

****Title:**** People of the Philippines vs. Warren Ivero y Mabutas: A Case of Conviction for Murder with Treachery

****Facts:**** On January 24, 2013, in Muntinlupa City, Philippines, Warren M. Ivero (the accused-appellant) fatally stabbed Sheila Cumahig (the victim), his live-in partner and mother of his two children, in their home. The murder charge was predicated on the use of a kitchen knife, intent to kill, and the aggravating circumstance of treachery.

The prosecution's narrative is supported by neighbor Afdal Sidic, who heard the victim's pleas for help and witnessed her severe injuries. Rose Permites, the victim's relative, and other testimonies solidified the account of Ivero's sudden and deadly assault. The attending physician, Dr. Diana Nitural, further cemented the case with details of Cumahig's fatal injuries and her dying declaration explicitly naming Ivero as her assailant.

Conversely, Ivero claimed a concocted frame-up, stating he was at a public market in Cavite at the crime's time and implicated another individual, "Jovy," in the stabbing.

Following the trial, the RTC found Ivero guilty, a verdict affirmed with modifications by the CA, solidifying the conviction and sentencing Ivero to reclusion perpetua.

****Issues:****

1. Whether the dying declaration is admissible and credible.
2. The validity of Ivero's defenses.
3. Appropriateness of treachery as a qualifying circumstance.
4. Determination of Ivero's guilt beyond a reasonable doubt.

****Court's Decision:****

The Supreme Court upheld the CA and RTC's decisions, reinforcing the gravity and credibility of dying declarations as evidence, especially under the consciousness of imminent death, which Sheila Cumahig's statements were deemed. Ivero's alibi and claims of a frame-up were insufficient against the weight of direct evidence, including eyewitness accounts and the victim's dying declaration. The Court also validated the presence of treachery, noting the unsuspecting victim could not defend herself against Ivero's sudden and deliberate attack. Thus, Warren Ivero y Mabutas was found guilty beyond a reasonable doubt of murder under Article 248 of the Revised Penal Code.

****Doctrine:**** This case reinforced the doctrine surrounding dying declarations as a potent form of evidence in criminal law, providing it meets the stringent criteria for admissibility. It

also illustrated the application of treachery as a qualifying circumstance in evaluating the manner of an attack in murder cases.

****Class Notes:****

1. ****Dying Declaration:**** A statement made by a dying person, aware of impending death, about the cause or circumstances of their demise. Criteria for admissibility include the declaration's relevance to the cause of death, under the consciousness of impending demise, the declarant's competence as a witness, and its presentation in a homicide or murder case where the declarant is the victim.
2. ****Treachery (Alevosia):**** Present when the offender commits any of the crimes against the person, employing means, methods, or forms in the execution, without risk to themselves arising from the defense that the offended party might make. Two conditions must be met: the method of execution gives the person attacked no opportunity to defend themselves or retaliate, and the method of execution was deliberately chosen.
3. ****Article 248 of the Revised Penal Code (as amended):**** Defines murder and specifies the circumstances under which the crime is committed, including treachery among other conditions.

****Historical Background:**** This case falls within the jurisdiction and legal framework of the Philippines, showcasing the legal process from RTC to the Supreme Court. It highlights the procedural and substantive application of the Philippine criminal justice system, particularly in handling crimes of a severe nature like murder, and the significant weight dying declarations hold in the judicial process.