

# CRIMINAL PROCEDURE

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## Final Examinations

October 2010

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### Nota Bene:

- 80% Objective and 20% Essay
- Very long exam (3 pages back to back)

### Part I.

(Multiple Choice)

40 points

- Four (4) long, complicated and tricky problems/situations;
- Per problem, there are corresponding questions with multiple choices (2 points each). Choose the best answer and explain why you choose the said answer.

### Part II

(Objective)

40 points

1. What are the **Provisional Remedies** in criminal cases? Rule 127
2. Differentiate **Discharge** under the **Rules of Court** and under the **Witness Protection Act**.
3. Enumerate the **non-waivable defenses** as grounds in the **Motion to Quash**.
4. What are the **valid delays** in the trial?
5. What are the **requisites** for the discharge of the accused to be a **witness for the State**?
6. Instances of **improvident plea**.
7. What are the **effects** of an **Appeal** by any of several accused?
8. In what court may a **Motion to Quash a Search Warrant** be filed?
9. What are the **remedies** from an unlawful search?

### Part III

(Essay)

20 points

1. Can the accused be convicted by the evidences/circumstances different from or not alleged in the information? Why or why not?
2. Can the evidence seized in an illegal search be used against the accused? If yes, how? If no, why?