

Title: Rhodora M. Ledesma vs. Court of Appeals and Hon. Maximiano C. Asuncion

Facts:

In April 1992, Dr. Juan F. Torres, Jr. filed a libel complaint against Dr. Rhodora M. Ledesma before the Quezon City Prosecutor's Office (I.S. No. 92-5433A). After reviewing Ledesma's counter-affidavit, the Prosecutor's Office found a sufficient legal and factual basis to file an Information for libel against Ledesma, concerning a letter she sent to the Director of the Philippine Heart Center containing defamatory remarks against Torres.

Ledesma sought a review of the prosecutor's resolution with the Department of Justice (DOJ), leading to the deferral of her arraignment after the DOJ gave due course to her petition. Meanwhile, without the trial prosecutor's consent, Torres filed a motion that led to the lifting of the deferral order and set the arraignment date.

Subsequently, then Justice Secretary Franklin M. Drilon reversed the investigating prosecutor's decision, finding the subject letter privileged and not libelous, directing the withdrawal of the Information filed against Ledesma. However, the trial judge denied the motion to withdraw, insisting on proceeding with the trial based on the doctrine laid down in *Crespo vs. Mogul*.

Ledesma's subsequent motion for reconsideration was also denied, prompting her to file a petition for certiorari and prohibition with the Supreme Court, which was then referred to the Court of Appeals (CA). The CA affirmed the trial court's decision, leading to this petition.

Issues:

1. Whether the Court of Appeals erred in affirming the trial court's denial of the prosecution's Motion to Withdraw Information.
2. Whether the trial court committed grave abuse of discretion in refusing to evaluate the justice secretary's recommendation to withdraw the Information.

Court's Decision:

The Supreme Court ruled in favor of Ledesma, finding merit in her petition. It held that:

1. The trial court committed grave abuse of discretion by ignoring the justice secretary's recommendation without making an independent assessment of the case's merits.
2. The letter in question was found to be a privileged communication, not malicious or

defamatory, negating the libel charge against Ledesma.

The court underscored the distinction between the prosecutor's function in determining probable cause and the court's role. Moreover, it highlighted the supervisory control of the secretary of justice over prosecutors, ruling that trial courts must independently evaluate the secretary's recommendations rather than blindly proceed with prosecution.

Doctrine:

The Supreme Court reiterated the doctrine that, while the determination of probable cause for prosecution is an executive function of the prosecutor, the trial court must independently evaluate the merits when a motion to withdraw an Information based on a justice secretary's resolution is filed. The justice secretary's recommendations, while persuasive, are not binding on courts. However, failure by the trial court to independently assess such recommendations constitutes grave abuse of discretion.

Class Notes:

1. **Probable Cause Determination:** Executive function performed by the prosecutor. Purpose is to prevent unnecessary trials for the accused.
2. **Role of Secretary of Justice:** Exercises control and supervision over prosecutors. Can reverse, affirm, or modify their resolutions.
3. **Independent Judiciary Assessment:** When a motion to withdraw Information is filed following a secretary of justice's recommendation, trial courts must make an independent assessment rather than rely solely on the recommendation.
4. **Doctrine of Privileged Communication:** Communications made in good faith on matters where the speaker has a duty or interest are protected from libel charges, provided they are made to persons with a corresponding interest or duty.
5. **Relevant Legal Provisions:**
 - **Revised Penal Code, Art. 354(1):** Defines privileged communication exempt from libel.
 - **Rule 112, Section 4 of the Rules of Court:** Recognizes the power of the secretary of justice to reverse prosecutors' resolutions.

Historical Background:

The case underscores the tension and interplay between the executive's prosecutorial discretion and the judiciary's independence in criminal proceedings, demonstrating the high-stakes nature of libel cases and the safeguarding of privileged communications within professional contexts.