

Title: People of the Philippines v. Wenceslao Nelmidia and Ricardo Ajok

****Facts:****

The case stemmed from an ambush on June 5, 2001, in San Manuel, Lala, Lanao del Norte, Philippines, where accused Wenceslao Nelmidia (“Eslao”) and Ricardo Ajok (“Pordoy”), along with several co-accused, were charged with double murder with multiple frustrated murder and double attempted murder. The victims included members of the Philippine Army, Philippine National Police (PNP), and civilian aides accompanying Mayor Johnny Tawantawan. The ambush resulted in the deaths of Police Officer 3 Hernando P. Dela Cruz and Technical Sergeant Ramon Dacoco, and injuries to others. Following their arraignment where they pleaded “NOT GUILTY,” a series of hearings ensued. During the trial, Samuel Cutad, originally a co-accused, was discharged to become a state witness. The prosecution presented multiple witnesses, including survivors of the ambush and law enforcement personnel.

The Regional Trial Court (RTC) of Kapatagan, Lanao del Norte, found Nelmidia and Ajok guilty beyond reasonable doubt, a decision affirmed by the Court of Appeals. They were sentenced to reclusion perpetua and ordered to pay damages to the victims’ heirs and Mayor Tawan-tawan. Nelmidia and Ajok then appealed to the Philippine Supreme Court.

****Issues:****

1. Credibility of the Prosecution’s Witnesses.
2. Legitimacy of Defendants’ Alibi.
3. Presence of Conspiracy.
4. Proper Classification of the Crimes Committed.
5. Determination and Proper Award of Damages.

****Court’s Decision:****

The Supreme Court modified the Court of Appeals’ decision, holding Nelmidia and Ajok guilty of two counts of murder and seven counts of attempted murder instead of a complex crime, sentencing them to reclusion perpetua for each murder count and an indeterminate sentence for the attempted murders. The Court found the prosecution witnesses credible, dismissed the alibi defense due to the established presence of conspiracy among the accused, and identified each gunshot as distinct acts, negating the application of a complex crime. The Court also detailed the damages awarded, including civil indemnity, moral, temperate, and exemplary damages for the deceased victims’ heirs and the survivors.

****Doctrine:****

A conviction for a complex crime requires a “single act” constituting multiple grave offenses. When multiple distinct acts result in various crimes, each act is considered separately, leading to individual convictions for each crime committed, especially in the presence of conspiracy where “the act of one is the act of all.”

****Class Notes:****

- The essence of treachery and conspiracy in criminal liability.
- The difference between complex and separate crimes.
- Establishing an alibi requires proving its plausibility and impossibility of presence at the crime scene.
- The legal grounds for awarding civil indemnity, moral, and exemplary damages in criminal cases.

****Historical Background:****

This case is emblematic of the violent political rivalries and the accompanying use of force that can characterize local politics in the Philippines. It underscores the challenges law enforcement and the judiciary face in regions where private armies and political violence are prevalent, highlighting the critical role of the justice system in addressing and curbing such violence.