

Title: **\*\*Guillermo Wacoy y Bitol and James Quibac y Rafael vs. People of the Philippines\*\***

Facts:

On June 10, 2004, Guillermo Wacoy y Bitol (Wacoy) and James Quibac y Rafael (Quibac) were charged with Homicide under Article 249 of the Revised Penal Code (RPC) before the Regional Trial Court (RTC) of Benguet, Branch 10. The incident occurred on April 11, 2004, in Ambongdolan, Municipality of Tublay, Province of Benguet. The Information detailed that Wacoy and Quibac, alongside unidentified individuals, attacked Elnor Aro y Laruan, causing his death due to blunt traumatic injuries. This incident was witnessed by Edward Benito, Aro's cousin, who provided a detailed account of the assault, including Wacoy kicking Aro's stomach twice and Quibac punching Aro, leading to severe injuries and, subsequently, Aro's death.

Wacoy and Quibac refuted the charges, offering a differing account of the incident that argued self-defense and denial of the act leading to Aro's death. The RTC, initially convicting the petitioners for Death Caused in a Tumultuous Affray under Article 251 of the RPC, sentenced them to six months and one day to eight years and one day of imprisonment.

This decision was appealed to the Court of Appeals (CA), which modified the conviction to Homicide under Article 249 of the RPC, given the direct and straightforward testimony of the witness and the absence of a tumultuous affray, adjusting the prison term and imposing additional monetary damages.

Discontented, Wacoy and Quibac sought reconsideration from the CA which was denied, thereby elevating the case to the Supreme Court through petitions for review on certiorari.

Issues:

1. Whether the CA erred in modifying the conviction from Death Caused in a Tumultuous Affray to Homicide.
2. Whether the evidence presented suffices to establish guilt beyond a reasonable doubt for the crime of Homicide.
3. Whether the mitigating circumstance of lack of intent to commit so grave a wrong was properly considered.

Court's Decision:

The Supreme Court denied the petitions and affirmed the CA's decision with modifications. It found Wacoy and Quibac guilty of Homicide, emphasizing that the act of mauling Aro was the proximate cause of his death. The Court highlighted that there was no tumultuous affray

since the assault on Aro was carried out by the two identified individuals without reciprocation or confusion characteristic of an affray. Furthermore, the Court upheld the CA's appreciation of the mitigating circumstance of lacking the intent to commit so grave a wrong but clarified the proper penalty based on this finding.

**Doctrine:**

The decision reiterates the principle distinguishing between the crimes of Homicide and Death Caused in a Tumultuous Affray, based on the presence of organized groups in a chaotic altercation for the latter and the direct causation of death by identified assailants for the former.

**Class Notes:**

1. **Homicide (Article 249, RPC):** Elements - a person was killed; the accused killed without any justifying circumstance; intent to kill is presumed; the killing was not attended by qualifying circumstances of Murder, Parricide, or Infanticide.
2. **Death Caused in a Tumultuous Affray (Article 251, RPC):** Requires multiple persons in a confused altercation without clear aggressors or victims, leading to a death where the direct assailant is unidentifiable.
3. **Mitigating Circumstance (Article 13(3), RPC):** Lack of intent to commit so grave a wrong can mitigate liability if the offender did not foresee the grave consequences of their act.

**Historical Background:** The distinction between Homicide and Death in a Tumultuous Affray reflects the legal system's approach to individual responsibility versus collective chaos in crimes leading to death. This case underscores the importance of clearly identifying the nature of the altercation and the direct causation of death in determining the appropriate charge and conviction.