

Title:

Loreto A. Cañaveras and Ofelia B. Cañaveras v. Judge Jocelyn P. Gamboa-Delos Santos and Rodel Mariano

Facts:

Loreto A. Cañaveras and Ofelia B. Cañaveras (petitioners) were accused in Criminal Case No. 17-0597 for Falsification of Public Documents by a Private Individual under Article 172 in relation to Article 171 of the Revised Penal Code before the Municipal Trial Court in Cities (MTCC), City of San Fernando, Pampanga, presided over by Judge Jocelyn P. Gamboa-Delos Santos (Judge Gamboa-Delos Santos).

The prosecution was scheduled to present its witness, Nenita G. Mariano (Nenita), on May 23, 2018. However, the petitioners' counsel, Atty. Vicente Dante P. Adan (Atty. Adan), failed to attend. Judge Gamboa-Delos Santos deemed Atty. Adan's absence as a waiver of the defense's right to cross-examine Nenita.

On June 6, 2018, another hearing was set for the presentation of a second prosecution witness, Rodel G. Mariano (Rodel). Atty. Adan, then in attendance, moved for reconsideration of the May 23 order, presenting an unnotarized medical certificate indicating his absence was due to eye pain. The prosecution objected and the judge denied the motion for reconsideration and allowed Rodel's testimony to proceed, despite the defense's objection regarding non-compliance with the Judicial Affidavit Rule.

Atty. Adan then filed for a second reconsideration, which was also denied by Judge Gamboa-Delos Santos, citing the prohibition of such motions. Subsequently, the petitioners filed a petition for certiorari under Rule 65, questioning the validity of the orders issued and seeking to declare unconstitutional the second sentence of Section 10(b) of the Judicial Affidavit Rule (A.M. No. 12-8-8-SC). The petition also included a prayer for the issuance of a temporary restraining order (TRO) and/or writ of preliminary injunction (WPI).

Issues:

1. Is the second sentence of Section 10(b) of the Judicial Affidavit Rule unconstitutional?
2. Did Judge Gamboa-Delos Santos commit grave abuse of discretion in issuing the Order dated June 6, 2018?
3. Was there grave abuse of discretion in allowing the presentation of the witness despite non-compliance with the Judicial Affidavit Rule?

4. Should a TRO or WPI be issued?

Court's Decision:

The Supreme Court partially granted the petition. The Court denied the request for TRO or WPI and declared that Judge Gamboa-Delos Santos did not commit grave abuse of discretion in denying Atty. Adan's motion for reconsideration. However, the Court set aside the orders which deemed the defense to have waived their right to cross-examine Nenita. The Supreme Court emphasized the paramount importance of the right to cross-examine and directed the trial court to proceed with the cross-examination of Nenita and to continue criminal proceedings with dispatch.

Doctrine:

The Supreme Court reiterated the liberal construction of procedural rules in order to promote their objective of assisting the parties in obtaining a just, speedy, and inexpensive determination of every action and proceeding. The Court also held that the right of the accused to confront and cross-examine opposing witnesses is a fundamental right that should be seen as paramount. Additionally, the Court stressed that procedural rules must not be applied so rigidly as to defeat the ends of justice.

Class Notes:

- The right to cross-examine witnesses is fundamental in criminal proceedings and is crucial for determining the credibility of witnesses and the guilt of the accused.
- Procedural rules should be applied with liberality to achieve just, speedy, and inexpensive determination of cases, without prejudicing substantial rights.
- Judges must exercise discretion judiciously, and should not unduly prioritize procedural technicalities over substantial justice.
- Judges have a duty to control court proceedings to ensure fairness and due process.

Historical Background:

The context of the case revolves around the Court's continuous effort to balance procedural rules and the substantive rights of parties involved in legal proceedings, particularly, highlighting the challenges faced in criminal cases where the liberty of individuals is at stake and the constitutional right to confront witnesses must be upheld.