

### Title: Jesus Torres v. People of the Philippines

### Facts:

Jesus U. Torres, the Principal of Viga Rural Development High School in Catanduanes, was charged with Malversation of Public Funds on November 15, 1994, following the encashment and subsequent misappropriation of checks totaling P196,654.54 intended for school employee compensations. Upon arraignment, Torres pleaded not guilty. The prosecution's evidence displayed Torres' directive for the preparation of the checks, his encashment, and failure to return the funds. In defense, Torres admitted to encashing the checks but claimed he was robbed of the funds after seeking medical attention for chest pain in Manila. The RTC convicted Torres on August 31, 2005, leading to his appeal notice filed on September 8, 2005. Mistakenly filed before the Court of Appeals, Torres sought to correct this by forwarding the appeal to the Sandiganbayan on February 10, 2006. The CA dismissed the appeal for lack of jurisdiction, a decision upheld even upon Torres' motion for reconsideration.

### Issues:

1. Whether the Court of Appeals erred in dismissing Torres' appeal outright instead of transferring the case to the proper judicial body.
2. Whether Torres, as a school principal entrusted with public funds, falls within the definition of an "accountable officer" under Article 217 of the Revised Penal Code.
3. Whether Torres' constitutional right to be informed of the nature and cause of accusation against him was violated, considering he was charged with intentional malversation but was convicted of malversation through negligence.

### Court's Decision:

The Supreme Court affirmed the CA's decision, emphasizing:

1. The appeal's dismissal for jurisdictional incompetence, noting the inapplicability of transfer to the proper court beyond the 15-day appeal period, thus the CA did not err.
2. Torres' classification as an accountable officer was confirmed, highlighting his responsibilities and custodial role over public funds, fitting the definition under Article 217 of the Revised Penal Code.
3. The Court clarified malversation's applicability regardless of intentional or negligent action, underscoring the uniformity of this crime's penalties and asserting that the charge permitted conviction for negligence, thus not infringing Torres' rights to be informed of accusation specifics.

### Doctrine:

Malversation under Article 217 of the Revised Penal Code can be committed either through active misappropriation or passive negligence by an accountable officer holding custody of public funds or property. A change in the mode of commission (from intentional to negligent) does not preclude conviction so long as malversation is substantiated.

### Class Notes:

- \*Accountable Officer\*: One responsible for the custody or control of public funds or property due to their office duties.
- \*Malversation (Art. 217, RPC)\*: Committed by appropriation, misappropriation, consent through abandonment, or negligence, leading to public funds or property misuse.
- Appeal Misfiling: Accurate court designation for appeals must occur within the standard appeal period. Erroneous appeals will not be transferred but dismissed outright.

### Historical Background

This case illustrates the importance of procedural adherence in the appellate process within the Philippine judicial system. Additionally, it clarifies the broad scope of accountability among public officers for public funds, extending to school principals and similar positions, and reinforces the principle that negligence equates to liability in crimes concerning public trust and funds.