

Title:

****Extinguishment of Criminal and Civil Liability Upon Death of the Accused:**** *****People of the Philippines vs. Benjamin Soria y Gomez*****

Facts:

The case commenced with the People of the Philippines as the plaintiff-appellee and Benjamin Soria y Gomez as the accused-appellant. Soria was convicted of rape by the lower courts and sentenced to prison. The conviction was upheld by the Court of Appeals on December 29, 2006, in CA-G.R. CR-H.C. No. 01442, imposing penalties and damages against Soria. He then appealed to the Supreme Court.

The Supreme Court rendered a decision on November 14, 2012, affirming the decision of the Court of Appeals with modifications to the penalties and damages awarded. On December 20, 2012, the decision was deemed final and executory.

However, it was later disclosed to the Supreme Court through a letter from the Bureau of Corrections that Benjamin Soria y Gomez had died on August 16, 2012, prior to the Supreme Court's decision and its finality. Following a directive from the Supreme Court, the Director of the Bureau of Corrections submitted a certified true copy of Soria's death certificate.

Issues:

1. How does the death of the accused-appellant prior to the finality of the Supreme Court's decision affect his criminal liability?
2. How does the accused-appellant's death impact his civil liabilities arising from the crime of rape?

Court's Decision:

The Supreme Court set aside its November 14, 2012 decision based on the principles outlined in Article 89 of the Revised Penal Code and relevant jurisprudence, including the *People v. Amistoso* case. The Court elucidated that the death of the accused-appellant while his conviction was under appeal extinguishes not only his criminal liability but also his civil liability *ex delicto*. Given that the basis for both liabilities was the criminal action itself, and since there was no longer a defendant, both the criminal and civil actions were *ipso facto* extinguished. Consequently, the Supreme Court dismissed the criminal case against Soria due to his demise.

Doctrine:

- The death of the accused pending the appeal of his conviction extinguishes both his criminal liability and civil liability ex delicto.

Class Notes:

1. **Criminal Liability Extinguishment**: Under Article 89 of the Revised Penal Code, criminal liability is totally extinguished by the death of the convict before the final judgment.
2. **Civil Liability Ex delicto**: Civil liabilities arising directly from criminal offenses (ex delicto) are extinguished upon the death of the accused if the conviction has not yet become final.
3. **Impact of Death Pre-Finality**: If the accused dies before the Supreme Court's decision becomes final and executory, the Court has jurisdiction to set aside its decision and dismiss the case.

Historical Background:

This case underscores the procedural and substantive impacts of an accused-appellant's death on the resolution of his appeal and the enforcement of penalties and damages. It reiterates and applies established Philippine legal principles regarding the extinguishment of liabilities upon the death of the accused, a scenario not uncommon in appellate courts. The Supreme Court's decision in this case reflects the adherence to due process and fairness, ensuring that justice is administered correctly, even in the event of the accused's death before final adjudication.