

Title:

People of the Philippines vs. SPO2 Lolito T. Nacnac

Facts:

SPO2 Lolito T. Nacnac was charged with homicide in the Regional Trial Court (RTC), Laoag City, for fatally shooting SPO1 Doddie Espejo on February 20, 2003, in Dingras, Ilocos Norte. Nacnac claimed self-defense, asserting Espejo exhibited unlawful aggression. The RTC found Nacnac guilty, a decision affirmed by the Court of Appeals (CA). Nacnac then appealed to the Supreme Court, which initially denied his appeal but later, upon motion for reconsideration, reopened the case to review his claims of self-defense.

Issues:

1. Whether the act of the victim drawing and pointing a gun constitutes unlawful aggression justifying self-defense.
2. Whether the means employed by Nacnac to repel the unlawful aggression were reasonable.
3. Whether there was a lack of sufficient provocation on Nacnac's part.

Court's Decision:

The Supreme Court granted Nacnac's motion for reconsideration, overturning the decisions of the lower courts, and acquitted him of the charge of homicide. The Court determined that all the elements for a valid self-defense claim were present:

1. **Unlawful Aggression:** The Court concluded that the victim's actions, which included drawing and turning a firearm towards Nacnac, constituted unlawful aggression.
2. **Reasonable Means Employed:** The Court found the single gunshot wound inflicted by Nacnac as being a reasonable response to the imminent threat posed by Espejo.
3. **Lack of Sufficient Provocation:** The decision emphasized that Nacnac did not provoke the attack that warranted his response in self-defense.

Doctrine:

The Court reiterated that for a self-defense claim to be valid, it must satisfy three requisites: (1) unlawful aggression on the part of the person attacked, (2) reasonable necessity of the means employed to prevent or repel the aggression, and (3) lack of sufficient provocation on the part of the person defending himself.

Class Notes:

- **Unlawful Aggression:** A prerequisite for valid self-defense, constituting an actual,

sudden, unexpected attack or similar immediate threat. In this case, the victim drawing and aiming a firearm at Nacnac constituted unlawful aggression.

- **Reasonable Means:** The defensive action must be proportionate to the threat faced. Here, Nacnac's single shot in response to a pointed firearm was deemed reasonable.
- **Lack of Sufficient Provocation:** The self-defense claimant must not have incited the aggression. Nacnac's interaction with Espejo, leading up to the altercation, was deemed devoid of provocation.
- **Legal Statutes:** Article 11 of the Revised Penal Code on justifying circumstances dissects the elements necessary for a self-defense claim.

Historical Background:

This case delves into the critical examination of self-defense within the context of law enforcement in the Philippines, highlighting the burdens and standards required for a legitimate claim of self-defense and the obligation of the judiciary to meticulously assess evidence supporting such a claim.