writ of preliminary attachment, together with the summons.

November 5, 2004: The Office of the Ombudsman files perjury charges against Garcia for his failure to truthfully declare in his SALN for the years 1997-2000 the total of his assets acquired during his employment in the government, including various vehicles and deposits at the Armed Forces and Police Savings and Loan Association, Inc.

November 17, 2004: Garcia files before the Supreme Court a petition seeking to nullify the Sandiganbayan's resolution granting a writ of preliminary attachment, as well as the writ of preliminary attachment itself. Garcia argues that the Sandiganbayan had no jurisdiction over separate civil actions for forfeiture under R.A. No. 1379.

November 18, 2004: Garcia retires from service.

November 25, 2004: The government files a motion seeking to expunge the motion to dismiss the forfeiture case.

January 20, 2005: - The Sandiganbayan issues a resolution denying Garcia's motion to dismiss the civil case for forfeiture against him.

February 3, 2005: - The Sandiganbayan denies Garcia's motion for reconsideration of the first resolution.

March 7, 2005: Garcia files before the Supreme Court a Rule 65 petition for certiorari asking for the nullification of Sandiganbayan's resolutions.

May 2005: Garcia appears before the Sandiganbayan after a warrant of arrest was issued against him. He was later transferred to Camp Crame.

June 22, 2005: The SC dismisses Garcia's November 17, 2004 petition, and in the process upholding the Sandiganbayan's jurisdiction over the petition for forfeiture of unlawfully acquired properties under R.A. No. 1379.

December 2, 2005: The general court martial convicted Garcia of undeclared wealth, dishonorably dismissed him from the military and sentenced him to two years of hard labor.

January 17, 2006: The Supreme Court issues a resolution dismissing Garcia's petition asking for the nullification of Sandiganbayan's resolutions.

May 22, 2006: Sandiganbayan Third Division acquits Garcia in one of his perjury cases due to the failure of the prosecution to present evidence that would overcome the requirement of proof beyond reasonable doubt. It points out that the retired military official was required by law to disclose the income of his spouse but not her personal assets.

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