

Title:

Jason Ivler y Aguilar vs. Hon. Maria Rowena Modesto-San Pedro and Evangeline Ponce: A Reckoning with Double Jeopardy in the Context of Quasi-Offenses

Facts:

In August 2004, following a vehicular accident involving Jason Ivler (petitioner) and the spouses Evangeline and Nestor Ponce, two separate criminal cases were filed against Ivler at the Metropolitan Trial Court (MeTC) of Pasig City, Branch 71:

1. Criminal Case No. 82367 for Reckless Imprudence Resulting in Slight Physical Injuries suffered by Evangeline Ponce.
2. Criminal Case No. 82366 for Reckless Imprudence Resulting in Homicide and Damage to Property due to the death of Nestor Ponce and damage to their vehicle.

Ivler pleaded guilty to the charge in Criminal Case No. 82367 and was penalized with public censure. Subsequently, he filed a motion to quash Criminal Case No. 82366, invoking the defense of double jeopardy, arguing that the two charges arose from the same act of reckless imprudence. The MeTC rejected the motion, noting no identity of offenses between the two cases.

Ivler elevated the issue to the Regional Trial Court (RTC) of Pasig City, Branch 157, through a petition for certiorari (S.C.A. No. 2803), while also moving to suspend proceedings in Criminal Case No. 82366, which the MeTC ignored, proceeded with arraignment, and eventually ordered Ivler's arrest due to non-appearance. The motion for suspension remained pending; meanwhile, the RTC dismissed S.C.A. No. 2803, citing forfeiture of Ivler's standing due to non-appearance at the arraignment, effectively affirming the MeTC's stance *sub-silencio*.

Issues:

1. Whether Ivler forfeited his standing to seek relief in S.C.A. 2803 by not appearing at the arraignment in Criminal Case No. 82366.
2. Whether Ivler's constitutional right under the Double Jeopardy Clause bars further proceedings in Criminal Case No. 82366.

Court's Decision:

1. The Court held that Ivler did not lose the right to maintain his petition in S.C.A. No. 2803 due to his non-appearance at the arraignment, distinguishing between the appeal for judgment of conviction and pre-arraignment ancillary motions. The non-appearance did not

automatically divest Ivler of standing.

2. The Court found in favor of Ivler on the ground of double jeopardy. It emphasized that the essence of quasi-offenses under Article 365 of the Revised Penal Code is the reckless act itself, not its outcomes. Thus, quasi-offenses remain singular regardless of the consequences, and subsequent prosecution based on the same act of recklessness places the defendant in double jeopardy.

Doctrine:

The Court established that reckless imprudence constitutes a single offense under Article 365 of the Revised Penal Code, irrespective of the number or nature of the resulting acts. Subsequent prosecution for the same act of recklessness, after conviction or acquittal, is barred under the Double Jeopardy Clause.

Class Notes:

- ****Double Jeopardy Clause****: Protects against subsequent prosecution for the same offense after acquittal or conviction, and against multiple punishments for the same act.
- ****Reckless Imprudence under Article 365, RPC****: Constitutes a single offense, irrespective of the consequences (i.e., slight, less grave, or grave). The essence is the recklessness of the act, not its outcomes.
- ****Key Element for Double Jeopardy in Quasi-Offenses****: The defendant cannot be prosecuted for another consequence of the same reckless act once acquitted or convicted.

Historical Background:

The case underscores the evolution of jurisprudence concerning double jeopardy, especially in the context of quasi-offenses. It manifests a departure from attempts to complex under Article 48 consequences arising from a single act of recklessness, solidifying the stance that quasi-offenses should be treated as single, indivisible acts under Article 365.