

### Title:

\*\*Alfonso C. Choa vs. People of the Philippines and Leni Choa\*\*

### Facts:

This case involves Alfonso Chan Choa, a Chinese national, who filed a petition for naturalization in the Regional Trial Court (RTC) of Bacolod City, which was subsequently withdrawn. Following the withdrawal, he was charged with perjury based on allegedly false statements in the petition. The charge was initiated by Alfonso's wife, Leni Choa. After being convicted of perjury in the Municipal Trial Court in Cities (MTCC), and upon his conviction being affirmed by both the RTC and the Court of Appeals, Alfonso brought the case to the Supreme Court on the grounds that the false statements alleged should not have been considered perjurious, due to the prior withdrawal of his naturalization petition, and questioned the Court of Appeals' affirmation of his conviction.

The procedural journey of this case began with Choa's petition for naturalization (Special Proceeding No. 5395) filed on April 25, 1989. The petition was subsequently withdrawn, a motion which was granted on September 28, 1990. However, on August 5, 1992, a perjury charge was levied against Choa based on statements made in this now-withdrawn petition. After a series of appeals from the MTCC to the RTC, and then to the Court of Appeals, Choa filed a petition for review on certiorari with the Supreme Court, contesting his perjury conviction.

### Issues:

1. Whether false statements made in a withdrawn petition for naturalization can serve as the basis for a perjury conviction.
2. Whether the withdrawal of the petition for naturalization renders the alleged false statements nonexistent for the purposes of a perjury charge.
3. Whether the petitioner's right to equal protection under the law has been violated.

### Court's Decision:

The Supreme Court denied Choa's petition for review on certiorari and affirmed the decision of the Court of Appeals, holding that Choa was rightly convicted of perjury. The Court found that all elements of perjury were present: Choa made a statement under oath on a material matter before a competent officer; the statement was made willfully and contained deliberate assertions of falsehood; and the sworn statement or affidavit containing the falsity was required by law. The Court rejected the argument that the withdrawal of the naturalization petition rendered the false statements nonexistent. It emphasized that perjury

had been committed at the time the petition was filed, irrespective of its subsequent withdrawal. The Court also dismissed the claim that Choa's constitutional right to equal protection had been violated, affirming that public policy demands that perjury be not protected by such defenses.

**### Doctrine:**

The Supreme Court reiterated the doctrine that the elements of perjury include making a willful and deliberate assertion of falsehood under oath on a material matter before a competent person authorized to administer an oath, where the sworn statement or affidavit is required by law or made for a legal purpose. Furthermore, it emphasized that the withdrawal of a petition or statement containing false assertions does not extinguish the culpability for perjury committed.

**### Class Notes:**

- **\*\*Elements of Perjury\*\***: Statement under oath on material matter, before competent officer, willful/deliberate falsehood, statement required by law or for a legal purpose.
- **\*\*Key Concepts\*\***:
  - Withdrawal of a document containing false statements does not negate perjury already committed.
  - Materiality of statements in legal documents, including those for naturalization.
  - Verification of moral character and residence as essential elements for naturalization.

**### Historical Background:**

This case underscores the importance of truthfulness in judicial proceedings, especially in petitions for naturalization, highlighting the Philippine legal system's intolerance for perjury irrespective of subsequent actions taken with respect to the original petition or statement.