

Title: People of the Philippines v. Mamerto Dulay (G.R. Nos. 148880-82)

Facts:

Mamerto Dulay, along with co-accused Diosdado Camat, John Laurean, Rogelio Campos, Ibot Campos, Henry Caoile, Serafin Dulay, and Junior Lopez, were charged with the crimes of murder and frustrated murder following a shooting incident in Barangay Anis, Laoac, Pangasinan. Among the victims were Elmer Hidalgo, Marcelina Hidalgo, who were both killed, and Pedro Hidalgo, who was wounded. Witness testimonies identified the assailants, including Mamerto Dulay holding long firearms. Dulay countered with an alibi, claiming to have been drying “palay” with his brother Maximo Dulay in Salcedo, Ilocos Sur, during the incident.

The Regional Trial Court acquitted Laurean, Rogelio Campos, Ibot Campos, and Serafin Dulay, finding insufficient evidence against them, but convicted Dulay of all charges, sentencing him to the death penalty and ordering him to pay damages to the victims’ heirs. This case was automatically reviewed by the Supreme Court but was later transferred to the Court of Appeals as per the decision in “People v. Mateo.” The Court of Appeals affirmed the trial court’s decision.

Issues:

1. Whether the appellant Mamerto Dulay’s guilt was proven beyond reasonable doubt, given the contradictory and improbable testimonies of prosecution witnesses.
2. Whether the appellant should be acquitted based on the acquittal of supposed co-conspirators.
3. Whether treachery and use of an unlicensed firearm were correctly appreciated as aggravating circumstances.

Court’s Decision:

The appeal lacked merit. The Supreme Court upheld Mamerto Dulay’s conviction, rejecting his alibi and addressing the alleged discrepancies of the witnesses’ accounts by stating that minor inconsistencies could enhance credibility rather than undermine it. Inconsistencies about insignificant details do not affect the testimonies’ reliability.

The Court ruled that the appellant’s acquittal cannot rely on his co-accused’s acquittal — each case is assessed individually, and others’ acquittal does not exonerate co-conspirators. The aggravating circumstance of treachery was established, as the sudden attack on the victims rendered them defenceless. The aggravating circumstance of using an unlicensed

firearm was also upheld based on witness testimonies and ballistic evidence.

By virtue of the Republic Act No. 9346, which prohibits the imposition of the death penalty, Dulay's sentence was reduced to reclusion perpetua without eligibility for parole. The Court also adjusted the awards for damages, following recent jurisprudence.

Doctrine:

1. Credibility of witnesses is not necessarily impeached by minor inconsistencies in their accounts.
2. The acquittal of a co-accused in a conspiracy does not automatically result in the acquittal of others.
3. Treachery is characterized by an unexpected, sudden attack that leaves the victim unable to defend themselves.
4. Positive identification outweighs the defense of denial and alibi, unless the latter is backed by convincing evidence.

Historical Background:

During the time of this case, the Philippines had undergone various changes in its legal handling of capital punishment. Although the death penalty had been reinstated in 1993, it was once again abolished with the enactment of Republic Act No. 9346 in June 2006, which prohibited the imposition of the death penalty. This context is critical in understanding the judicial decisions surrounding capital offenses and the modified sentencing outlined within this case. Furthermore, the Supreme Court's transfer of the case to the Court of Appeals for review is indicative of procedural changes introduced to manage the caseload and streamline the review process following precedents such as "People v. Mateo." These legal shifts are integral to understanding the dynamics of capital criminal litigation in the Philippines during this period.