

Title:

****Byron Cacdac vs. Roberto Mercado: A Case of Civil Liability Arising from Acquittal in a Criminal Charge****

Facts:

On December 8, 2004, Roberto Mercado, a fuel retailer, through his employee, delivered 10,000 liters of diesel fuel worth PHP 235,000 to Byron Express Bus Company, which was received by the company's clerk, Jaivi Mar Juson, under a trust receipt. The agreement provided that the proceeds from the sale of the fuel would be remitted by December 15, 2004. Juson failed to remit the proceeds leading Mercado to file a complaint for estafa against Juson and petitioner Byron Cacdac, the alleged owner of Byron Express, under the Revised Penal Code and the Trust Receipts Law. The Regional Trial Court (RTC) eventually dismissed the criminal charge against Cacdac, affirming his civil liability to pay the amount with interest. Appeals to the Court of Appeals (CA) by Cacdac affirmed the RTC's decision, leading to the petition for review in the Supreme Court.

Issues:

1. Whether Cacdac was afforded due process in the imposition of civil liability despite the acquittal in the criminal charge.
2. Whether there is sufficient evidence to establish Cacdac's civil liability for the transaction.

Court's Decision:

The Supreme Court granted Cacdac's petition, reversing the CA and RTC decisions. The Court held that Cacdac was not deprived of due process as the demurrer to evidence he filed, without leave of court, constituted a waiver to present evidence, thus submitting the case for judgment based on prosecution evidence. However, the Supreme Court found that there was no preponderant evidence to establish Cacdac's civil liability. There was no conclusive evidence that Cacdac had ordered the diesel fuel, nor that Juson acted expressly as his agent. The Court reiterated that the burden of proof rests on the party asserting the affirmative of an issue.

Doctrine:

The Supreme Court reiterated the doctrines surrounding the filing of a demurrer to evidence without leave of court, resulting in a waiver to present evidence, and the principle that civil liability can still arise from a criminal action even if the accused is acquitted, provided that the acquittal is not due to a declaration that the fact from which the civil

liability might arise did not occur.

Class Notes:

- ****Demurrer to Evidence****: By filing a demurrer to evidence without leave of court, the accused waives the right to present further evidence, and the case is decided based on the prosecution's evidence.
- ****Civil Liability in Criminal Cases****: An accused can still be found civilly liable even if acquitted criminally if the acquittal is based on reasonable doubt or if the court declares that the liability is only civil in nature and not based on the crime which the accused was acquitted.
- ****Burden of Proof in Civil Cases****: Preponderance of evidence, or the greater weight of evidence, is the standard required to establish civil liability.

Historical Background:

This case illustrates the legal complexities surrounding cases where a criminal charge may lead to an acquittal, yet civil liability could still be imposed. It underscores the distinct thresholds of evidence required in criminal and civil proceedings and highlights the procedural nuances, such as the effects of filing a demurrer to evidence without leave of court, in the Philippine legal system.