

### Title:

**\*\*People of the Philippines vs. Hermogenes Mariano and Hon. Ambrosio M. Geraldez\*\***: A Jurisdictional Inquiry on Civil vs. Military Courts in Estafa Cases

### Facts:

This case revolves around Hermogenes Mariano, who was accused of committing estafa involving USAID/NEC property valued at PHP 4,797.35, while serving as Liaison Officer appointed by the then-incumbent Mayor of San Jose del Monte, Bulacan. A criminal case was filed against Mariano on December 18, 1974, in the Court of First Instance (CFI) of Bulacan. Subsequently, Mariano filed a motion to quash the Information, arguing that the court lacked jurisdiction over the case since a similar case involving the same property and Mayor Constantino A. Nolasco had already been adjudicated by a Military Commission, which sentenced Nolasco for malversation. On March 14, 1975, the CFI, presided by Judge Ambrosio M. Geraldez, granted the motion on the grounds of lack of jurisdiction, holding that the Military Commission's prior assumption of the case involved concurrent jurisdiction, thereby barring the civilian court from hearing the case.

### Issues:

1. Does the civil court, specifically the Court of First Instance, have original jurisdiction over the estafa case against Hermogenes Mariano, despite a related malversation case involving the same properties having been decided by a Military Commission?
2. Can concurrent jurisdiction be claimed between civil courts and military commissions in matters of estafa, thereby barring the CFI of Bulacan from proceeding with the case against Mariano?

### Court's Decision:

The Supreme Court reversed the order of the CFI Bulacan and held that civil courts indeed have original and exclusive jurisdiction over estafa cases, thus directing the trial court to continue the proceedings against Mariano without delay. The decision underscored that "jurisdiction" is derived solely from constitutional or statutory authority, and at the time of the commencement of the criminal action against Mariano, the Judiciary Act of 1948 was the prevailing statute that conferred jurisdiction to civil courts for such offenses. The Court clarified that estafa and malversation, being distinct offenses involving different accused parties in this context, cannot suggest concurrent jurisdiction between the civil court and military tribunal. Furthermore, the Supreme Court invalidated the lower court's rationale on concurrent jurisdiction, emphasizing that the Military Commission lacked the authority to adjudicate the crime of estafa filed against Mariano.

### Doctrine:

The Supreme Court reaffirmed the doctrine that a court's jurisdiction is determined by the statute in force at the time of the commencement of the action, and that civil courts have original jurisdiction over estafa cases, with no concurrent jurisdiction vested in military commissions for such offenses.

### Class Notes:

1. **Jurisdiction Defined**: The authority given to a court or tribunal by law to entertain, hear, and decide upon specific controversies.
2. **Concurrent Jurisdiction**: Refers to cases where more than one court has the authority to hear the same case; however, in this case, the Supreme Court clarified that the military tribunal and civil courts do not have concurrent jurisdiction over estafa charges.
3. **Estafa Penalties**: Under Article 315 of the Revised Penal Code, estafa is punished with arresto mayor in its maximum period to prision correccional in its minimum period if the amount involved exceeds 200 pesos but does not exceed 6,000 pesos.
4. **Military vs. Civil Court Jurisdiction**: This case illustrates the delineation between military and civil court jurisdictions, emphasizing the absence of concurrent jurisdiction for crimes such as estafa, even under martial law conditions.

### Historical Background:

Set against the backdrop of martial law in the Philippines, this case highlights the tension between military tribunals and civil judicial systems during the regime. The attempt by a military commission to assumingly exercise jurisdiction over civilian offenses underlines the complexity and the challenges in the separation of powers and judicial jurisdiction during this period in Philippine history.