

Title:

State Prosecutor Ringcar B. Pinote vs. Judge Roberto L. Ayco: Violation of the Rules of Criminal Procedure in the Presentation of Defense Evidence

Facts:

State Prosecutor Ringcar B. Pinote was prosecuting a criminal case titled “People v. Vice Mayor Salvador Ramos, et al.,” for the violation of Section 3 of Presidential Decree No. 1866 in the Regional Trial Court (RTC) of South Cotabato, Branch 26, presided over by Judge Roberto L. Ayco. During the proceedings on August 13 and 20, 2004, Pinote was absent due to medical treatment at the Philippine Heart Center in Quezon City. Despite his absence, Judge Ayco allowed the defense to present the testimony of two witnesses.

Upon his return, Pinote refused to cross-examine the defense witnesses on the basis that the proceedings conducted in his absence were void, leading to tension in the courtroom. He filed a Manifestation on November 12, 2004, maintaining his position and requesting that he should not be coerced to cross-examine the witnesses and their testimonies be stricken from the record. Judge Ayco, glossing over Pinote’s Manifestation, considered the prosecution to have waived its right to cross-examine and proceeded with the trial.

This led to an administrative complaint by Pinote against Judge Ayco for “Gross Ignorance of the Law, Grave Abuse of Authority, and Serious Misconduct.” Judge Ayco counter-argued, labeling Pinote’s actions as face-saving and criticizing his handling of the prosecution.

Issues:

1. Whether Judge Ayco’s act of allowing the defense to present evidence in the absence of the public prosecutor violated the Revised Rules of Criminal Procedure.
2. Whether the prosecution was unjustly considered to have waived the right to cross-examine the defense witnesses.
3. The appropriate action for Judge Ayco’s breach of the Rules.

Court’s Decision:

The Supreme Court decided that Judge Ayco indeed transgressed the Revised Rules of Criminal Procedure by allowing the defense to present testimony without the presence of State Prosecutor Pinote or a designated private prosecutor, in violation of Section 5, Rule 110. Moreover, the Court determined that granting the prosecution an opportunity to cross-examine the witnesses post facto could not rectify this breach. As a result, Judge Ayco was fined P5,000 with a stern warning that similar future behavior would lead to more severe

consequences. The counter-complaint against Pinote was dismissed, advising instead that it should be filed before the Secretary of Justice if pursued.

Doctrine:

The case reaffirms the principle that all criminal actions shall be prosecuted under the control and direction of a public prosecutor, and if absent, a designated private prosecutor as per Section 5, Rule 110 of the Revised Rules of Criminal Procedure. The presence of a prosecutor in criminal trials is essential to safeguard the state's interest and ensure the orderly administration of justice.

Class Notes:

- **Rule 110, Section 5, Revised Rules of Criminal Procedure**: mandates the presence and direction of a public or designated private prosecutor in criminal trials to ensure the state's interests are represented.
- **Importance of Prosecutorial Presence**: Emphasizes the vital role of the prosecution in defending state interests and upholding the rule of law in criminal proceedings.
- **Breach Consequences**: Demonstrates that deviations from procedural rules can result in penalties for judicial officers, underscoring the importance of adhering to established legal procedures.

Historical Background:

This case highlights the tensions and procedural challenges in the Philippine legal system, especially in relations between the judicial bench and prosecuting authorities. It underlines the fundamental procedural safeguards intended to ensure fairness in criminal trials and the imperative for all parties—judges, prosecutors, and defense—to adhere to established rules to maintain the integrity of the judicial process.