

****Title:**** Republic of the Philippines v. Hon. Aniano A. Desierto, et al.

****Facts:**** The Republic of the Philippines filed a complaint on February 12, 1990, against Eduardo Cojuangco, Jr., Juan Ponce Enrile, and others for violation of Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act) before the Presidential Commission on Good Government (PCGG), which was later referred to the Office of the Ombudsman. After a lengthy process, the complaint was dismissed by the Ombudsman on the grounds of prescription, or the expiration of the time within which to bring the action. The Republic's subsequent motion for reconsideration was likewise denied. Thus, the Republic filed a petition for certiorari under Rule 65 with the Supreme Court, challenging the Ombudsman's decisions. Over time, the case faced further complications, including motions filed by various respondents challenging the proceedings and claims of denial of due process due to lack of notification of the proceedings. The Supreme Court eventually found grounds to set aside its earlier decision to allow for proper service of the petition on all respondents and subsequently, focus on the core issues raised.

****Issues:****

1. Whether the Ombudsman committed grave abuse of discretion in dismissing the complaint for violation of R.A. 3019 on the grounds of prescription.
2. Whether the Ombudsman acted with grave abuse of discretion in declaring no basis to indict the private respondents based on the contract in question.

****Court's Decision:****

The Supreme Court found the petition partly meritorious. It held that the Ombudsman committed grave abuse of discretion in dismissing the complaint based on prescription as the correct reckoning point for the prescriptive period was not from the execution of the Memorandum of Agreement (MOA) on November 20, 1974, but from the discovery of the offense immediately after the 1986 EDSA Revolution. The Republic was prevented from timely acting due to the legislative imprimatur given to the contracts by Presidential Decrees. Thus, the complaint was within the prescriptive period. The Court did not delve into the issue of probable cause for indictment but highlighted that it was premature to rule on the Ombudsman's findings of probable cause without interfering with its investigatory duty. The Court found that the right to a speedy disposition was violated due to inordinate delay by the Ombudsman.

****Doctrine:****

The case reiterated the principle regarding the commencement of the prescriptive period for offenses under special laws like R.A. 3019 where it is either from the date of commission of the offense or, if unknown at the time, from the discovery thereof and the institution of judicial proceedings for its investigation and punishment. Additionally, it was affirmed that grave abuse of discretion may arise from an erroneous interpretation or application of the law amounting to a failure or refusal to perform a positive duty.

****Class Notes:****

- R.A. 3019 prescribes a period wherein offenses under it must be prosecuted, with such period subject to interruption.
- The discovery rule or blameless ignorance doctrine can affect the start of the prescriptive period depending on when the offense became known.
- In matters of procedural errors and omissions, such as failure to properly serve notices, courts may exercise discretion to rectify or overlook these based on substantial justice principles.
- Grave abuse of discretion constitutes such capricious and whimsical exercise of judgment equivalent to lack or excess of jurisdiction.

****Historical Background:****

This case is set against the backdrop of efforts to recover ill-gotten wealth accumulated during the Marcos regime. The legal actions initiated aimed at holding accountable those who benefited from or facilitated corruption and abuse of power. The complex political and historical context surrounding these efforts highlights the challenges in addressing past injustices and ensuring accountability within the framework of the law.